

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ML	03/02/2021
Planning Development Manager authorisation:	TC	03/02/2021
Admin checks / despatch completed	ER	03/02/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	03.02.2021

**Application:** 20/01785/FUL **Town / Parish:** Harwich Town Council

**Applicant:** Park Holidays UK Ltd

**Address:** Dovercourt Haven Caravan Park Low Road Dovercourt

**Development:** Variation of Condition 1 to Planning Application 19/00588/FUL to add an additional occupation period from 15th Feb 2021 to the end of February 2021 only.

### **1. Town / Parish Council**

Harwich Town Council  
01.02.2021

Harwich Town Council has no objection to this application however would note a concern to the planning authority about residents living in what are otherwise holiday homes, often due to a lack of suitable affordable housing in the area.

Harwich Town Council's no objection stance is given on the grounds that this is specifically to address Covid-related circumstances.

### **2. Consultation Responses**

Environment Agency      No comments received

ECC Highways Dept      No comments received

### **3. Planning History**

19/00588/FUL      Variation of Condition 1 to Planning Application HAR/22/61 - to amend occupation to 1st March in any one year to 15th Feb the following year - subject to certain requirements set out in Planning Statement.      Approved      19.07.2019

20/00197/FUL      Proposed siting of 57 static caravans in lieu of 90 touring caravans within the existing confines of Dovercourt Holiday Park.      Current

20/00198/FUL      Proposed construction of a new internal swimming pool building      Approved      05.05.2020

and Outdoor Play Area and associated external works.

20/01785/FUL Variation of Condition 1 to Planning Application 19/00588/FUL to add an additional occupation period from 15th Feb 2021 to the end of February 2021 only. Current

#### **4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL3 Minimising and Managing Flood Risk

ER16 Tourism and Leisure Uses

ER18 Caravan and Chalet Parks

ER20 Occupancy Timescales

COM33 Flood Protection

EN11A Protection of International Sites European Sites and RAMSAR Sites

EN11B Protection of National Sites SSSI's, National Nature Reserves, Nature Conservation Review Sites, Geological Conservation Review Sites

EN11C Protection of Local Sites: Local Nature Reserves, County Wildlife Sites, Regionally Important Geological/Geomorphological Sites

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

PP8 Tourism

PP11 Holiday Parks

PPL1 Development and Flood Risk

PPL4 Biodiversity and Geodiversity

#### **Status of the Local Plan**

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. In this latter regard, as of 26<sup>th</sup> January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10<sup>th</sup> December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26<sup>th</sup> January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not.

With the adoption of the modified Section 1 of the emerging Local Plan, the Councils 'objectively assessed housing need' of 550 dwellings per annum has been found 'sound' and there is no housing shortfall. The Council is able to report a significant surplus of housing land supply over the 5 year requirement, in the order of 6.5 years.

## **5. Officer Appraisal (including Site Description and Proposal)**

### **Site Description**

The application site is located on the southern side of Low Road on the edge of Dovercourt. The site accommodates a holiday park which extends to around 36.5 hectares in size. In total the park is home to 562 static caravans, 90 touring caravan pitches and 30 residential park homes.

The site is located within a Flood Zone 3.

### **Proposal**

The purpose of this application is to seek a variation of the seasonal occupancy period - for one year only - so as to allow the use of the caravan park during the period it would otherwise have been closed.

The current permitted season is 1st March to 15th February in the following year (19/00588/FUL). In this case therefore the additional period being sought is between 15th February 2021 and the end of February 2021 only.

### Policy Background

The NPPF recognises that planning policies should support economic growth in order to create jobs and prosperity by taking a positive approach to sustainable new development. This includes support for sustainable tourism and leisure developments that benefit businesses, communities and visitors, and which respect the character of the locality. Such support 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.

COVID-19 has impacted significantly in all sectors of the economy. No less so within the UK for holiday caravan parks and the tourism market as a whole.

On the 14th July 2020 the Government issued a written Ministerial Statement which indicated that:

Extending their [holiday parks] operation beyond the usual summer season will be invaluable to parks as the sector begins to recover. We are aware that current planning conditions may limit their open season. The temporary relaxation of these planning restrictions can play a vital role in helping local businesses to get up and running again.

Against this backdrop and in line with current Government Guidance a short relaxation in the occupancy period for this year only is acceptable.

### Flood Risk

The previously approved Flood Evacuation Plan has been updated. The evacuation route proposed within the document and other recommendations are secured via condition.

### Other Considerations

Given the short time nature of the relaxation in the approved occupancy period any impact upon highway or ecology interests would be minimal.

Harwich Town Council has no objection to this application however would note a concern to the planning authority about residents living in what are otherwise holiday homes, often due to a lack of suitable affordable housing in the area. Harwich Town Council's no objection stance is given on the grounds that this is specifically to address Covid-related circumstances.

No further letters of representation have been received.

## **6. Recommendation**

Approval

## **7. Conditions**

- 1 The static holiday caravans sited at Dovercourt Holiday Park may only be occupied between the following dates;
  - All year round occupancy in the year 2021 only; and
  - Beyond 2021 from the 1st March in any one year to 15th February the following year.

Occupancies are subject to the following requirements:

- i. The static caravans shall be occupied for holiday purposes only;
- ii. The static caravans 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 static caravans on the site, and of their main home addresses and shall make this information available at all reasonable times (8:45am - 5:00pm) to the Local Planning Authority. The register shall be collected by the caravan site licence holder or by their nominated person.

The extended holiday season relates only to those static holiday caravans located in the areas hatched in green and yellow on the 1:2500 Land Use Plan submitted as part of planning application 19/00588/FUL.

Reason - The site is outside any area where planning permission would normally be forthcoming for residential development and is permitted only for holiday purposes in the interests of contributing to tourism and the economy of the area.

- 2 The hereby approved development shall only be implemented in full accordance with the agreed Flood Evacuation and Management Plan (as prepared by enzygo dated November 2020). The Flood Warning Evacuation Plan shall remain in force for the duration of the occupation period and shall remain a live document and be updated where required.

Reason - The site lies within flood zone 3 at high risk from flooding and a detailed evacuation plan is essential to safeguard occupiers of the development.

## 8. Informatives

### Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

<p><b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b></p>	<p>YES</p>	<p>NO</p>
<p><b>Are there any third parties to be informed of the decision? If so, please specify:</b></p>	<p>YES</p>	<p>NO</p>