

Reference: 06/16/786/CU

Parish: Burgh Castle

Officer: Miss Gemma Manthorpe

Expiry Date: 17th March 2017

Applicant: Park Resorts Ltd

Proposal: Change of use of land to operate holiday park (Yare and Bure Villages) for year round holiday caravan use.

Site: Breydon Water Holiday Park, Butt Lane, Burgh Castle.

1. REPORT

- 1.1 The application is for the change of use of 16.5 hectares of land to operate holiday parks known as Yare and Bure Village, now known as Breydon Water Holiday Park, for year round holiday caravan use.
- 1.2 There have been a number of applications submitted on the site, the most relevant being the application approved in 2012 for the variation of conditions on planning permissions at Breydon Water Holiday Park to allow holiday use for 11 months per year.

2. Consultations :-

- 2.1 **Parish Council-** The Parish Council object to the application and recommend that the use of the land remains at 11 months.
- 2.2 **Neighbours** – One objection has been received stating that part of the land is not within the applicants ownership, in the objectors, and that a better use of the land would be as a single residential dwelling.

Officer comment: It is noted that the Land registry identifies the land at Mill Lane under the same title number as the holiday park, there are no separate titles seen and certificate A has been completed therefore the applicant has stated that they own the land.

- 2.3 **Norfolk County Council as Highway Authority** – No objections to the application; there is no intention to increase the number of units already permitted to operate as full time residential caravans. The permission exists for the operation as holiday use for 11 months of the year and in this respect it is not considered that an additional month of holiday use is likely to result in severe residual cumulative impact in highways terms.

2.4 **Strategic Planning** – The Strategic Planning team does not object, conditionally, to this proposal to change the use from the current 11 months holiday caravan use to 12 months. The area is designated as Primary Holiday Accommodation (Policy CS8), therefore the Council should seek to ensure that a suitable condition / restriction is put in place to prevent the use of the site for permanent residential caravan use.

2.5 **Environmental Health** – Object for the following reasons:

If year round use is granted for this site, this will result in the caravans being occupied on a residential permanent basis rather than as a holiday site. The caravan site licence conditions applicable to this site are for holiday use only. The accommodation on this site is unlikely to be suitable for residential use.

Allowing a holiday site to become more residential in nature will be detrimental to tourism and the business economy as it will inevitably lead to a decrease in visitors contributing to the local economy.

3. **National Planning Policy Framework**

3.1 Paragraph 14: At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking.

3.2 Paragraph 18: The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.

3.3 Paragraph 28: Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses;
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where

identified needs are not met by existing facilities in rural service centres;
and

- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

4. Saved Great Yarmouth Borough-Wide Local Plan Policies (2001)

4.1 Local Policy - Saved Great Yarmouth Borough-Wide Local Plan Policies (2001):

4.2 Paragraph 215 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the Local Plan is to the policies in the NPPF the greater the weight that is given to the Local Plan policy. The Great Yarmouth Borough Wide Local Plan was adopted in 2001 and the most relevant policies were 'saved' in 2007. An assessment of policies was made during the adoption of the Core Strategy December 2015 and these policies remain saved following the assessment and adoption.

4.3 The Saved Policies listed have all been assessed as being in general conformity with the NPPF, and add further information to the policies in the NPPF, while not contradicting it. These policies hold the greatest weight in the determining of planning applications.

4.4 Policy TR16: Any planning permission given for new holiday accommodation will be subject to conditions preventing the accommodation being used for permanent residential purposes.

5. Core Strategy:

5.1 **Policy CS8:** As one of the top coastal tourist destinations in the UK, the successfulness of tourism in the Borough of Great Yarmouth benefits not only the local economy but also the wider sub-regional economy as well. To ensure the tourism sector remains strong, the Council and its partners will: (inter alia points a – p)

a) Encourage and support the upgrading, expansion and enhancement of existing visitor accommodation and attractions to meet changes in consumer demands and encourage year-round tourism

b) Safeguard the existing stock of visitor holiday accommodation, especially those within designated holiday accommodation areas, unless it can be demonstrated that the current use is not viable or that the loss of some bed spaces will improve the standard of the existing accommodation

6. Assessment

6.1 The application covers two sites located on the east and west of Butt Lane Burgh Castle, both sites are under the same name and, as per the submitted details, the same ownership. The application is for a change of use as opposed to a variation of condition which, if approved, would require conditions requiring the submission of details of the retention of the existing offerings on site and confirmation of layout including design and type of accommodation offered. Although it can be assumed that these provisions are to remain as the application is a change of use and not a variation of condition they will need to be requested and submitted prior to the commencement of the use that is proposed. It is noted that there is a section of site within the applicants ownership outlined in blue on the submitted plan that is residential accommodation and this application does not seek to alter this element of the site.

