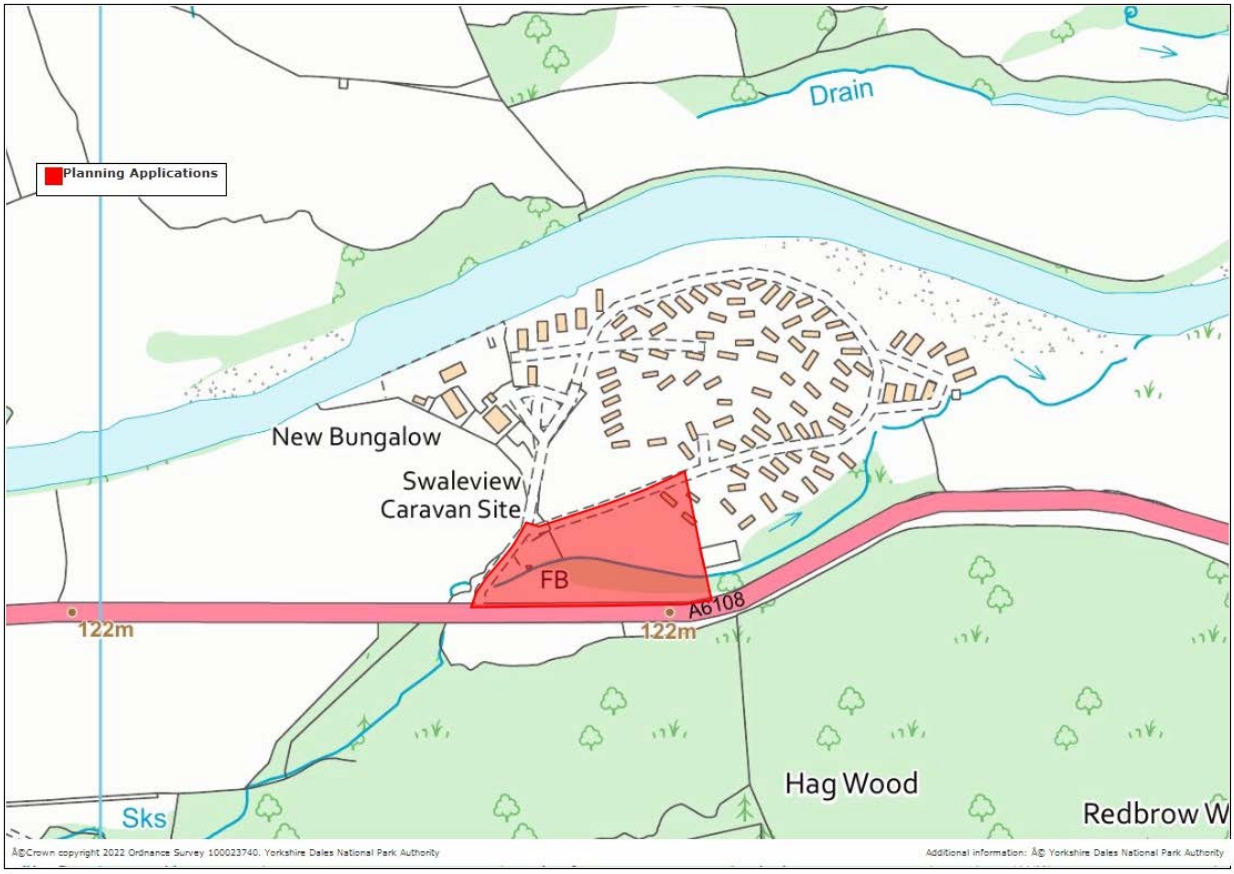
YORKSHIRE DALES NATIONAL PARK AUTHORITY

Committee:	Planning	**Parish:**	Hudswell
Date:	21 June 2022	**Officer:**	Andrew Bishop
Applicant:	Mr & Mrs A & E Carter	**Application No:**	R/27/34T
Site Address:	Swaleview Caravan Park, Reeth Road, Richmond, North Yorkshire, DL10 4SF		
Proposal:	Section 73 application to vary Condition 8 of R/27/34S (full planning permission for reorganisation of south west area of the caravan park to replace some of the approved touring caravan pitches (minimum 15) with 16 static caravans (within part of the site approved for 30 touring caravan pitches R/27/34J) and to provide 5 touring pitches adjacent to the camping pods) in respect of letting restrictions		



REASON FOR COMMITTEE CONSIDERATION

1. This application is reported to Committee for the following reason: the Parish Council recommendation is contrary to the decision which the Head of Development Management proposes to take.

