

10. FULL APPLICATION – FOR THE REMOVAL OR VARIATION OF CONDITION 6 OF NP/SM/0605/0614 – LONGNOR WOOD HOLIDAY PARK, LONGNOR (NP/SM/1122/1390) MN

APPLICANT: MR DALE JAMIESON

Summary

1. The proposals seek to remove a condition that currently prevents the siting of touring caravans on the site between 10th January and 28th February each calendar year.
2. Further conditions of the permission would continue to prevent the permanent occupation of the caravans as permanent dwellings.
3. There are no further policy or material considerations that would indicate that the condition requested to be removed should be maintained.
4. The application is therefore recommended for approval.

Site and Surroundings

5. Longnor Wood Holiday Park lies in open countryside approximately 1.7 kilometres to the south west of Longnor village. The site is situated on high ground and is well screened from views to the north and west by mature trees within Longnor Wood.
6. The site contains wooden lodges, static caravans, pitches for touring caravans and tents, and facilities buildings.

Proposal

7. Planning permission is being sought for the removal or variation of condition 6 of NP/SM/0605/0614.
8. NP/SM/0605/0614 was described as 'Phase 2 of masterplan - change of use of tent camping paddocks to 14 touring units'. The permission permitted the change of use of part (the southern part) of the site to be used for the siting of 14 touring caravans, instead of the previous use of the area for tent pitches. The remainder of the site remained unaltered by the proposals.
9. Condition 6 of SM/0605/0614 reads as follows:

“No touring caravan shall remain or be brought on the site between 10th January and the 28th February each calendar year.”

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with plan 14.503/HLDL2B (dated June 2005) and the additional landscaping plan submitted by the applicant under application NP/SM/0605/0614, subject to the following conditions or modifications.
2. This consent relates solely to the layout of the caravans under Phase 2 as shown on the approved drawing numbered 14.503/HLDL2B

The use of the Phase 2 area shall be limited solely to touring caravans, the

3. number of which shall not exceed 14 at anyone time.

4. This permission, in relation to the 14 touring caravans hereby approved, relates solely to their use for short term holiday residential use. The owner shall maintain a register of occupants noting their permanent residential address upon which Council Tax is paid for each calendar year which shall be made available for inspection by the National Park Authority on request.

Key Issues

The key issues are:

- The policy implications for relaxing the condition
- The landscape impacts of relaxing the condition
- Any amenity impacts associated with relaxing the condition

History

10. 2022 – Permission granted for variation of condition 5 on NP/SM/0904/0974, to allow the occupation of the static caravans on the site during all months of the year (previously restricted during the months of January and February each year)
11. 2020 - NP/SM/0620/0543 – Permission granted for the temporary variation of condition 5 on NP/SM/0904/0974 to temporarily suspend the requirement for the park to close during January and February 2021 and 2022.
12. 2020 - NP/SM/0620/0544 – Permission granted for the temporary variation of condition 6 on NP/SM/0605/0614 to temporarily suspend the requirement for the parks camping paddock to close during January and February 2021 and 2022.
13. 2017 - NP/SM/0717/0699 – Permission granted for change of use of area of the site from campsite to the siting of 6 static caravans, 2 pods and 4 tents ancillary to the wider use of the existing holiday park; retention of existing access road, construction of parking spaces, hardstanding bases and associated landscape planting and deckage
14. 2017 - NP/SM/0217/0189 – Permission refused for change of use of area of the site from camp site to the siting of timber-clad static caravans ancillary to the wider use of the existing holiday park; construction of access road, parking spaces and hardstanding bases and associated landscape planting.
15. 2005 - NP/SM/0605/0614 – Permission granted for ‘Phase 2’ of masterplan - change of use of tent camping paddocks to 14 touring units
16. 2005 - NP/SM/0904/0974 – Permission granted for variation to conditions as set out in the ‘Poposals’ section, above.
17. 1997 - NP/SM/0797/059 – Permission granted for renewal of temporary consent for caravan site
18. These applications were proceeded by additional historic temporary permissions for the caravan and camping site and associated managers dwelling.

Consultations

19. **Highway Authority** – No objections.
20. **Parish Council** – *“The Parish Council objects on the basis that accommodation may be used continuously as residential accommodation and that the period of maintenance would no longer be available. The existing condition of 11 month occupancy is supported by the Parish Council.”*

Representations

21. No third party representations have been received.

National Planning Policy Framework (NPPF)

22. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales: Which are; to conserve and enhance the natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public. When national parks carry out these purposes they also have the duty to; seek to foster the economic and social well-being of local communities within the National Parks.
23. The National Planning Policy Framework (NPPF) has been revised (2019). This replaces the previous document (2012) with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In particular Paragraph 176 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.
24. In the National Park, the development plan comprises the Authority's Core Strategy 2011 and the Development Management Policies (DMP), adopted May 2019. These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. In this case, it is considered there are no significant conflicts between prevailing policies in the Development Plan and government guidance in the NPPF.

Main Development Plan Policies

Core Strategy

25. Core Strategy policy L1 states that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics.
26. Core Strategy policy HC1 states that provision will not be made for housing solely to meet open market demand and that, exceptionally, new housing can be accepted where:
- A. It addresses eligible local needs
 - B. It provides for key workers in agriculture, forestry or other rural enterprises
 - C. It is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings; or it is required in order to achieve conservation or enhancement in settlements.
27. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources.

