

**1.0 APPLICATION NUMBER:** [WD/D/20/001014](#)

**APPLICATION SITE:** CREEK CARAVAN PARK, FISHERS PLACE, RINGSTEAD, DORCHESTER, DT2 8NG

**PROPOSAL:** Station 40 caravans - Variation of conditions 1 and 2 and removal of conditions 3 and 4 of planning permission 207358 (extending the season)

**APPLICANT:** Mr R Deakin

**CASE OFFICER:** Darren Rogers

**WARD MEMBER(S):** Cllr Ireland

**RECOMMENDATION SUMMARY: Approve**

This application is reported back to Planning Committee following a recent successful Judicial Review (JR) of the planning permission granted following the application being reported to the Western and Southern Area Planning Committee on 9<sup>th</sup> July 2020. The JR concludes that the s73 planning permission issued in July is quashed and hence the need to bring this application back to the planning committee for a new determination.

**2.0 Summary of Recommendation:** Approval subject to conditions

**3.0 Reason for the recommendation:**

- The proposal is considered to be acceptable with no adverse visual impact as regards impact on the AONB and coastal landscape.
- The proposal is considered to be acceptable with no significant harm to neighbouring residential amenity.
- The proposal is considered to be acceptable with no significant harm to highway safety.
- There are no other material considerations which would warrant refusal of this application.

**4.0 Key planning issues**

<b>Issue</b>	<b>Conclusion</b>
Principle of Development	Already established through the 1960's planning permission.
Amenity	Proposed altered conditions are not considered to result in a significant adverse effect on living conditions of neighbouring properties.
AONB/Heritage Coast	The site is well established and has existed since the 1960's – no adverse

	effect on these landscape designations arising from this proposal.
Highway Safety	Highways raise no objections.
Coastal Erosion/Land Stability	Proposed altered conditions are not considered to result in a significant adverse effect.
Nature Conservation	No adverse impact on nature conservation interests.
Environmental Impact Assessment	The Council has now issued a Screening Opinion to the effect that the proposal would not result in significant environmental effects requiring a formal Environmental Impact Assessment by way of an Environmental Statement.

#### 4.0 Description of Site

4.1 The applicants' agent set out in their submitted Planning statement the following:

*"The Creek Caravan Park is located to the eastern end of Ringstead village and covers an area of approximately 0.7 hectares.*

*Ringstead village is accessed from the A353 at Poxwell, through Upton village via a private road, which is owned by The Ringstead Estate. The village consists of approximately 20 houses, a car park and seasonal shop; with the car park being supervised from Easter to the autumn half-term break only. From the car park the road continues southwards to access Ringstead beach with Fishers Place, running eastwards providing access to the Creek Caravan Park and other properties. To the north of the site is farmland owned by the National Trust, through which the South West Coast footpath runs and is used for camping by associations such as the Guides and Scouts. This farmland continues to the east of the site. Ringstead beach is to the south of the site and to the west is Gulley Cottage which has 5 holiday caravans located within the surrounding plot of land, but is not part of the Creek Caravan Park.*

*The Creek Caravan Park is split over 2 levels with a front row of 6 caravans facing the beach at a lower level and the remainder of the site being at the same level as the rest of Ringstead. The site includes 30 static caravans, 1 residential chalet, a*

*toilet block, office/sheds and bin store. The chalet now known as Coast Path Cottage (formerly Elizabeth Chalet) has been on the site for many years and will be the subject of a further application to confirm the planning status of this building. There is parking for up to 30 cars to the north of the site, as vehicular movement through the caravan site is not permitted other than for unloading and loading on arrival and departure. There is therefore minimal hard surfacing within the site. Landscaping and planting to the boundaries and within the site is maintained to reflect the surrounding rural and agricultural landscape.*

*Surface water drainage was installed in 1978 which continues to operate efficiently and the site is connected to mains foul water drainage (as is the whole of Ringstead village) maintained by Wessex Water. Further drainage work has been carried out in connection with the coast protection and sewage treatment and pumping station work approved in 1995 and 2004 respectively.*

### **BACKGROUND**

*The Creek Caravan Park is currently owned and run by Ringstead Caravan Company Ltd which was established in 1978, although prior to this the site was family owned and run since the 1920's. The field was originally used by local people for holidays in their touring caravans and by the 1940's-50's had evolved to a more permanent site with residential staff supervision. The use of the site was regularised in the 1960's with planning permission and a site licence as required by legislation at that time; and has continued as such.*

*Over the years the site has been improved with the installation of drainage, electricity to each plot and other modernisation. To ensure continued improvements are achieved the planning situation is now being reviewed with the intention that this be updated as appropriate.*

*Site Licence No. 163/79 was applied for on 13 January 1979 and granted by West Dorset District Council on 2 April 1979. It is acknowledged that the site licence is now out of date with current practice and is intended to be updated with Dorset Council as part of the current review of the site.*

*The site is outside any defined development boundary, within the AONB and Heritage Coast designations and some of the site may be vulnerable to coastal erosion. Although these issues and applicable Local Plan policies are relevant considerations; as this proposal is an application to vary/remove conditions of an extant permission they are not material to this application".*

## **5.0 Description of Proposal**

5.1 The applicants' agents Planning statement goes on to say:

*"This application is made under Section 73 of the Town and Country Planning Act 1990 which seeks to remove/vary the conditions of the Planning Permission Ref.*

207358 granted on 13 December 1962. The applicant wishes to operate the site with 30 static caravans for a longer season which would reflect the current operation of other sites in the area. They would like this to be from 9th Feb in any year to 10th Jan in the following year. This would allow occupation of the caravans over the Christmas/New year period and potentially the February half term. If this were not acceptable to the committee the dates suggested (1st March to 31st Jan) would be appropriate and acceptable.

*Extending the length of season for occupation of the caravans would*

- *meet the increasing customer demand for short breaks and holidays at any time of year,*
- *anticipate the potential increased demand for UK based holidays rather than going abroad following the Corona Virus pandemic,*
- *improve the local economy, attracting more visitors to Dorset,*
- *provide additional employment outside the current season and*
- *provide greater operational flexibility and efficiency.*

*It is noted that the wording of the conditions imposed in 1962 are now out of date and would not meet current tests for the use of planning conditions. It is therefore requested that conditions 1 and 2 be amended and updated as appropriate and that conditions 3 and 4 would now be unnecessary and should be removed.*

*There is also an anomaly in the 1962 planning permission which is granted for the stationing of 40 caravans, but condition 1 restricts the number of caravans to 30. To avoid continued discrepancy between the planning permission and condition it is suggested that the number 40 could now be removed from the description of development. This would not make any fundamental change to the permission and the nature of the development would be unchanged, being the use of the site for the stationing of caravans. It is therefore suggested that a new permission could be granted under S73 as detailed below:-*

*Permission to Station Caravans, subject to the following conditions:*

- Not more than 30 caravans shall be stationed on the site at any one time.*
- The caravans on the site shall be occupied during the period 9th Feb in any year to 10th Jan in the following year. Or as an alternative ii:*

*ii 1st March in any year to 31st January in the following year only”.*

## **6.0 Relevant Planning History**

The applicants' agent has set out the Planning History in the submitted Planning statement:

“Planning Permission Ref 207358 was granted in December 1962 – To Station 40 caravans with 4 conditions imposed:-

*1. Not more than 30 caravans shall be stationed on the land forming the subject of this application at any one time.*

*Reason. It is considered that the stationing of more than 30 caravans on the land forming the subject of this application would be detrimental to the character of the coastal locality which is of high scenic and landscape value*

*2. The land forming the subject of this application shall be used for the stationing of caravans only during the period 1st April to 31st October in each year.*

*Reason. To reserve to the local planning authority control over the long term use of the site*

*3. During the period 1st November to 31st March in each year, the caravans shall be parked unoccupied and the land shall be maintained in a tidy condition to the satisfaction of the Local Planning Authority.*

*Reason. To reserve to the local planning authority control over the long term use of the site*

*4. Adequate provision shall be made to the satisfaction of the Local Planning Authority for the planting of a screen of trees of a species to be agreed with the Local Planning Authority.*

*To safeguard the amenity of the locality*

Other planning applications provide general background to the evolution of the site and surrounding area and are detailed below. However, from a search of planning history by the Local Authority the only planning applications relating to the use of the caravan site were reference 207358 with permissions issued in 1961 and 1962. The site is considered to have been operating under the Planning Permission granted in December 1962 since that date.