APPLICATION SITE

2. Swaleview Caravan Park is located adjacent to the River Swale some 3 kilometres west of Richmond with an access taken directly from the A6108. The application relates to the south-western portion of the site to the north of a strip of land that is occupied by camping pods. The site is currently used for touring caravans with 10 pitches provided in this area.

PROPOSAL

3. The Section 73 application is to vary Condition 8 of the planning approval R/27/34S granted on 4th March 2021.

4. Condition No.8 and its reason state:

> '8. The static caravans hereby approved shall only be used for short stay holiday letting purposes. They shall not be occupied by any person or persons for more than 28 consecutive days or more than 56 days in any one calendar year and shall not be occupied for long term or seasonal holiday or other letting purposes, or occupied as a sole or main place of residence. The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of the individual static caravans on the site, their main home addresses, and a home council tax (or equivalent) reference number to show residential status at a permanent address other than on the land, and shall make this information available at all reasonable times to the Local Planning Authority.'
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> 'Reason: To ensure that the proposal would provide short term holiday lets rather than longer term seasonal lets or more permanent accommodation in order to contribute to the provision of sustainable visitor facilities and would have an acceptable visual impact in accordance with policy T2 of the Yorkshire Dales National Park Local Plan (2015-2030).'

5. The applicants are applying to change the wording of the condition and the reason for it to the following:

> '8. The static caravans hereby approved shall only be used for holiday accommodation purposes only. They shall not be occupied by any person or persons as a sole or main place of residence. The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of the individual static caravans on the site, their main home addresses, and a home council tax (or equivalent) reference number to show residential status at a permanent address other than on the land, and shall make this information available at all reasonable times to the Local Planning Authority.
>
> 'Reason: To ensure that the proposal would provide holiday accommodation rather than permanent accommodation in order to contribute to the provision of sustainable visitor

facilities and would have an acceptable visual impact in accordance with policy T2 of the Yorkshire Dales National Park Local Plan (2015-2030).'

RELEVANT PLANNING HISTORY

6. The following applications are relevant:

EIA/0209 EIA screening in respect of reorganisation of south west area of the caravan park to replace some of the approved touring caravan pitches (minimum 15) with 16 static caravans (within part of the site approved for 30 touring caravan pitches R/27/34J) and to provide 5 touring pitches adjacent to the camping pods
EIA Not Required 21/08/2020

R/27/34F full planning permission for remodelling of caravan site to give total of 139 Static Caravans, extension to existing site to accommodate 25 touring caravans and extension of occupancy period for static caravans to 1st March - 15th January
Withdrawn/Final Disposal 17/10/2006

R/27/34G full planning permission for variation of condition 1 of planning consent YD1/2/175A to allow extension of opening period from 1st March to 15th January each year
Approved - Conditional 27/04/2007

R/27/34J full planning permission for change of use of land for siting of up to 30 touring caravans
Approved - Conditional 16/03/2009

R/27/34L full planning permission for removal of Condition 1 following grant of planning permission YD2/1/175A (as varied by R/27/34G) to allow the site to operate as a holiday park all year round
Approved - Conditional 11/02/2011

R/27/34M Full planning permission for the removal of conditions 7 and 9 of planning permission R/27/34J and allow seasonal use of all touring caravan pitches.
Approved - Conditional 06/06/2012

R/27/34N removal of condition 9 of planning permission R/27/34K to allow the seven static caravans to be occupied as permanent residences
Refused 11/09/2013

R/27/34P variation of Conditions 1 and 2 of Planning Consent Ref: R/27/34L to allow up to 13 residential caravans
Refused 11/09/2013

R/27/34Q full planning permission for use of land for siting of 10 timber camping pods
Approved - Conditional 22/09/2017

R/27/34R full planning permission for demolition of existing toilet block and siting of 3 No. additional static caravans in the area occupied by the toilet block
Approved - Conditional 15/01/2018

R/27/34S full planning permission for reorganisation of south west area of the caravan park to replace some of the approved touring caravan pitches (minimum 15) with 16 static caravans

(within part of the site approved for 30 touring caravan pitches R/27/34J) and to provide 5 touring pitches adjacent to the camping pods
Approved - Conditional 04/03/2021

CONSULTATIONS

7. The comments of statutory and non-statutory consultees are summarized below:

Lower Swaledale & Arkengarthdale Ward – No comments received.

