

Parish:	Hunstanton	
Proposal:	Variation of condition 3 of planning permission 12/01633/CU - Use of caravan park for 10 static caravans and retention of existing caravan as office / security unit: To vary occupancy restriction	
Location:	91 South Beach Road Hunstanton Norfolk PE36 5BA	
Applicant:	Mr & Mrs Lee	
Case No:	17/00893/F (Full Application)	
Case Officer:	Mr C Fry	Date for Determination: 3 July 2017

Reason for Referral to Planning Committee – The views of the Town Council are contrary to the Officer recommendation

Case Summary

The site comprises land used for 10 static caravans; there is presently a caravan on site used as an office/security. The site is bounded to the north and south by detached and terraced dwellings. To the east is a camp site and to the west, on the opposite side of the road, are static caravans. The beach and sea front are immediately to the west of the caravan site.

This application seeks to vary condition 3 of 12/01633/CU. 12/01633/CU granted planning permission for the siting of 10 static caravans and the retention of an existing caravan as an office/security unit. Condition 3 restricts occupancy to 6 months of the year.

Key Issues

Planning History and Flood Risk
Other Material Considerations

Recommendation

REFUSE

THE APPLICATION

The application seeks consent to allow an extension of time so that the caravans can be occupied to address demand for occupation during school holidays.

Condition 3 currently restricts the occupancy condition of 91 South Beach Road, to the following

“Occupancy of the ten static holiday caravans and caravan as office/security unit shall be limited to the period from 1st April to 30th September in any one year.”

This application seeks to extend the occupancy to the following periods;
1st April to 31st October, and 15th December to 1st January.

SUPPORTING CASE

The supporting case is summarised as follows:-

- The proposal would allow the site to offer a holiday product close to that offered by other holiday companies in the area. These have an all-year round availability
- Although a small site, local tourism benefits will result, thus supporting the economic element of current sustainability principles.
- Net additional flood risk will be small given – adjacent sites are already open for far longer periods than proposed here. There will be a detailed evacuation plan; the risk of a flood event will be known well in advance, giving plenty of time for evacuation
- Flood risk will be overall reduced; these caravans will be raised to 0.75m above ground level rather than their present 0.4m and be secured to the ground

RESPONSE TO CONSULTATION

Hunstanton Town Council: NO OBJECTION as we consider that a detailed flood evacuation plan has been recommended as a condition by the district emergency planning officer.

The caravans are to be raised from 0.4m to 0.75m and a full argument has been set out as to the remoteness of a probability of inundation (1:200 years from KL drainage board).

The masterplan for Hunstanton 2008 sets out the need to extend the holiday season and though a small site, local tourism would benefit thus economic sustainability.

NCC Highways: NO OBJECTION

NCC Public Right of Way: NO OBJECTION

Environmental Health & Housing – CSNN: NO OBJECTION

Environment Agency: OBJECTION The site is located within Flood Zone 3 (high probability of flooding). The site also falls within our Tidal Hazard Map. If flood defences near to the site were to breach or be overtopped the site would experience rapid inundation to a depth of more than 2 metres.

Your Coastal Flood Risk Planning Protocol is very clear in this area that

“Seasonal Occupancy will be limited to between 1st April and 30th September. Applications to remove, relax or vary (by way of extension) any existing seasonal occupancy condition will be resisted”. Therefore we consider that the current occupancy restriction should not be removed.

Emergency Planning: NO OBJECTION if permission is granted occupiers should sign up to the Environment Agency flood warning system and an evacuation plan be prepared to the satisfaction of the local authority.

REPRESENTATIONS

None received

NATIONAL GUIDANCE

National Planning Policy Framework – sets out the Government's planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS05 – Hunstanton

CS08 - Sustainable Development

CS10 - The Economy

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM18 – Coastal Flood Risk Hazard Zone (Hunstanton to Dersingham)

DM21 - Sites in Areas of Flood Risk

PLANNING CONSIDERATIONS

The main planning considerations in regards to Flood Risk are:

- Planning History and Flood Risk
- Other Material Considerations

Planning History and Flood Risk

Condition 3 of 12/01633/CU restricted the occupancy of the use of the 10 static caravans and the office/security unit to between the 1st April and 31st September in any given year. This condition was imposed in order to prevent the use of the development during annual periods where the risk of flooding is increased.

Paragraph 99 of the National Planning Policy Framework states that "New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change." The National Planning Policy Framework refers to development having to be steered to areas of lower risk of flooding, through applying to certain types of developments a sequential test and then if necessary an exception test to ensure development is safe for its lifetime.

Policy CS08 of the Local Development Framework Core Strategy states that development proposals in high risk flood areas will need to demonstrate that the type of development is appropriate to the level of flood risk identified in the Strategic Flood Risk Assessment and that flood risk is fully mitigated through appropriate design and engineering solutions. The National Planning Practice Guidance provides further guidance on flood risk, and interpretation of policies such as the sequential and exception test. The nature of this proposal, extending existing facilities would pass the sequential test.