207358	Station 40 caravans	Granted - 13 Dec 1962
1/E/78/000116	Erection of Club House	Refused - 1 March 1978
1/E/94/0615	Carry out Coast Protection works including construction of rock groyne and beach replenishment	Granted - 28 April 1995

1/E/04/000468

Construction of  
sewage pumping  
station and sewage  
treatment works

Granted - March 2004

## 7.0 Consultations

All consultee responses can be viewed in full on the website.

7.1 Parish Council – The Parish Council initially raised no objections to the application but following many representations received from third parties they now object for the following reasons:

*“Owermoigne Parish Council objects to the proposal to extend the period of occupation for the static caravans from the 31st October to the 31st January consequently increasing the site usage from 7 months to 11 months and to reducing the closed season to 1 month.*

*Reasons for this include the following:*

- An 11 month occupation is virtually a permanent residence and so this will substantially intensify the occupation and usage of the site and the local access roads and track. This will impact on the relative tranquillity of Ringstead during the autumn and winter months impacting adversely on the local residents and on the intrinsic character of the AONB and Heritage Coast and the harm arising from this is contrary to NPPF policies 170, 171, 172 and 173.*
- Shopping facilities and services at Ringstead are limited to a seasonal kiosk with a very limited range of stock and therefore it is inevitable that intensifying occupation will increase both individual car journeys and deliveries, impacting on tranquillity for residents and on people using the nationally important south coast footpath that would be directly affected by increased traffic. The cumulative effects of additional journeys on the already struggling access road and the lack of any potential mitigation options means the proposal would be contrary to the sustainability policies contained in Section 9 of the NPPF.*
- The proposals demonstrate no clear benefits to either the local community or the environment and the stated employment opportunities are negligible. There would however be clear disbenefits to the local community and detrimental effects on the character of the landscape, particularly on its valued tranquillity out of season, potential impacts on the sensitive adjacent habitats arising from increased site occupation and impacts on the enjoyment of the south coast path. The current 7 month season is a reasonable balance between the business interests of the caravan park and the interests of the local community and the need to protect the special landscape character of this unique section of the Dorset coastline.”*

7.2 Highways - *The Highway Authority has NO OBJECTION to the proposal.*

7.3 Jurassic Coast Trust Comments are submitted in relation to potential impacts of the above proposal on the Dorset and East Devon Coast World Heritage Site (WHS).- *Whilst there is no physical impact on the WHS by this proposal, it has the potential to change the overall economic circumstance of Ringstead. Such circumstances are relevant to decisions made about coastal management so we therefore disagree with the comment in paragraph 5 of the planning statement that says conservation designations and Local Plan policies are not a material consideration in this case. Our principal concern is that by increasing the economic value of the caravan park by extending its season there will be an increased need to expand or strengthen its protection from coastal erosion in the future. Due to the park being positioned at the cliff edge, and adjacent to the part of the coast at Ringstead that is currently undefended, this could potentially lead to conflict with WHS management policy.*

7.4 *We are not yet aware of any updated beach management plan for Ringstead. Such a plan would presumably include the future maintenance of the existing coastal defences that Creek Caravan Park benefits from. We also understand that part of the developing Local Plan for Dorset will be guidance on Coastal Change Management Areas. In the absence of a strategic context for the future of coastal management at Ringstead we recommend that if consent is given to this application it is done so on a temporary basis. Similar temporary permissions are in place for a number of beach chalets in Lyme Regis that were displaced by a landslide and had to be relocated. This consent is renewed each year with the option of it being withdrawn if the position of the chalets ever became unsustainable due to coastal change. This approach may not be appropriate at Ringstead, but without the key strategic documents outlined above it is impossible to make that assessment with confidence.*

7.5 Natural England (NE) - *no objection* - *Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection. Natural England considers that the proposed development will not have likely significant effects on the Isle of Portland to Studland Cliffs Special Area of Conservation and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out. As regards the South Dorset Coast Site of Special Scientific Interest, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.*

7.6 *As regards proximity to Protected Heathlands the site lies just outside the 5km consultation zone, at about 5.2km and so there are no adverse impacts arising as regards this issue*

7.7 **NB - In answer to NE's comments, see para 14.19/14.20 below**

7.8 The Council's Technical Services – *The proposed changes to the caravan park usage as a result of this application will not have an impact on coastal erosion. The proposed changes would also not make much change to the economic case for the caravan park whereby there would need to be a change in the coastal management policy.*

## 8.0 Representations

8.1 At the time of writing the original Committee report there had been 5 representations from occupiers of the dwellings to the west of the site along Fisher Place who objected on grounds of:

- *Fisher Place track is a private, unadopted, unmade up track which forms part of the South West coast path. With only 3 permanently occupied houses along this portion of the track, the amount of vehicular traffic using it considerably increases during the period that the site is open. The concern is that, with the site open for 11 months of the year, there is nothing to stop the users from treating it as their home, only being required to stay elsewhere for the month of February. This means, potentially, 30 extra households in a small hamlet of 5 permanently occupied residences. Also have concerns that the sewage system, which was designed with mainly summer usage in mind, would be unable to cope with that potential situation. The nearest shops are in Preston, 4/5 miles away and there is no provision for entertainment or public transport, so traffic to and from the site, either from users or supermarket delivery vans, would be an issue for 11 months instead of the present 7 months.*
- *Not sure what 'local economy' would benefit as there are plenty of large sites, hotels and B&Bs in and around Weymouth, Preston and Wyke Regis that are much closer to public transport, pubs, shops and cinemas which can accommodate any demand for short breaks and holidays any time of year. Would question what additional employment outside the current season would be available.*
- *Concerned about the proposal to extend the permitted habitation of the caravans at the Creek Caravan Site to as long as 11 months of the year. This would definitely open the opportunity for permanent residence on a site long recognised, loved and protected as of Outstanding Natural Beauty, a World Heritage Site and adjacent to National Trust land. Ringstead is, in fact, possibly unique along the Southern Coast and loved as such by all who come from far and wide (even the US and Australia) to visit. A possible extension to 8 months maybe but 11 is far too long especially considering possible future proposals to change the caravans to chalets.*
- *The decision should simply be postponed. Due to Covid we have only been partially and very recently informed and the situation is complex and unclear. 11 months residence however does seem too long....overriding the original intention to prevent development on a World Heritage Site of such outstanding natural beauty.*

