

NORTHERN PLANNING COMMITTEE – 22 December 2010

UPDATE TO AGENDA

APPLICATION NO.

10/4803M

LOCATION

Rode Heath Wood, Back Lane, Eaton

UPDATE PREPARED

20 December 2010

APPLICANT'S SUBMISSION

The applicant has now submitted additional information regarding the responsibilities of the site manager and the way in which the site will operate. Information relating to how income will be generated after the sale of the Lodges and the financial basis upon which the business is planned has also been provided.

KEY ISSUES

The above information has been submitted in response to the concerns raised in the original Committee report. Due to the nature of this information, it will take time to assess it against the requirements of PPS7. In addition, it should be noted that whilst the Council has fulfilled its statutory obligations for the publicity of the application, it has come to light that the number of residents that have been notified is not consistent with the number notified on the other two applications that appear elsewhere on the agenda (10/3803M and 10/3805M), and also those that have been notified on previous applications on this site.

Recommendation

It is therefore recommended that in order to fully assess the application and provide all interested parties the opportunity to comment on the proposal, **the application is deferred to the next Northern Planning Committee on 19 January 2011.**

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APPLICATION NO.

10/3803M and 10/3805M

LOCATION

Rode Heath Wood, Back Lane, Eaton

UPDATE PREPARED

20 December 2010

APPLICANT'S SUBMISSION

The applicant has now taken advice from a Leisure Business and Property Consultant regarding the year round holiday occupancy. They have advised that:

Increasingly we are seeing the trend for year round opening of holiday parks and are generally successful in achieving consent for clients looking to extend from 8 months and even from 10 ½ months season. Some Councils still have a policy in place stating 10 ½ month is the maximum (Cheshire East Council does not have such a policy).

The usual resistance to year round opening is of course the fear they will be used residentially. This issue has now been addressed in national planning policy guidance, The Good Practice Guide on Planning for Tourism. This sets out the following model planning conditions which should control occupancy of the caravans as holiday accommodation only:

- The caravan shall be occupied for holiday use only*
- The caravan shall not be used as a person's permanent sole or main residence*
- The site operator shall maintain an up-to-date register of everyone's main home address and shall make this available to the local planning authority for inspection*

We would expect to secure consent for a year round opening using these arguments and the reference to model conditions to control occupancy.

In addition to the appeal decisions submitted with the application, two further examples of planning permissions for variation of conditions to allow year round holiday occupation have been submitted. This shows that other Councils are prepared to take the advice on the adequacy of the standard conditions in the Good Practice Guide to ensure occupation remains for holiday use only. In the light of the appeal decisions already sent, the Good

Practice Guide and the approach being taken by other Councils it is hoped that this will allow the recommendation to be reconsidered as it seems to run contrary to all current practice and guidance.

KEY ISSUES

As stated in the original report, each case must be assessed on its merits. Having regard to the particular circumstances of this case and the fact that an Inspector has examined the details of this site, and a second Inspector looked at similar details for the extended site and both came to the conclusion that a “close season” condition was necessary in addition to the holiday occupancy conditions listed in the Good Practice Guide, the closed season condition is considered to be required to prevent the permanent residential occupation of the caravans.

Accordingly, as set out in the committee report a recommendation of refusal is made.