6.2 The applicant proposes to use the application site for 12 months of the year as holiday accommodation for caravan use. The current use of the site is holiday accommodation for caravan use for 11 months of the year; the site is located within an area designated as prime holiday accommodation. The current condition states that the site is not operational between the 7th January and the 7th February and the condition reads as follows:

'caravans and the site facilities shall only be used during the period from 7th February in any year to the 7th January in the following year.'

The application would remove this period of time that the accommodation and site facilities are not available and thus removing the closed period.

6.3 The applicant has submitted a number of documents in support of the application including an appeal decision, albeit a 2009 appeal decision, supporting the removal of restricted occupancy in support of year round holiday use. It is accepted that the common theme of holiday occupancy preferred by planning inspectors is for 12 month occupancy as holiday use only and this can be evidenced by the Kingfisher Holiday Park appeal decision which is located within the immediate vicinity of the application site.

6.4 The Parish Council and Environmental Health have objected to the 12 month occupancy. The Environmental Health Officers objection is that the use of the land for 12 month holiday use will cause the site to become more residential in nature which will lead to a decrease in visitors contributing to the local economy.

- 6.5 Granting permission for the site to be occupied for 12 months of the year as holiday use would not grant a residential permission on the site. Conditions are commonly used to prevent permanent occupation of sites which are allowed 12 month occupancy, one of which is suggested by the applicant and is taken from the Department for Communities and Local Government 'Good Practice Guide on Planning for Tourism' published in 2006 which reads as follows:

(i) the caravans (or cabins/chalets) are occupied for holiday purposes only;
(ii) the caravans (or cabins/chalets) shall not be occupied as a person's sole, or main place of residence;
(iii) the owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans/log cabins/chalets on the site, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

The reason for these conditions is to ensure that approved holiday accommodation is not used for unauthorised permanent residential occupation. The register required in (iii) above shall normally be collected by the caravan site licence holder or his/her nominated person.

- 6.6 In addition to the above condition a further condition can be placed upon the application site restricting the amount of nights that are spent at the holiday park in any one year. This would reaffirm the definition main which would not allow more than six out of 12 months to be spent in holiday accommodation by a singular person or family. This condition would not prohibit the occupation by numerous persons or families throughout the 12 month period thus not having an adverse effect on the tourism offering.

7. Recommendation

- 7.1 Approve the application with appropriate conditions to ensure an adequate form of development, the retention of existing associated infrastructure and amenities on site and restrictions on the use as holiday use only by example condition above and additional condition regarding length of occupation per 12 month period.

5

MEMORANDUM

From Environmental Health

To: Head of Planning and Business Services
Attention: G Manthorpe

Date: 22nd December 2016

Our ref: SAF

Your ref:
06/16/0786/CU

Please ask for: Sarah Flatman

Extension No: 408

CHANGE OF USE LAND TO OPERATE FOR YEAR ROUND YARE AND BURE VILLAGES HOLIDAY PARK BURGH CASTLE GREAT YARMOUTH NORFOLK NR31 9QB

Great Yarmouth Borough Council Environmental Services are objecting to the grant of planning permission for the above proposal for the following reasons:-

1 If year round use is granted for this site the caravans will result in being occupied on a residential permanent basis than as a holiday site. The caravan site licence conditions applicable to this site are for holiday use only. The accommodation on this site is unlikely to be suitable for residential use.

Allowing a holiday site to become more residential in nature will be detrimental to tourism and the business economy as it will inevitably lead to a decrease in visitors contributing to the local economy.

Should you have any queries please do not hesitate to contact me

Sarah Flatman
Commercial team Manager

Internet Consultees

Application Reference 06/16/0786/CU

Attachments

Invalid Consultee Comment? ☐Copy to existing Consultee? ☐

Name Reginald Hole

Address 9 The Crescent

Walcott

Post Code NR120NH

Telephone

Email Address

For or Against ☐ For ☐ ObjectSpeak at Committee ☐

As the owner of the plot which fronts onto Mill Lane, as highlighted and included in the application. I have no prior knowledge of this application it has been forwarded to me by a neighbour. I categorically object to this application as it is my land and this plan has not been discussed with me. please advise me of any future developments regarding this application. This parcel of land has been included in the wider Borough plan for consideration for one dwelling which I feel would better suit the situation and better suit the domestic environment of Mill Lane.