- *Ringstead Bay is one of the jewels of the Jurassic Coastal Path. The Caravan Park is very visible from many miles around. Any development would be totally detrimental to this unspoilt coastline.*
- *The winter months at Ringstead are usually very quiet, the people you see are mostly just ramblers and fishermen. Extending the season at the caravan park and allowing this planning application to go ahead would change the character of the place during the winter-time. It would be more busy and crowded, it's one thing to have lots of people visit during the summer months and enjoy the beach, but during the winter months this would be a mistake and turn the bay into a year round tourist park. Also note that some of the larger caravan parks closer to Weymouth don't even open all year round so it seems odd to grant planning permission to a caravan park in a relatively more secluded and untouched part of the landscape.*
- *Firstly it has become evident that proper procedures for planning permission application have not been followed. The proposal has not been displayed in a prominent public area and therefore many people may be unaware of this application. It has also become evident that the creek caravan site owners intend in the future to turn many of the caravan plots into permanent chalets. The long-term lease holders that represent several of the caravans on site have had their lease renewal applications rejected. These people are part of the community in Ringstead and have been coming to the area for the last 20 years. These applications I suspect have been rejected to further the creek caravan sites intention to expand and develop holiday chalets. Ringstead is an area of special scientific interest and outstanding natural beauty. It has remained so over the years because developments in the holiday industry have thankfully not taken place. To extend residency would have a significant environmental and social impact on Ringstead as an area of unspoiled beauty and for the small existing permanent community that live there. The restrictions on holiday travel abroad and closure of beaches at Lulworth and Durdle Door since coronavirus has already significantly increased local traffic to Ringstead as people drive in their cars to spend a day walking or visiting the beach. Ringstead does not have the infrastructure or necessary car parking space to support an increase in holiday residency year round on top of this. The footpaths and beaches are maintained mainly by the National Trust and are left damaged every year by increasing foot and vehicle traffic. The rubbish collection services provided by the council are non-existent and regularly piles of rubbish accumulate in the car park next to the shop. Equally sanitation services are very limited and depend on the Ringstead Kiosk being open. More people in the area year-round would put further pressure on services that are already inadequate. Hundreds of cars a day visit Ringstead causing pollution and damage to the verges and hedgerows. An increase in traffic due to your residence would further exacerbate these issues. Please protect this area of a Jurassic coast line from developers who intend to make money from it. More people spending time in caravans and the development of a chalet holiday park will in no way benefit Ringstead area of natural beauty or the people that actually live there*

**8.2 Members of the Committee were given an update sheet before the Committee on 9<sup>th</sup> July which listed a further 22 further representations objecting on these grounds:**

- *This is a peaceful stretch of coastline with little infrastructure to support the opening of the caravan site 11 months of the year. This will likely lead to people taking up permanent residency with resulting strain on the existing permanent residents and the surrounding environment. Also erosion of the landscape, a need for additional public services and damage to the already fragile access road.*
- *Ringstead bay is a small spot on the Dorset coast of no little beauty. I understand it is a desirable tourist location but I believe any extension to the caravanning season or expansion of the current caravan park would be disastrous for the local area.*
- *In brief, the current extremely limited facilities available would not be able to deal with any more tourists and their cars. If this application were to go ahead, further development would be necessary and I am sure forthcoming. All such developments would be detrimental to the region for many reasons.*
- *Ignoring potential future problems for the moment, and focussing on the immediate impact of extending the season and expanding the site, the proposed changes would increase the caravan's sites negative imprint on the area in a number of ways: it would be more visible for walkers on the coastal path, becoming a larger blight on the spectacular views presented than it already is; more cars coming and going in the area would firstly not fit in the limited car park and secondly cause much damage to the very poor roads in and around Fishers place, not least of all the treacherously potted road leading to the site itself; erosion of this delicate area of coastline would increase, endangering natural life as well that of the property of local residents and businesses. This final point is perhaps the most important. The erosion of our beautiful English coast cannot be stopped entirely but we must do our utmost to ensure we do not hasten it.*
- *To focus on future development, an expansion of the kind proposed would necessitate public toilets being built, roads being developed and extended, and perhaps even an increase in local businesses - shops, cafes, etc. All of these would contribute to the already commonplace and heinous overdevelopment of many areas along the Dorset coast, without making a significant positive impact on employment in the area (it is too small a spot for that).*
- *The only beneficiary of this proposal that I can see would be the owner of the caravan site. Considering the amount of negatives mentioned not only by myself but also by the other concerned members of the public, this benefit to*

*the few is far outweighed by the detrimental impact on the many and on this place of striking natural beauty.*

- *Would represent over-development of a sensitive site, with detriment and injustice to the existing residents, and to regular and visiting recreational users of the South West coast path and this area of natural beauty.*
- *The application has been made at a time of limited scrutiny out of season and in quarantine, and appears designed to edge closer to applying for permanent residence chalets as seen elsewhere.*
- *I noted that the application also claims that the site is not visible, which is not true, the bin stores, toilet block and most of the caravans are entirely visible from the coastal path, as there is limited screening despite the earlier planning requirement. The caravans are also visible from the beach and from viewpoints along the coast path in both directions.*
- *Ringstead Bay is a small community of 20 houses, only five of which are currently occupied permanently, and 30 caravans on this site. The caravan site therefore represents more than half of the accommodation available in the settlement. Its impact is limited under Planning law because of the recognised need to preserve the character of the settlement as small, peaceful community with a summer visitor role.*
- *The proposed extension of occupation from 7 months of the year to 11 months would nearly double the number of dwellings occupied for almost the whole year, changing the fundamental nature of the area, and doubling the population virtually throughout the year.*
- *There is no public transport. There are said to be 30 spaces for cars at the site, mainly along the coast path, and these are fully occupied in the season. The access is a narrow dirt track which in wet weather, frost and snow becomes hazardous and damaged. The additional traffic if this application were allowed would be to the detriment of local residents who live on the track, and users of the South West coast path which passes along this track.*
- *There is no shop apart from the beach cafe which is open only between April and October. During the summer, holidaymakers using the caravans frequently have supermarket deliveries, adding to the traffic on the track. Refuse collection throughout the year would add further wear and tear to the already poor surface. Doubling the occupancy would further impact the water and sewage infrastructure.*
- *The cliff and beach have long been subject to erosion, with the groyne below the site being essential to prevent the whole site being washed away. Every year more erosion happens, with the low cliffs to the east being particularly*

*badly affected as a result of the sea's action on that side of the groyne, and also by people climbing and scrambling onto the cliff sides.*

- *The front of the site is a low, slumped area of soft clay which is at high risk of complete erosion like the similar areas to both east and west, from visitor action as well as natural causes. Further east the clay cliffs which slip in wet weather are then damaged by visitors searching for fossils, an activity which would be very likely to increase with additional visitor footfall in the wetter winter months.*
- *The site itself is only in small part within the Special Area of Nature Conservation, and there is no plan at this point to physically encroach further, so the relevant authorities cannot technically object to the proposal. However, the doubling of human use and encroachment on this sensitive environment is very likely to impact upon the fragile geology and the plant and animal life. The current closure period allows rest and recuperation for the natural inhabitants; the proposal would impact directly on the nesting season of creatures inhabiting the hedgerows and the undercliff, and on the successful growth of the rich plant, butterfly and insect life in the area.*
- *The proposal to abandon the requirement for the land to be maintained in 'tidy order' off season, and the original requirement for a screen of trees on the site further indicate a lack of concern for the protection and enhancement of the valuable natural resources of this coastline, and should not be permitted.*
- *The proposal of an extended season is claimed to meet visitor demand for UK holidays, employment outside the current season, and operational efficiency. There is minimal local economy in Ringstead Bay, the seasonal shop being the only business, and as this is closed through the winter months it would gain no benefit. The extended opening would presumably extend the one caretaker job on the site itself. Accommodation out of season is already plentiful in B&B and hotels in the larger villages and towns nearby. This proposal offers no genuine economic benefit to the community, the only benefit being to the company which owns the site whose rental income would increase.*
- *It is the small, seasonal nature of this place which gives its charm and natural setting.*
- *It will have a negative impact on the picturesque setting of Ringstead, obscuring views and expanding into land on the Heritage coast. The existing infrastructure, facilities and roads do not have capacity and any expansion will further devalue the unique character of the place due to Covid, Lockdown and people working from home, the Application, which was put in 4 weeks into lockdown, did not follow the correct procedures.*
- *This proposal would further damage the single track lane through Upton Ringstead which is often in gridlock because of the unreasonable number of*

visitors to Ringstead Beach. Adding longer residency would be disastrous to the small community of Upton with a permanent residency of less than 30. No consideration has been given to us and no notice of this application given. I would particularly appeal to the Highways Department, Country Access Team and Environmental Health to reconsider the impact on our small hamlet. There have been many instances when Emergency vehicles would have been denied access.