Clearly this site falls within the coastal strip, and Local Guidance referred to in Policy CS07 - Development in Coastal Areas, has been provided to guide planners and developers on the suitability of development in the Coastal Area.

Policy CS07 states that the Council will, amongst other things, resist relaxation of occupancy limitations unless the outcome of the Shoreline Management Plan (SMP) acknowledge the absence of risk or promotes the retention and/or improvement of local defences. The SMP does not acknowledge the lack of risk and improvement to the defences is not assured at present.

Policy DM18 - Coastal Flood Risk Hazard Zone of the SADMP where it states that in regards to applications extending seasonal occupancy these should be resisted. This is a clear and recently adopted policy position.

It is noted that the agent has supplied information that adjacent caravan parks are not the subject of seasonal occupancy and other developments in the locality not being the subject of such restrictions given the imposition of appropriate mitigation measures being put in place. It is also understood from discussions with the Emergency Planner that both McDonald Caravans and Searles sign up to the flood warning service which is administered directly from the Environment Agency to these caravan sites. Upon receipt of the warning the occupants of these sites are required to evacuate immediately. The applicant comments that in permitting an enclosed swimming pool enclosure at Searles Caravan Park, 16/01360/F, that it's an example of allowing development within the Coastal Protocol Area following the adoption of the Site allocation Document.

However the agent has failed to acknowledge that other caravan sites pre-date the Coastal Protocol becoming Policy DM18 of the adopted Site Allocation and Development Management Policies Plan (2016). Indeed The Inspector, in determining APP/V2635/W/17/3169623, for an extended occupancy of a bungalow at 1F South Beach Road, Heacham, dismissed the appeal on the grounds that the comparable provided by that appellant did not directly relate to the site subject to that particular appeal. It is suggested that a new swimming pool enclosure at Searles, albeit within the coastal protocol area is not directly comparable to this proposal.

Notwithstanding that the Emergency Planner has recommended that the caravan site could sign up to the flood warning service and produced an appropriate evacuation plan. It is considered that the proposal has also failed to address that the development will be safe of its lifetime. The raising of the floor levels of caravans from 400mm above adjacent ground level to 750mm does not account the potential for this site to flood up to 2m in depth. If the

defence maintained by the Borough Council is breached, which is the lowest height flood defence of this area; there will be a rapid inundation of water coming into the site.

The Environment Agency have commented that the proposal is contrary to Policy DM18 of the Coastal Protocol.

In more recent years concerns over flooding have become much more important with the Environment Agency repeatedly increasing the threat level for a major storm event in this area and they expressed their concerns over future developments in this area at the recent Local Plan Inquiry.

Of particular relevance is their assessment that “the standard of protection offered by the flood defences in the Coastal Flood Risk Hazard Zone is low”.

Other Material Considerations

The raising of the caravans by .350mm is not considered to cause a detrimental impact upon the adjacent neighbouring properties.

The increase in the use of the access, through additional occupation causes no highway safety implications.

The proposal is not considered to cause any ecological issues.

CONCLUSION

Members are being asked to consider an extension of an occupancy condition to allow 10 static caravans and the existing site/office to be occupied for another 6 weeks. The six weeks will be split by allowing occupation until the 31st October and between the 15th December and 1st January.

Whilst it is acknowledged that recent developments on South Beach Road have been permitted, these have preceded the adoption of the Coastal Protocol as part of the Development Plan at the time of their consideration. Now that Policy DM18 is adopted, in the interests of public safety it is imperative that it is rigidly applied going forward.

It is also of significant weight that a very recent appeal (attached) elsewhere in the coastal flood risk hazard zone was upheld on the need to ensure that occupancy is restricted to the safest periods and in particular the need to provide direct comparable evidence.

The Flood Risk Assessment has also failed to acknowledge that should the site be flooded this could be up to 2m in depth and would flood very rapidly. Thus increasing the floor levels of the caravans up 700mm above ground level would not overcome flood risk. Even if a Flood Risk Assessment were to be provide, there is very little economic public benefit that would outweigh the harm to occupants from being exposed to Flood Risk.

It is therefore recommended that this application be refused for the following reason.

RECOMMENDATION:

REFUSE for the following reason:

- 1 The proposal to extend the occupancy of the static caravan park for an additional 6 weeks would be contrary to the authorities approach to development within the Coastal Flood Risk Hazard Zone of Dersingham to Hunstanton. Furthermore the application has not been accompanied by a Flood Risk Assessment which would demonstrate, that the development will be safe for its lifetime. The proposal is not considered to provide a level of public benefit that would outweigh the exposure to flood risk experienced by the future occupants of the caravan site. The proposal is therefore contrary to paragraphs 106, 107, 108 of the National Planning Policy Framework, the National Planning Practice Guidance, Policy CS08 of the Local Development Framework Core Strategy 2011 and Policy DM 18 of the Site Allocation and Development Management Plan Document.