Environment Agency – No comments received.

Hudswell & District PC - fully support the planning application (see full letter in Members extranet). The site has always been operated in a responsible manner, causing no problems and providing good quality longer term holiday accommodation. No visual problem with the caravans remaining on site.The site has developed as a place owners of the caravans revisit on a regular basis over the year and not as a short-term holiday letting site. The regular revisiting to an owners' caravan engenders a greater level of responsibility in relation to its appearance and upkeep and also to that of the site as a whole.The applicants have no wish for the caravans to become permanent places of residence but it is only to be expected that owners will wish to visit regularly and sometimes for a more prolonged period. The applicants have tried short term lets which have not been viable and restrictive to their business. Most important is their assertion that longer term lets would free more properties for those who wish to live full time in the area, bringing more economic growth to the area. We have all read in the press and seen for ourselves the rise in property prices and purchase of buy to let and rentals since the lockdown. The National Park needs to create a sense of wellbeing, it's not a museum, but a national treasure which was created for all to enjoy.

CEHO - Richmondshire DC - No objections to the proposal.

Wildlife Conservation Officer - No objection to this s.73 application.

Natural England - Natural England currently has no comment to make on the variation of condition 8 of planning permission R/27/34S.

Designing Out Crime Officer, Police – No comments.

Fire Officer - Richmondshire - no objection/observation to the proposed development.

PUBLIC RESPONSES

8. None received.

ASSESSMENT

9. Key Issues:
    - Principle of development
    - Equality Act
    - Parish Council comments

PRINCIPLE OF DEVELOPMENT

10. The application has been made to change the wording of a condition that has been applied to the approval of planning application R/27/34S. Approval was given for the reorganisation of

the south-western area of the Swaleview Caravan Park. This included the replacement of a number of touring caravan pitches with static caravans. This change was allowed as it was considered to be in accordance with the wording and intentions of Local Plan policy T3.

11. Local Plan policy T3 sets out the circumstances when the numbers and types of self-catering visitor accommodation on existing caravan sites can be altered. Policy T3 states in relation to static caravans that:

    > 'Small extensions or increases in the number of static caravan pitches on existing sites will only be permitted where they would be well screened or improve the visual impact of the site within the surrounding landscape. Additional units will be restricted to holiday use and short term letting or will be required to be removed from site between 1st November and 1st March.'

12. Condition 8 of the approval ref. R/27/34S applies the holiday use restriction required by Local Plan Policy T3 to the increased number of static caravans within the re-organised south-western area of the Swaleview Caravan Park. Local Plan policy is more restrictive towards the use of land for static caravans as opposed to tourers, tents or other forms of short stay holiday accommodation. This is for a number of reasons: because of their unsuitable appearance within a protected landscape, they can lead to more permanent forms of accommodation without planning control (eg. lodges, park homes etc), and; as most static caravans are in private ownership and not available for wider public use, they are therefore unlikely to contribute to the objective of increasing overnight visitor stays. However the policy includes a degree of flexibility allowing small increases in numbers or extensions to static sites providing the site is well screened and subject to the short term letting restriction applied in Condition 8.

13. The replacement of 10 touring caravan pitches by 16 static units was only accepted at the time of the planning approval R/27/34S as they would be in a well screened part of the caravan park. It was also accepted that the reduction in the number of touring pitches would not significantly reduce the supply of touring pitches available locally and that short stay accommodation would still be provided with the restriction applied in Condition 8.

14. The Applicants have made this application as they do not expect that letting static caravans on a short-term holiday basis would be a financially successful business model and do not want to make that investment. The applicants argue that the current restrictions imposed by Condition 8 provide no planning benefits and is not required to make the development acceptable.

15. The applicants say that interest in static caravans for short term holiday letting has waned as there has been a great increase in the availability of short-term holiday accommodation and interest in campervan ownership and camping. However, they also say that the application was made when there were Covid-19 restrictions on foreign travel and there was a healthy demand for short term holiday let accommodation of all types. However, they expect this demand to be temporary. Furthermore, they say that there is a shortage of caravans available to purchase. The long delivery lead in times means that they would be unlikely to benefit from the current strong demand for short-term letting accommodation. As an example, the site

owners refer to their permission for 10 camping pods but they have provided only 3 due to poor booking rates. In their opinion for the business to operate at its maximum efficiency the short-term occupation restriction would need to be removed.