- *It would inevitably change the whole character of the village, by increasing the number of long-term residents by a very substantial number. I am not surprised that this has caused great distress to the existing residents - and also to many summer visitors to the village who appreciate its unspoilt character.*
- *A campsite occupied for 11 months of the year - as opposed to the current 7 months - would have a destructive impact on the existing community and on the local environment. It would mean a substantial increase in traffic on narrow country lanes and impose a significant extra burden on water supplies, refuse collection and sewage disposal arrangements.*
- *Ringstead is located in an Area of Outstanding National Beauty on the Jurassic Coast and the South West coastal path passes along the lane currently leading to the caravan site. The site is already prominent, visible from both the coast path and from the beach and from higher ground further along the coast. Making the site into a permanent residential area would be aesthetically harmful as well as inevitably damaging to the fragile local environment for the currently flourishing variety of plant and animal life, including deer, rabbits and a wide range of birds.*
- *As there is no public transport to Ringstead, the proposed development would result in an increase in cars and vans using the gravel lane from the private road into Ringstead to the caravan site. Both the road and the lane are already potholed by the current burden of traffic, largely of day-trip summer visitors. A significant increase in traffic would be a year-around nuisance to the current residents as well as a hazard to walkers on the busy coast path. There is also some concern about the prospect of substantial increased demand on water supplies and sewage facilities.*
- *Whilst we applaud the decision to update and modernise the caravan site replacing the outdated units we do have concerns over the extension of the permitted usage to eleven months each year.*
- *To encourage up to thirty extra 'households' during the inclement winter months would put untold pressure on the already challenged roads, both council and privately owned, and potentially change the nature of Ringstead.*

- *The winter period of rest and recovery benefits the ecology of the area and is also enjoyed by the residents. If this is compromised it will change things on this idyllic unspoilt area of the Jurassic coast forever.*
- *In order to understand why the directors of the Ringstead Caravan Co. Ltd. are seeking an extension from 7 to 11 months of the year, a meeting between some residents and directors of the Company was arranged. It failed to discover their future intentions. They acknowledged that the site was to be cleared at the end of the season with the ending of leases held by the caravan owners and that there was a possibility that the site would be sold. This is a quiet, long established, successful business whose future is unclear. Econ7 (ii and iii) states that Proposals involving a reorganisation or intensification of existing sites must clearly demonstrate that the development forms part of a long term management plan.*
- *This small, exposed site is unsuitable for short let holiday accommodation in the winter months. It has no onsite facilities, shops, entertainment, or any of the indoor activities found on the larger sites and required by visitors. Local plan 4.5.19 encourages extending the season to these sites.*
- *The access from the A353 runs for 2 miles along roads and unmade track half of which is privately owned. There are frequent awkward bends and many places where two cars are unable to pass. The final unmade section is on the SW coast path. During the winter months the ice and snow drifting on the steep privately maintained summit can make it impassable for days. This access to the site presents many road safety issues. Parking by the site can sometimes be a problem with larger vans and trailers extending over the SW coastal path, 30 spaces for parking is optimistic. Other infrastructure such as the sewerage system and electricity supply may also become compromised if the site's operations intensify.*
- *The site is a CCMA at high and immediate risk of erosion and flooding. Land instability and slippage is common along this part of the coast. The increase in extreme weather events, both wind and wave, during the winter months make this cliff top site particularly vulnerable. As a Section 73 application this is seen as a new application for planning permission under the 2017 Environment Impact Assessment Regulations, and should have been accompanied by a screening. The NPPF looks to reduce risk from coastal change by avoiding inappropriate development.*
- *Disagree that extending the season "would reflect the current operation of other sites in the area"; research shows 8 months is normal on even the larger more suitable sites such as Haven Seaview and Durdle Door. Ringstead does not benefit materially from the caravan site and the site's benefit to the local economy is unknown.*

- *The extension of the site's season from 7 to 11 months of the year will change it from providing summer holiday accommodation to what is in effect an all year round residential park, with all the attendant difficulties of policing. It would create a precedent that could creep to the neighbouring site and the property beyond, The Creek, which is also owned by some of the directors of the Ringstead Caravan Co.Ltd.*
- *The anticipated increase in traffic, noise, pollution, and disturbance will affect our quality of life as usually experienced in the winter months.*
- *Ringstead plays an important role in providing access to the beach for tourists and local people during the summer months. The local plan acknowledges the pressures of tourism on local communities and the need to retain the sense of remoteness and tranquillity in rural areas. This is achieved here during the winter months when, as the only 2 business here, the car park shop and caravan site close and our hamlet is returned to its residents and the walkers along the coastal path. The changes being proposed will bring year round commercialisation to Ringstead, change its unique character and could swell our winter population tenfold or more.*
- *Oppose the removal of condition 3 - It states the times when the caravans should be unoccupied during the year thereby ensuring it does not become a residential site. Ringstead is an area where open market housing is normally refused.*
- *The reasons given for both condition 2 and 3 are to reserve to the LPA control over the long term use of the site, I would not wish this to change.*
- *Oppose the removal of condition 4 - The need for the planting of trees for screening of the site is ongoing on this exposed site and should remain.*
- *Ringstead is a unique coastal hamlet having an influx of visitors in the summer months because of its beach and timeless ambience. It is fondly known as 'the locals' beach'. Residents accept and welcome this seasonal intrusion despite suffering the consequences of increased rubbish, noise and disturbance. The winter months, however, should be a time when the locality has respite from thousands of tourists and regains its identity as a small Dorset rural community.*
- *There is no public transport to Ringstead, the nearest bus stop is over two miles away. Access is by car. The caravan site is off an unmade stretch of the SW coast path which is rutted, potholed and hazardous in Winter. Residents frequently become stuck in the hamlet because of snow and ice. Further disturbance for residents as noisy cars crunch down the path in all hours with head light intrusion in the winter months is unacceptable.*

- *From November to late March the caravan site is likely to be lit for safety reasons thus increasing light pollution in a dark sky. This is detrimental to the nocturnal wildlife that inhabits this area. Residents also enjoy the dark and the chance to see night skies particularly towards the north and east. A peaceful, less disturbed winter season is necessary for the continuation of the bio-diversity of the area which is rich in wildlife and plants.*
- *The intentions of the caravan site owners to invite new lodges or caravans to be placed on vacated plots and thus the likelihood of an increased population of tourists occupying such dwellings for 11 months of the year raises alarm that Ringstead's population could reach a stage where caravan dwellers easily outnumber the residents and become the raison d'être for Ringstead as it morphs from a unique Dorset hamlet to a tourist park. Indeed to allow 11 months is to invite nigh on permanent residency with opportunists circumnavigating the regulations for yearlong residence.*
- *Ringstead in many ways during the winter months is as unspoilt as in 1962. I cite part of condition 1 in the original 1962 application 207350 where it refers to a 'coastal locality' of ' high scenic and landscape value' I urge rejection of the present proposal which will have an enduring impact on Ringstead and change its unique character to the detriment of all.*
- *In refusing an appeal to planning in 1961, it was recognised that any intensification in the number of caravans on the site would be "detrimental to character of this beautiful and secluded locality": thus limited to 30 caravans. Conditions 3 and 4 were reserved to the Local Planning Authority to give them control over the long term use of the site, because the site was recognised as being 'in a coastal area of high scenic and landscape value'. Condition 4 was imposed 'to safeguard the amenities of the locality'.*
- *In what I presume is the licence under which the site is presently operating of 1979, no mention is made of the need for screening with trees as it is one of the conditions on the 1962 permission. This requirement is lost under the new proposal. In such a heavily protected area where further new development would not be allowed, the reasons for imposing these conditions remain as valid today as they did in 1962.*
- *There are other buildings on the site which do not appear in the 1962 permission. The residential chalet started life as a small site office with no residential element. Accommodation for the site manager was off-site in what is now Gulley Cottage. This chalet is to be the subject of a further application to confirm its status; what is its current planning status? I could find no local site of comparable size operating for 11 months per year. Many of the larger sites with on-site facilities and good links to public transport operate for 7-9 months; a closed season allows the site to regenerate.*

