



Appeal Decision

Site visit made on 22 August 2019

by Robert Fallon B.Sc. (Hons) PGDipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 January 2020

Appeal Ref: APP/J3530/W/19/3228198

Carlton Meres Country Park, Carlton Lane, Carlton, Saxmundham, IP17 2QP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Park Holidays UK Ltd. against the decision of Suffolk Coastal District Council.
 - The application Ref DC/19/0133/FUL dated 11 January 2019, was refused by notice dated 19 March 2019.
 - The development proposed is described on the application form as "Use of land for the stationing of static holiday caravans for holiday occupation between 1st March in any year and 14th February in the next".
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Decision

1. The appeal is allowed and planning permission is granted for the use of land for the stationing of static holiday caravans for holiday occupation between 1st March in any year and 14th February in the next at Carlton Meres Country Park, Carlton Lane, Carlton, Saxmundham, IP17 2QP in accordance with the terms of the application, Ref DC/19/0133/FUL dated 11 January 2019, subject to the conditions set out in the attached schedule.

Procedural matters

2. Although the Council and appellant make reference to an emerging Local Plan¹, there is no evidence before me that this document has yet been found sound by the Secretary of State for Housing, Communities and Local Government². Given the uncertainties regarding the outcome of that process, I have given this document limited weight. However, insofar as Policy SCLP6.5 and Paragraph 6.33 is relevant to my determination of the appeal, the general thrust of this is not so changed from adopted development plan policy that I would have reached a different decision if I had given it more weight in my consideration.

Background

3. The application subject to this appeal sought to enable the static caravans to be occupied for holiday purposes between 1st March in any year and 14th February in the next (approximately 11½ months). This contrasts with the current static caravan holiday use which restricts occupation to between 6th

¹ Suffolk Coastal Local Plan, Final Draft Plan, January 2019, Representations period 14th January to 25th February 2019, Suffolk Coastal District Council, submitted to the Secretary of State for examination on 29th March 2019.

² Strategic Plan progress – 1 December 2019, GOV.UK website.

March in any year and 8th January in the next (approximately 10 months). The proposal therefore seeks to extend the season in which the static caravans may be occupied for holiday purposes by approximately 6 weeks.

Main issue

4. The main issue is whether the extended length of holiday season would be appropriate.

Reasons

5. The appeal site forms part of a large holiday park consisting of static and touring caravans, a modern clubhouse and swimming pool facilities. It is situated in the open countryside, with the surrounding area primarily characterised by agricultural land interspersed with small pockets of woodland.
6. The Council and appellant both agree that the existing holiday park constitutes a tourism use. Policy DM18 of the Core Strategy³ states that proposals for intensification of sites containing static holiday caravans will be acceptable subject to a number of criteria, the most pertinent to this case being that they are used for holiday accommodation only, and not for permanent residential accommodation. It also states that where planning permission is granted, a condition will normally be imposed to ensure that no holiday unit is occupied by the same person for 56 days or more in a calendar year.
7. In the interests of ensuring sustainable patterns of development, I recognise the need for controls to prevent year round occupation by a single party, and agree with the Council that a condition preventing occupation of a static caravan by the same person for 56 days or more in a calendar year would encourage a greater turnover of different parties using a holiday unit, which may in turn be of greater economic benefit to the local area.
8. The Council states that the proposal could result in a static caravan being occupied by the same party throughout the extended holiday season of 11½ months, and that this gives it cause for concern that it might become the primary dwelling for its occupants, who would merely go on holiday for 2 weeks every year when the site is shut.
9. However, the current lawful use of the site is not subject to a 56-day planning restriction on any party using a holiday unit, which means that as things stand, the static caravans could be occupied for the entire 10 month season by the same person. Just as the Council is concerned occupants would move away on holiday for the 2-week shutdown during the proposed 11½ month season, I do not consider the current 8 week shutdown period to be so extensive that this would discourage occupants from choosing to do the same. This fallback position is significant within the context of the case and I have given it substantial weight in my consideration.
10. Although I share the Council's concerns over the harm that would arise from a permanent residential use of the static caravans, the appellant asserts that this is not their intention and does not fit in with their business model. In my view, given the investment they have made in leisure facilities at the park, the operational & financial implications of allowing permanent residential

³ Suffolk Coastal District Local Plan, Core Strategy & Development Management Policies, Development Plan Document, July 2013, Suffolk Coastal District Council.

accommodation (site license and business rate matters), and the tension that might be generated between occupants using static caravans intermittently for holiday purposes and permanent residential occupation, I see no reason to disbelieve them.

11. I note the Council's concerns in respect of there being less benefit to the local economy from an 11½ month season without any time limit on occupation by an individual party, but because of the fallback position, I am not of the view that the 6 week difference in length of season proposed would harm the economic health of the local area. In view of this, and because I am satisfied that the conditions I have attached are capable of restricting the static caravans to a holiday use and not be occupied as permanent residential accommodation, I consider the scheme to be acceptable.
12. I recognise that Policy DM18 refers to a 56 day restriction on any single party, but the wording explicitly states that this will normally be imposed where planning permission is granted [my emphasis], which to my mind means that this a general rule, and not one that needs to be applied in every single case no matter what the circumstances. Given the significance of the fallback position in this case, and the ability to impose conditions preventing the holiday units from being used as permanent residential accommodation, it is my view that the current proposal is one of those circumstances where such a condition is unnecessary.
13. In view of the above, I conclude that the proposal would accord with Policies SP8 and DM18 of the Core Strategy, which collectively seek to ensure, amongst other things, that tourism development protects the features that make the district attractive to visitors and that holiday accommodation is not abused and used as permanent accommodation.
14. I am as a consequence also satisfied that the scheme would not result in permanent residential accommodation at the site and that it would not therefore conflict with Policies SP1, SP1A, SP19, SP29, DM3 and DM4 of the Core Strategy and Policy SSP2 of Site Allocations and Site Specific Policies Development Plan Document⁴, which collectively seek, amongst other things, to control new housing development in the open countryside.

Conditions

15. The Council has suggested conditions which I have considered in the light of the Framework and Planning Practice Guidance. In addition to the conditions already referred to above in my assessment, a condition requiring development to be commenced within 3 years is needed for the avoidance of doubt, as are conditions to ensure the scheme is carried out in accordance with the submitted details and restricting the length of season to 11½ months.

Conclusion

16. In view of the above, having had regard to all other matters raised, I conclude that the appeal should be allowed.

Robert Fallon

INSPECTOR

⁴ Suffolk Coastal District Local Plan, Site Allocations and Area Specific Policies, Development Plan Document, January 2017, Suffolk Coastal District Council.

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and details:- Location Plan RUPC.1 and the supporting statement dated January 2019.
- 3) The caravans shall be used for holiday purposes only and for no other purpose and shall not be occupied as a person's sole or main place of residence. The operators of the caravan park shall maintain an up-to-date register of the names of all owners on the site and of their main home addresses and shall make this information available to the local planning authority upon request.
- 4) For the avoidance of doubt, the caravans shall only be occupied and used for holiday purposes between 1st March in any one year and 14th February in the following year.

End of Schedule