Date Entered 02-01-2017

Internet Reference OWPC1000

S

Jill K. Smith

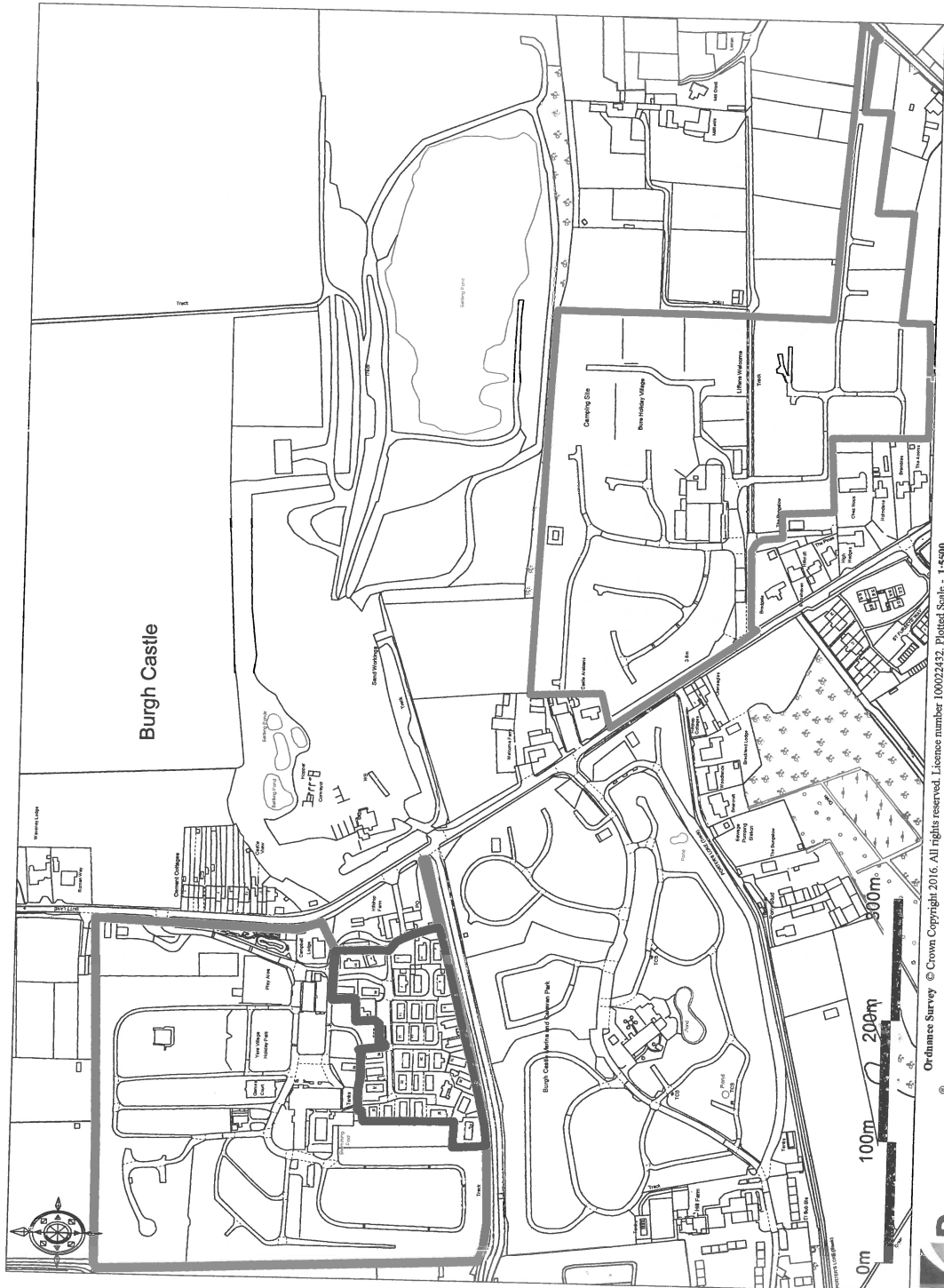
From: Kate Palmer <burghcastleclerk@gmail.com>
Sent: 12 January 2017 15:02
To: plan
Subject: burgh castle planning application comment

06/16/0786/CU Breydon Water Holiday Park, Burgh Castle. Park Resorts Ltd
Change of use to operate all year round holiday caravan use

The Parish Council would like to object to the use of land to 12 month holiday caravan use and would suggest it remains at 11 months.

Kind regards, Kate Palmer

Clerk

A circular stamp from the Great Yarmouth Planning Department, dated 16 DEC 2016. The text "GREAT YARMOUTH" is at the top, "PLANNING" is in the middle, "16 DEC 2016" is in the center, and "DEPARTMENT" and "BOROUGH COUNCIL" are at the bottom.

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