- *In the absence of any indication of the intentions of the applicant in requesting 11 month occupancy, one has to make assumptions. While the applicants' assertion is that it will not change the nature of the development, the removal or relaxing of any of the conditions opens up the likelihood that detrimental change will occur. Ringstead is a less than ideal site as a winter holiday destination; marine activities can be severely restricted and water logged ground can be a problem and snow and ice can cause the road to become impassable.*
- *Historically, Ringstead has suffered from erosion of the cliffs and beach. This erosion is ongoing to the east and west of this site where there are no hard sea defences. The hard sea defences around the site were provided with public money and are subject to ongoing maintenance.*
- *The Local Plan recognises that any development requiring increased coastal defences would be harmful to the Outstanding Universal Value of the World Heritage Site. In a time when climate change is expected to increase incidences of extreme weather, any development should be directed away from areas subject to coastal erosion or land, such as would be required to provide concrete bases on which to station caravans or lodges which could be detrimental on such a geologically fragile site.*
- *In respect of the contribution to the local economy, with an 11 month occupancy, privately owned caravans/lodges would in effect become second homes but without the attendant council tax obligations, so contributing little to this aspect of the economy.*
- *The present trend for converting from static caravans to fully residential is also of concern in the request for 11 month occupancy. Ringstead has always been a popular place to visit in summer, especially by local people. It supports a large summer population, some resident, some walkers on the South West coast path, and day visitors. But in winter it slows down. There are still day visitors, but the resident population of 5 houses by the shore and 4 further in land enjoy a more tranquil environment with dark skies at night, less noise disturbance and less traffic, giving the place a more isolated feel.*
- *The caravan site has been a part of Ringstead summers for many years, offering affordable holidays, however existing caravan owners have been given notice on their pitch leases, many after 20 years and more. The applicant is operating a successful business under its present conditions and the proposed change to those conditions should be resisted to prevent detriment to the natural environment, tranquillity of the location, and impact on local residents.*
- *A public footpath Right of Way S34/19 runs through the site; this does not appear on the applicant's plan.*

- *I would also like to draw Committee Members' attention to the consultation process: of the 8 permanently occupied houses, the 7 who have no direct involvement with the site were unaware of the proposal until an article appeared in the Echo on 16 June, there was no planning notice in the Echo. There was one notice on the site notice board, but during the pandemic people were staying at home and this was insufficient Public notice to properly inform residents during this period, and therefore reduced the time available for comments.*
- *The proposed increase will impact the precious coastline that is 1 of 46 Areas of Outstanding Natural Beauty in England, Wales and Ireland that are protected for our future generations. It is well known that the cliffs surrounding the Jurassic Coastline are not stable, therefore I fear an increase in tourist numbers over the months of winter will de-stabilise the cliffs further.*
- *The change from a summer season site to all year-round occupation will change the character of Ringstead and will dwarf the resident population.*
- *Access to and from the site during the winter months can be treacherous making this an unsuitable site for all year-round occupation.*
- *The lighting required for winter use will impact on the environment and habitat of the wildlife, particularly Barn and Little Owls.*
- *If the caravan site is given this extension it will affect the character and uniqueness of this heritage coastal location. Ringstead has always been a busy summer location for tourists and locals alike. In the winter months Ringstead's appeal to many is through the lack of tourism this extension to all year-round tourist use will have a significant effect on the small resident population. The winter months allow respite for the environment and the residents of this small hamlet.*
- *Application document - Under 4. Description of proposal. This proposal was started on 1/1/1962 and finished 1/4/61. Under 6. Site visit. The site is clearly visible from the Beach and SW Coastal path. Under 8. Ownership Certificate. I do not believe the applicant is the sole owner.*
- *We are regular out of season visitors to Ringstead Bay and the surrounding area, the primary attraction being the peace and solitude to be gained once the holidaymakers have gone home. We are therefore somewhat dismayed to learn that the caravan park at Ringstead has applied for such a large extension to its season with the inevitable consequence of the loss of tranquillity at what must be considered to be one of the jewels of W. Dorset.*

- *We fully accept that the tourist industry is in great difficulty at the moment but we strongly urge you therefore to consider the long term implications of this application and thus reject it.*
- *The wildness and fragile environmental beauty of Ringstead on the Heritage Coast would be severely affected by almost year-round occupation of the caravan site, and the increased pressure this would put on the very limited infrastructure. Ringstead is a small residential community and the poor quality and very steep access road is completely unsuitable to winter tourism, with no access by public transport.*
- *There are very few local amenities on or off site, meaning this application isn't a viable option. Ringstead bay is of outstanding natural beauty, and the winter months offer a rare opportunity to experience and enjoy this solitude, which could be destroyed by this application to extend the use of the caravan site.*
- *I object strongly that permission is granted that would allow the site to open 11 months, with all the extra footfall, the extra cars, in a time of the year when access can be a problem with the weather and gives no benefit to the local residents, the walkers, the fragile Environment or the coastal areas.*
- *I am also very concerned that because there was no Site visit, parts of the actual Application have not been checked and there are significant errors in fact. Ownership of roads and tracks, parking north of the site, National trust Boundaries, route of South West Coast Route are some of the errors, plus there are others that have been mentioned in the Objections.*
- *It would seriously damage the peace and tranquillity of Dorset's heritage coast during the winter months. This is a time when there are fewer tourists, therefore the shop is not open during the winter months, meaning the proposal will have no positive impact on the immediate local economy. The West Dorset Weymouth and Portland local plan greatly emphasises the need for preserving areas of peace and tranquillity and Ringstead during the winter months is one of these places. The proposal will increase strain on footpaths, and road access which in the winter months is difficult coming down a steep slope. Further to this, more than doubling the number of residents there during the winter months will have a big detrimental effect on light pollution at night. During the winter months storms batter the coast, which poses a serious health and safety risk for caravans near the front. To summarise this proposal will have a major negative effect on the heritage coast in this area, and further weaken Dorset councils' position to preserve it.*
- *The 1962 planning consent does not refer to the chalet then known as Elizabeth Chalet and now known as Coast Path Cottage, which is used as a residential dwelling. The current application refers to 'confirming the planning status' of this*

*building, which implies that the owners are aware that this building is being used for residential purposes without appropriate permission.*

- *It should also be noted that the consultation notice which had been displayed on the site notice board was removed last week before the end of the consultation period, and before the end of the lockdown, when the leaseholders returned.*
- *Ringstead is a small community and the infrastructure of the roads and local amenities do not make this a viable option. The rest of the tourist facilities based around the caravan are ALL seasonal. The bay is outstanding beauty and needs the months in between summer visitors to recuperate. It is certainly not designed or ready to be used all year around.*

### **8.3 An 11 signatory petition has also been submitted objecting to the application on grounds of**

- *Commercialisation of Ringstead and that the non-occupancy period currently in force adds to the peaceful environment of this hamlet set in an AONB/World Heritage Jurassic coast area and*
- *requests from site owners to clear the site by the end of 2020 season.*

### **8.4 6 further representations in support stating:**

- *Do not expect the number of cars driving along Fisher's Place to increase hugely as a result of an extended open season.*
- *Over the last 42 years the caravan site has never been at full occupancy outside of 3 weeks during the height of the summer. There is no reason to expect this to change, especially in the colder months of the year.*
- *Caravan owners come as day visitors in the winter months to spend a few hours in their caravans and enjoy the peace and quiet of Ringstead out of season. What this extension would offer them is an opportunity to stay over and enjoy those quiet times that other holiday home owners (houses) at Ringstead currently are fortunate enough to enjoy.*
- *Improvements in caravan design and insulation has meant that over the last 20 years many caravan parks around the county have now applied for and received planning permission to extend their season for their owners. However even modern caravans are still caravans (as I used to say to our visitors they are really just tin cans - you can hear every rain drop and feel every gust of wind against the sides) so in the colder, wetter months of the year they still won't offer the same experience as a summer holiday in a caravan or a winter holiday in a house. It just isn't comfortable or convenient.*