16. The applicants say that they are aware of a very healthy demand for static caravans that can be occupied for a longer period of time by the same person or persons. The applicant accepts that the caravans should be holiday accommodation only and not as a person's sole or main place of residence.

17. The alternative set out in Policy T3 to the short-term holiday use restriction is that the static units be removed from the site between 1 November and 1 March. The applicants say that there is nothing to be gained by the removal of the static caravans during the winter period. The caravans would be suitable for all year use, whether occupied on a short-term or longer holiday basis. The applicant's case is therefore that there is no need for the imposition on the additional static caravans of either alternative restriction as set out in Policy T3.

18. Section 38 (6) of the Planning and Compensation Act 2004 Act states that applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise.

19. To be in accordance with Policy T3 the additional static caravans were approved on the basis that they would be restricted to short-term letting. The alternative in Policy T3 is that they be removed between 1st November and 1st March. Without either of the restrictions being imposed the reorganisation of the south-west area of the caravan park with additional static caravans would not be in accordance with Policy T3.

20. The application was made during the years most affected by the Covid-19 virus restrictions on travel and assembly. All tourism businesses will have been affected to some degree by effects of the Covid-19 pandemic and in the increased demand for holidays in the UK has been a factor in encouraging more proposals for tourism accommodation. Whether this is a short term effect or a sustained uplift in the longer term trend of increasing demand for short stay accommodation remains to be seen. The Local Plan strategy is based on an assessment of the longer term needs of the tourism sector and is designed to further the statutory purposes of the National Park – to support and encourage development that improves the quality and variety of visitor accommodation and to protect the special qualities of the National Park. The applicants arguments supporting their view that the restriction to short stay accommodation was only necessary for the Covid-19 period of high demand are not convincing and do not justify a departure from the Authority's strategy which is applied across the Park.

EQUALITY ACT 2010

21. The Authority has a duty under s.149 of the Equality Act 2010 to have regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a protected characteristic and those who do not share it. The relevant characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

22. It is considered that there are no overt reasons why this proposal would affect anyone with the protected characteristics such that the application should be permitted or refused on equality grounds.

PARISH COUNCIL COMMENTS

23. The Parish Council acknowledges that the site is well run and provides good quality accommodation which is not disputed. The Council accept the owners assertion that they have no desire for the caravans to be occupied as permanent residences but also acknowledge that caravan owners would naturally want to stay for a long period of time in their own caravan. It is this scenario that the Authority's policy seeks to avoid. The research that underpinned the policy found that of 951 static pitches in the National Park only 197 were available for rental by the general public. The policy was developed in response to an increasing trend for touring sites to be converted to private static sites or to more expensive lodges or even permanent park home type sites where single statics were converted to double units without the need for planning permission and where additional residential development (decking, sheds, multiple car spaces etc) then became permitted development. There are locations within the Park where this form of development has taken place with permanent harmful effects on the character and appearance of the landscape.

CONCLUSION

24. The proposed rewording of Condition 8 of planning approval R/27/34S granted on 4th March 2021 to omit the wording requiring the approved static caravans to only be used for short stay holiday letting purposes and not to be occupied by any person or persons for more than 28 consecutive days or more than 56 days in any one calendar year and not to be occupied for long term or seasonal holiday or other letting purposes would result in a significant reduction in the availability of short-term holiday pitches and have a detrimental effect on the tourism strategy and the statutory purposes of the National Park to 'promote opportunities for the understanding and enjoyment of the Special Qualities of the National Park by the public' contrary to policies SP1, SP2 and T3 of the Yorkshire Dales Local Plan (2015-2030) and the National planning Policy Framework (2021).

RECOMMENDATION

25. It is recommended that permission be REFUSED for reasons based on the following:

1. In the opinion of the Local Planning Authority the proposed rewording of Condition 8 of planning approval R/27/34S granted on 4th March 2021 by the omission of the wording requiring the approved static caravans to only be used for short stay holiday letting purposes and not to be occupied by any person or persons for more than 28 consecutive days or more than 56 days in any one calendar year and not be occupied as long term or seasonal holiday accommodation or other letting purposes would result in a significant reduction in the availability of short-term holiday pitches and have a detrimental effect on the tourism strategy of the National Park and the statutory purposes of the National Park, would be contrary to policies SP1, SP2 and T3 of the Yorkshire Dales Local Plan (2015-2030) and would not be sustainable development in conflict with the National Planning Policy Framework (2021)