Development Management Policies

28. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.

29. Policy DMR2 addresses occupancy of touring camping and caravan sites. It states that where the development of a touring camping or touring caravan site is acceptable, its use will be restricted to no more than 28 days per calendar year by any one person. It also states that for an existing camping or caravan site, the removal of any existing condition that stipulates months of occupation, and its replacement by a holiday occupancy condition, will be permitted, provided that the site is adequately screened in winter months and that there would be no adverse impact on the valued characteristics of the area or residential amenity.
30. The supporting text to this policy states that applications to relax seasonal occupancy conditions will be considered on their merits but will more often than not be refused. This is because caravans and tents (or similar) are not considered appropriate permanent homes in a protected landscape, and because when they are occupied for holiday use they enable a large number of people to visit, experience and enjoy the National Park.

Assessment

31. This application follows a similar application in 2022, which sought to remove a condition that prohibited the occupation static caravans on the site between 10th January and 28th February each year. That application was approved by Members of the Planning Committee in December 2022.

Principle of Development

32. The reason for the imposition of condition 6 as set out in the decision notice for SM/0605/0614 is *'to ensure that the site is not occupied on a permanent basis'*.
33. The rationale for restricting such occupation is not set out in the notice, but is detailed in the officer report at that time. Essentially it was imposed to ensure (continued) compliance with adopted planning policy of that time in relation to holiday accommodation. Whilst the current application must be assessed against current planning policy, the requirement to impose holiday occupancy restrictions as set out by policy DMR2 follows the Authority's longstanding position on such accommodation, with the reasons for such conditions commonly and principally being:
- To ensure that developments proposed for use as holiday accommodation do not result in the establishment of permanent dwellings in a location and of types that would not accord with adopted planning policy due to causing adverse landscape and/or heritage impacts, and that would undermine the need to broadly restrict new housing development to affordable housing to meet a local need.
 - To minimise landscape harm during winter months when landscapes are at their most exposed due to reduced tree cover and other vegetation.
 - To provide periods of reduced activity at tourist accommodation sites for some of year, in the interests of the amenity of local residents

34. Each of these is taken in turn below.

Establishment of permanent dwellings

35. The removal of condition 6 from the existing permission would allow year-round siting and use of touring caravans on the site.
36. It should be noted however, that condition 5 of this same permission reads as follows:

This permission, in relation to the 14 touring caravans hereby approved, relates solely to their use for short term holiday residential use. The owner shall maintain a register of occupants noting their permanent residential address upon which Council Tax is paid for each calendar year which shall be made available for inspection by the National Park Authority on request.

37. This means that whilst caravans could be occupied on the site all year round if Condition 6 was to be removed, they could not be occupied by the same person for all of that time, with any occupier being required to have a permanent registered address elsewhere. The wording of condition 5 as it exists is not conventional or reflective of current planning policy, which seeks to limit occupation to 28 days per year by any one individual. Such a condition was previously in place however, and the Authority granted permission for it to be changed to the current wording as part of the permission SM/0605/0614.
38. To summarise the implications of the discussion above, there are (at present) two conditions that prevent touring caravans at the site from being occupied on a permanent basis; one that explicitly prevents the permanent occupation of the units by any one individual, and one that requires all of them to remain unoccupied during a period of the year. Removing the condition securing the latter would not, therefore, create a situation whereby the accommodation at the site could be occupied on a permanent basis, and the development would continue to comply with the provisions of policy DMR2b insofar as the removal of condition 6 would remove stipulations on months of occupation whilst maintaining another holiday occupancy clause.

Landscape impacts

39. The site is well screened in wider views by dense and established planting and landscape topography, as well as by planting secured as part of the original permission that is now sought to be varied. The landscape impacts associated with allowing the holiday park to operate throughout the months of January and February are therefore negligible, and would not conflict with policies L1 or DMC3.

Amenity and other impacts

40. The development is positioned a significant distance from neighbouring properties and as a result extended opening seasons would have no impact on their amenity, according with policy DMC3.
41. It appears from the Authority's records that applications to discharge the conditions of the extant permission relating to landscaping (planting plans and surfacing materials) were never made; they have been breached for more than 10 years and are therefore no longer enforceable and the development as implemented is now lawful. Landscaping of the site has however been carried out broadly in accordance with the plans approved by the extant permission. In that context, and given that landscape impacts remain low and that the change to the approved development now proposed is slight, it is not considered reasonable to re-impose these.

Conclusion

42. Approval of the application would not prejudice or alter the use of the site for holiday accommodation, and would give rise to no other significant adverse planning impacts.
43. It would support the local economy to a modest extent, and help to sustain a business promoting the enjoyment of the National Park, according with statutory purposes and duties in these regards.

44. The application is therefore recommended for approval, subject to the reimposition of the remaining conditions from the previous permission to properly secure the development, subject to the omission of the previously imposed landscaping conditions and variation of the restriction on the warden's accommodation to reflect the change to the occupancy of the site hereby supported.

Human Rights

45. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

46. Nil

47. Report author:
Mark Nuttall, Interim Area Team Manager, 19 January 2023