- *It would be lovely for some of them to experience a Christmas or New Year at Ringstead if they want to, and to experience the camaraderie that exists here in the winter months amongst residents and holidaymakers alike. Would welcome the idea that there might be a few more people around for security reasons alone.*
- *Just because our owners are not lucky enough to own a bricks and mortar holiday home here at Ringstead doesn't mean they feel any less strongly about preserving the uniqueness and beauty that is Ringstead and I think if they are allowed to stay over out of season they will add to, rather than detract from, the quality of life here.*
- *I think it would be really great if the caravan site was open longer as more of us would get a chance to visit and stay over.*
- *We would support the Caravan site extending the season so we can enjoy the bay in peace, whilst also not spending an arm and leg. It would be encouraging to know there is a holiday waiting for us towards the end of the year. I think the season being extended would appeal to people in our situation who can't afford the prices during the summer anymore. Anyone who knows Ringstead understands that by holidaying there in winter time they will likely be spending a lot of time indoors, except for the occasional walk, so I doubt it would greatly affect the local's enjoyment of their home. Life is going to be different from now on, it can't stay the same and people need to support local businesses and the environment by holidaying locally and responsibly.*
- *I've been coming to Ringstead for many years because I love the peace and quiet. The natural beauty is amazing and I feel privileged every time I visit. Recently having got a dog, I now enjoy the numerous walks the area has to offer, not just the lovely beach. I've found the people to be welcoming and have been visiting almost daily over the last few weeks.*
- *I've also been lucky enough to have stayed in some of the holiday cottages in the area over the years. However this year they all were booked up so quickly once holidays were allowed again, even into next year, so there is nothing left in my price range. Covid-19 has also reduced my income, meaning I can't afford to stay during the peak holiday season anymore.*
- *If the caravan site was open longer then I would very much welcome the opportunity to holiday out of season. It would be cheaper for me, there would be less competition for dates and I can have a peaceful stay in a place I love without having to travel there each day.*
- *Most people who come to Ringstead appreciate its unique beauty, and want to take care of it, myself included.*

- *I think it's a fantastic idea, and I'm writing to voice my support. I have been visiting the area for several years, as my partner's grandmother lives nearby. I've come to love and enjoy the Dorset Coast, and in particular, Ringstead beach and the adjacent caravan site. My favourite time to visit the area is during the off-season. Smaller crowds and more affordable off-season prices is extremely appealing. Especially at this time – having suffered an income reduction due to Covid-19, and generally hoping to avoid crowds, offseason visits are ideal.*
- *Also, the opportunity to enjoy Ringstead without having to make daily visits when the caravan site is closed (as is the current situation) would be a huge improvement to our experience.*
- *I care about preservation and protection of the area as much as anyone. I doubt that extending the season would alter the nature and appeal of the caravan site. If anything, it might provide more resources and reason to better preserve it for future generations*
- **Ringstead Protection Society Committee** state - *We understand that current residential occupancy- i.e. .overnight sleeping- in the autumn up to the end of October is not great at the present time. It seems unlikely it will continue at the same level during the extra months which are amongst the coldest of the year. Caravans in winter on a site exposed to gales are not the most enticing places to stay. It might well be different if the site had modern, well insulated chalets, equipped modern energy efficient heating and modern bathrooms. If an application to build those was made, the Society would be concerned. Owners are entitled now to visit their caravans for the day at any time of the year and a successful application will not change that. We do not however believe that many people will be wanting to stay there in the additional months if permitted, other than perhaps for half term or over Christmas.*
- *It does not believe there will be a major increase in traffic if the application is successful and certainly not of a size that would justify refusing the application.*
- *For the above reasons, the Society does not propose to lend its support to the objectors.*

#### **8.5 Finally the applicant has responded direct to a number of the objections by stating that:**

- *The timing of the application is because we want to regularise the site planning regulations, which are very old and incorrect as part of the improvements to the company and the site we are making.*
- *Ringstead Caravan Company has not applied for permanent residence in its planning application and has never indicated it would ever want to do so.*

- *As a company we have always complied with our site licence and planning and never allowed anyone to use the caravan as their sole and permanent residence and will continue to do so. The caravan site has been there since the 1930s older than a vast majority of the houses in Ringstead. A season extension will not change the view, as the caravans stay there 365 days a year.*
- *The Ringstead Caravan Park plays a major role in addressing some of the issues of concern to residents with regard to littering by daily visitors to Ringstead. See the section on waste.*
- *No additional development is required or has been made in the planning application. All pitches have their own utilities and do not require any additional public services.*
- *No public transport is currently needed when it is open now. The season extension will have even less need for public transport, I have no data on deliveries and neither do I imagine the complainants. The caravan site is used for many delivery drivers and services such as domestic refuse collection of the residents to turn around as it is the only place big enough to do so. We have never objected to this and are always keen to help the community.*
- *The caravan site pays £1040 to use the road far more than any other property in the village. It also voluntarily repairs the road asking no contributions from any other residence or holiday accommodation business. As far as we are aware no one else does this in Ringstead.*
- *There is no expansion of the numbers of people using the caravan site. As previously mentioned we are by far the single biggest contribution towards the upkeep and repairs of the road.*
- *The caravan site collects waste and recycling for two houses the council can not reach further up the track.*
- *We also collect a huge amount of waste from beach visitors (nothing to do with us) and provide the only dog waste bin in the village at our own expense.*
- *In our closed season we do not have bins and so there is a build-up of waste left by day visitors who do not take their waste home with them. Hopefully with an extended season we can help reduce this.*
- *The caravan site has its own toilets and drainage facilities and will have no additional strain on any public facilities.*
- *The caravan site actually hosts the drainage and pumping facilities for the village on our land and is maintained at our expense. The Caravan site was*

*central to the decision to fund the groin as it increased the number of people who would benefit from the project in the cost benefit analysis, thus enabling the project to go ahead.*

- *Council engineers think the rate of erosion has been significantly delayed by the presence of the groin which is of benefit to all the residents and visitors to Ringstead.*
- *We are not increasing the number of vans or overall numbers of visitors to the site so this objection is irrelevant.*
- *As well employing local trade's persons and being able to offer all year work to cleaners and other contractors we promote local events, tourist attractions and businesses to our holiday makers. An extension would help the all year round economy of local business.*

## **9.0 Relevant Policies**

### **9.1 National Planning Policy Framework**

As far as this application is concerned the following section(s) of the NPPF are considered to be relevant;

2. Achieving sustainable development
4. Decision-making
6. Building a strong, competitive economy
11. Making effective use of land
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment

Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

### **9.2 West Dorset, Weymouth and Portland Local Plan**

INT1 - Presumption in Favour of Sustainable Development  
ENV1 - Landscape seascape and sites of Geological Interest  
ENV7 - Coastal Erosion and Land Instability  
COM7 - Creating a safe and efficient transport network  
ENV10 - Landscape and Townscape setting  
ENV16 - Amenity  
ECON 7 - Caravans and campsites

## Other material considerations

WDDC Landscape Character Areas 2009

AONB Management Plan 2019-24

Dorset Heathlands Planning Framework SPD 2015-2020

In July 2020 the Government announced a proposal to extend opening of holiday parks, caravan parks and campsites given the Covid 19 pandemic stating:

*“The Government recognises that holiday parks, caravan parks and campsites may decide to extend opening beyond the summer season to support these businesses to recover from Covid-19 business disruption. In some cases, planning conditions may restrict their open season. We have made a Written Ministerial Statement to emphasise that planning enforcement is a discretionary activity, and local planning authorities should not seek to undertake enforcement action which would unnecessarily restrict the ability of holiday parks, caravan parks and campsites to extend their open season. Local planning authorities should also prioritise decision making for applications to vary relevant planning conditions, and take account of the economic benefits resulting from extended opening.*

### **10.0 Human rights**

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

### **11.0 Public Sector Equalities Duty**

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

### **12.0 Financial benefits**

Material benefits of the proposed development	
Additional period of occupancy is likely to lead to increase spend in the local economy	

### 13.0 Climate Implications

13.1 The application site is not within a settlement or village with close by services and facilities for those using the caravan site but the village does have a seasonal shop. The fact however remains that the site has been well established since the 1960's and the climate change implications of the extended period is not considered to be significant in climate change terms.

### 14.0 Planning Assessment

The following issue is considered relevant to this proposal.

- Whether the removal and variation of the conditions is acceptable in planning terms noting that the caravan site is an established one having regard to impact on the character and appearance the area; amenity of neighbouring residents; highway impacts; nature conservation interests; and other environmental impacts (EIA)?

14.1 Section 73 of the Planning Act 1990 states that:

***“On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—***

*(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and*

*(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application*

14.2 The Creek Caravan Site is a long established and successful business that continues to operate under the planning permission granted in 1962. This application made under Section 73 of the Town and Country Planning Act seeks to remove/vary the conditions of the Planning Permission Ref. 207358 granted on 13 December 1962. The applicant wishes to operate the site with **30 static caravans** for a longer season which would reflect the current operation of other sites in the

area. It seeks to update that permission with the removal and variation of conditions, but does not fundamentally change the permission and does not propose any alteration to the site itself. Condition 1 of the original permission explains that

*“Not more than 30 caravans shall be stationed on the land forming the subject of this application at any one time.*

*Reason. It is considered that the stationing of more than 30 caravans on the land forming the subject of this application would be detrimental to the character of the coastal locality which is of high scenic and landscape value*

And condition 2 explains that

*“The land forming the subject of this application shall be used for the stationing of caravans only during the period 1st April to 31st October in each year.*

*Reason. To reserve to the local planning authority control over the long term use of the site”*

And condition 3 explains that

*3. During the period 1st November to 31st March in each year, the caravans shall be parked unoccupied and the land shall be maintained in a tidy condition to the satisfaction of the Local Planning Authority.*

*Reason. To reserve to the local planning authority control over the long term use of the site*

Condition 2 as originally written appears to allow only the stationing of caravans on the site for certain months of the year (essentially the summer months) but that in effect the caravans are stationed on site all year round. As such there would appear to be a conflict between the original conditions 2 and 3, where 2 implies caravans would only be on site part of the year i.e. stationed during the summer months, and the original condition 3 which permits that caravans can be parked during the winter months but have to be unoccupied. However in essence the applicant wishes to operate the site with 30 static caravans for a longer season.

14.3 Extending the length of season for occupation of the caravans would in the applicants view

- meet the increasing customer demand for short breaks and holidays at any time of year,
- anticipate the potential increased demand for UK based holidays rather than going abroad following the Corona Virus pandemic,
- improve the local economy, attracting more visitors to Dorset,

- provide additional employment outside the current season and
- provide greater operational flexibility and efficiency.

14.4 It is noted that some of the wording of the conditions imposed in 1962 (notably conditions 3 and 4) would not meet current Government 'tests' for the use of planning conditions in terms of their precision or enforceability. In addition and on the face of it the original planning application was described as being a proposal for 40 caravans when in fact the approval was given only for 30 – however in essence an approval was given for a proposal that was described as the stationing of caravans with the number 40 simply stated but it is the planning condition which then limited its extent in terms of numbers (to 30).

14.5 Your officers had previously recommended that the description of development be amended to avoid continued discrepancy between the planning permission description from 1962 and condition 1, when it recommended that the number 40 could be removed from the description of development. This was on the basis that it was considered that this would not make any fundamental change to the permission and the nature of the development would be unchanged, being the use of the site for the stationing of caravans.

14.6 While your officers recognised that it would be better if the text "40" was omitted from the description of development in the new 2020 permission, the issue was whether it had the legal power to do that on a s73 application. In light of a relatively recent Court of Appeal decision, the JR concluded that it did not.

14.7 In effect the 1962 permission confers planning permission to use the site to station caravans, subject to the condition that not more than 30 caravans shall be stationed on the site at any one time. The reference to the word "40" in the permission is not an effective limitation on the number of caravans because that should be done by condition. The permitted use of the site is for the stationing of caravans and that planning permission was conditioned to station 30 caravans only on the site.

14.8 As such it is now considered that this application in terms of the original 1962 description should remain and that no alteration be made to condition 1 which remains that it limits the numbers of caravans to 30 e.g.

*"1. Not more than 30 caravans shall be stationed on the land forming the subject of this application at any one time.*

*Reason. It is considered that the stationing of more than 30 caravans on the land forming the subject of this application would be detrimental to the character of the coastal locality which is of high scenic and landscape value"*

14.9 Impact on Character of the area/Landscape - Condition 2 states:

*“The land forming the subject of this application shall be used for the stationing of caravans only during the period 1st April to 31st October in each year.*

14.10 The applicant proposed that this be altered to:

*ii). The caravans on the site shall be occupied during the period 9th Feb in any year to 10th Jan in the following year.*

*Or as an alternative ii) should that be the view of Committee:*

*ii 1st March in any year to 31st January in the following year only”.*

14.11 In this respect it is considered that the variation of this condition in principle would seek to boost the local economy by extending the season. This would not change the character or appearance of the site or its impact on the surrounding countryside and landscape as the caravans are already sited there all year round. But the issue as to the agreed period of occupancy was considered by Committee in July – see paras 14.14-14.15 below.

14.12 As regards neighbouring amenity/highway impacts – Members will also be aware that we have received many representations objecting for the reasons as are set out above, that the extended season would adversely impact on the amenity of residents in Ringstead to the west of the site as a result of the likely increased comings and goings to and from the site. However there are no highway objections to the proposal - the road to the caravan site as pointed out by objectors is a private road and the maintenance of that road is not a material planning consideration - and it must be remembered that the current permission authorises a 6 months occupation of all 30 caravans between April and October (notwithstanding any local terms and conditions laid down separately by the landowner/site manager for a reduced occupancy period). It is not anticipated that occupancy levels in any event would be as great outside of these spring/summer/autumn months (essentially to cover the winter Xmas/New Year period) in any event to justify a significant adverse amenity impact on the occupiers of dwellings to the west of the site sufficient to justify a refusal of planning permission as a result of comings and goings to and from the site. Finally objectors have made reference to lighting in terms of additional landscape impact but this application is only for the variation of condition and no lighting is proposed as part of it. As such Policy ENV16 is considered to be met and as there are no highway objections Policy COM7 Policy is considered to be met.

14.13 At your July 9<sup>th</sup> Committee meeting Cllr Ireland proposed (which was seconded by Cllr Barrow) that the time period for any extended occupancy should seek to reflect that of nearby caravan parks seeking to ensure some consistency in approach. Approval was therefore given for an extended period as being:

*“The caravans on the site shall only be occupied during the period from 15th March in any year to 15th January in the following year.*

*Reason: To define the permission and to prevent an unrestricted and permanent residential occupation all year round”.*

14.14 The reason for this was seeking to ensure a consistency of approach. As an example Osmington Mills Caravan Park circa 2km as the crow flies to the west of the site has a condition attached to its permission as a caravan and camping park which requires it to close between 15<sup>th</sup> January and 15<sup>th</sup> March under ref PA/1/E/84/528 granted on 23rd June 1987. There is a current application (WD/D/19/002903) seeking to use that site as an all year round holiday park which remains as yet undetermined. Nevertheless this restricted condition period would meet with Cllr Ireland’s previous proposition and the decision of Committee who agreed this condition previously. It would also ensure a consistency of approach to these 2 sites and in particular it would ensure that at present the same time period when the application site and the one at Osmington Mills would not be occupied thereby ensuring that impacts on for example residential amenity of neighbours is reduced. The proposal to amend condition 2 is therefore acceptable in land use planning terms to a period as follows:

*“The land forming the subject of this application shall be used for the stationing of caravans only during the period from 15th March in any year to 15th January in the following year.*

*Reason: To define the permission and to prevent an unrestricted and permanent residential occupation all year round”*

14.15 Coastal Management Issues - As regards the comments of the Jurassic Coast Trust, a temporary planning permission might well have been considered an appropriate one if this were a new caravan site proposal in light of coastal erosion issues, but that is not the case here. The site has been well established since the 1960’s and so a condition limiting the permission to a temporary period is not reasonable. This proposal merely seeks to vary/modify the 1960’s planning permission which has valid planning conditions which limit the numbers to 30 caravans and for a longer occupation season. It is not anticipated that such changes would adversely affect issues of coastal erosion and its natural forces in this area unlike a new proposal to site a caravan park where the very principle of permitting one might be more critically assessed in coastal erosion and AONB/Heritage Coast landscape designation terms.

14.16 In addition the applicants’ agent points out that while they acknowledge the concerns regarding coastal erosion and the need for a long term strategic approach, this application does not include any physical change and therefore they do not feel the extended season proposed will have any significant impact on coastal erosion. Part of the coast in the vicinity is undefended and the Creek Caravan Park benefits from some coastal defences, both of which would need to be considered as part of any future coastal management proposals. Any future coastal defence development

would be the subject of a separate planning application for appropriate consideration at that time, previous coast protection work being approved in 1995. Further, a temporary permission would result in long term uncertainty which would be damaging to the existing business and the tourist economy.

14.17 Impact on nature conservation interests - As is set out above, Natural England raise no objections. The Council has carried out an Appropriate Assessment (AA) under the Habitats Regulations Assessment as Competent Authority in accordance with the requirements of Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the Natural Environment and Rural Communities (NERC) Act 2006 to the purpose of conserving biodiversity. Whilst a small proportion of the southern site boundary of the site extends into the Isle of Portland to Studland Cliffs SAC, Natural England has concluded that the proposed variation in conditions will not result in likely significant effects on this European site and the AA concludes that there will be no adverse effect on the integrity of the designated sites identified above. As regards the South Dorset Coast Site of Special Scientific Interest, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

14.18 As regards proximity to Protected Heathlands (Warmwell Heath which is notified as a Site of Special Scientific Interest (SSSIs) and is also part of the Dorset Heathlands Special Protection Area (SPA) and Dorset Heaths Special Area of Conservation (SAC) and Ramsar) Natural England has confirmed that as the site lies just outside the 5km consultation zone, at about 5.2km and as such there are no adverse impacts arising as regards this issue.

14.19 Environmental Impact Assessment Regulations 2017 – If a proposed project is listed in Schedule 2 of the 2017 Regulations and exceeds the relevant thresholds or criteria as are set out in the Regulations (sometimes referred to as ‘exclusion thresholds and criteria’) the proposal needs to be screened by the local planning authority to determine whether significant effects on the environment are likely and hence whether an Environmental Impact Assessment is required. Projects listed in Schedule 2 which are located in, or partly in, a sensitive area (in this case the AONB is identified as sensitive area) also need to be screened, even if they are below the thresholds or do not meet the criteria. A link to schedule 2 is here <https://www.legislation.gov.uk/ukxi/2017/571/schedule/2/made>

14.20 In this case this proposal falls within Schedule 2, category 12 (Tourism and Leisure) (e) - permanent camp sites and caravan sites - but the threshold area of the development does not exceed 1 hectare – it is circa 0.6ha.

14.21 It also falls into Schedule 2, category 13 (Changes and extensions) (b) “*Any change to or extension of development of a description listed in paragraph 12 where that development is already authorised, executed or in the process of being executed; and Either—*

*(i) The development as changed or extended may have significant adverse effects on the environment; or*

*(ii) in relation to development of a description mentioned in column 1, the thresholds and criteria in the corresponding part of column 2 applied to the change or extension are met or exceeded.”*

14.22 In this case the proposed changes by way of the variation/modification of conditions do not meet the identified thresholds.

14.23 Nevertheless a Screening Opinion has now been made which explains that:

*Characteristics of the development - The site is an existing Caravan site and the application seeks to vary conditions of the original planning permission essentially to extend the time period of occupancy of the caravans. There would be no increase in numbers of caravans arising from the application. No adverse issues impacting on natural resources; waste; pollution nuisances or risk of accidents to warrant EIA are likely*

*Location of the development - The site is an existing Caravan site and is located in a designated AONB/Heritage Coast area. However the application seeks to vary conditions of the original planning permission essentially to extend the time period of occupancy of the caravans. There would be no additional adverse landscape impact arising from the current proposal as the number of caravans is not intended to alter.*

*In addition Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection. Natural England considers that the proposed development will not have likely significant effects on the Isle of Portland to Studland Cliffs Special Area of Conservation and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, they advise us to record our decision that a likely significant effect can be ruled out. As regards the South Dorset Coast Site of Special Scientific Interest, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.*

*As regards proximity to Protected Heathlands the site lies just outside the 5km consultation zone, at about 5.2km and so there are no adverse impacts arising as regards this issue*

*As such, the proposal is unlikely to create significant impacts on the environment sufficient to trigger the need for an Environmental Impact Assessment (EIA) by way of an Environmental Statement (ES)*

*Characteristics of the impact - The extent of the impact in seeking to extend the time period for occupancy of the caravans would not alter the characteristics of the site other than being assessed via the normal Development Management processes/considerations. As such, this is unlikely to create significant impacts on the environment sufficient to trigger the need for an Environmental Impact Assessment (EIA) by way of an Environmental Statement (ES)*

14.24 EIA Conclusion - The above EIA Screening Opinion sets out that despite the project being listed as a Project in Schedule 2 but not meeting the size area threshold, it lies in a sensitive area (AONB) and a Heritage Coast but for the above reasons is not considered to have significant impacts on the environment sufficient to trigger the need for an Environmental Impact Assessment (EIA) by way of an Environmental Statement (ES).

14.25 Condition 3. It currently states. *“During the period 1st November to 31st March in each year, the caravans shall be parked unoccupied and the land shall be maintained in a tidy condition to the satisfaction of the Local Planning Authority”.*

This condition does not meet the tests of a condition as it requires the site to be maintained in a tidy condition to the satisfaction of the LPA but is not precise or reasonable or enforceable.

14.26 Condition 4. It currently states. *“Adequate provision shall be made to the satisfaction of the Local Planning Authority for the planting of a screen of trees of a species to be agreed with the Local Planning Authority”.*

This condition also does not meet the tests of a condition as it requires the provision to the satisfaction of the Local Planning Authority for the planting of a screen of trees of a species to be agreed with the Local Planning Authority. It does not set out where they should be planted or even for them to be maintained thereafter. If they were provided back in the 1960's nothing in the condition seeks to ensure they are retained and in any event the caravan site is now long established such that any form of screening is not considered to be required.

14.27 It is considered that conditions 3 and 4 are unnecessary and should be removed.

## **15.0 Conclusion**

15.1 This application is reported back to Planning Committee following a recent successful Judicial Review (JR) and quashing of the planning permission granted following the decision made at your July 9th 2020 Committee meeting. The proposed development however remains in your officers' view as acceptable and is therefore recommended for approval.

**16.0 Recommendation** – Approval is recommended subject to the following conditions:

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan received on 28/04/2020

REASON: For the avoidance of doubt and in the interests of proper planning.

2 Not more than 30 caravans shall be stationed on the land forming the subject of this application at any one time.

Reason. It is considered that the stationing of more than 30 caravans on the land forming the subject of this application would be detrimental to the character of the coastal locality which is of high scenic and landscape value

3. The caravans on the site shall only be occupied during the period from 15th March in any year to 15th January in the following year.

Reason: To define the permission and to prevent an unrestricted and permanent residential occupation all year round.