

## OFFICER REPORT FOR COMMITTEE

DATE: 13/01/2021

P/20/1398/VC  
PARK HOLIDAYS UK LTD

WARSASH WARD  
AGENT: MR IAN BUTTER

VARIATION OF CONDITION 3 OF FBC 7456 TO ALLOW OCCUPATION OF HOLIDAY CARAVANS BETWEEN 7<sup>th</sup> JANUARY AND 1 MARCH (FOR 2021 ONLY)

SOLENT BREEZES, CHILLING LANE, WARSASH, SOUTHAMPTON, SO31 9HG

### **Report By**

Katherine Alger - 01329 824666

#### **1.0 Introduction**

1.1 This application has been called to the Planning Committee due to the number of third-party objections. The application is being recommended for approval.

#### **2.0 Site Description**

2.1 Solent Breezes is a holiday home park comprising holiday chalets and mobile homes with associated facilities.

2.2 The park is located alongside the eastern bank of the River Hamble and extends to about 11.5 hectares in total.

2.3 The site is accessed via an unadopted, narrow and roughly surfaced lane from the small hamlet of Hook approximately 1 mile to the north.

#### **3.0 Description of Proposal**

3.1 Permission is sought for a variation of condition 3 of planning permission reference FBC.7456 which presently restricts occupancy to the holiday chalets to between 1<sup>st</sup> March and 7<sup>th</sup> January annually. The applicant seeks temporary relief for this year to allow the occupation of holiday caravans when it would otherwise have been closed.

3.2 The additional period being sought is between 8<sup>th</sup> January 2021 to the 28<sup>th</sup> February 2021. In this instance permission is being sought to enable a 12 month occupancy period for one year only to allow occupants to stay on the site in light of the Covid-19 pandemic.

#### **4.0 Policies**

4.1 The following policies apply to this application:

## **Adopted Fareham Borough Core Strategy**

CS14: Development Outside the settlements

CS17: High Quality Design

## **Adopted Development Sites and Policies**

DSP2: Environmental Impact

DSP3: Impact on Living Conditions

DSP11: Development Proposals within Solent Breezes Holiday Park

## **Other Documents:**

Fareham Borough Design Guidance: Supplementary Planning Document  
(excluding Welborne) December 2015

Residential Car Parking Standards 2009

### **5.0 *Relevant Planning History***

5.1 The following planning history is relevant:

<b>P/14/0990/VC</b>	Variation of Condition 3 of FBC. 7456 to allow occupancy of chalet 20 for 10 months per year from 1 <sup>st</sup> March to 5 <sup>th</sup> January inclusive
<b>APPROVE</b>	21/11/2014
<b>P/14/0288/VC</b>	Variation of Condition 03 of FBC 7456 to allow holiday occupation between 1 March and 14 February in the following year.
<b>REFUSE</b>	29/09/2014
<b>P/13/0672/VC</b>	Variation of Condition 3 of FBC. 7456 to allow occupancy of chalet 20 for ten months of each year (1 <sup>st</sup> March-6 <sup>th</sup> January)
<b>APPROVE</b>	23/09/13
<b>P/13/0292/LU</b>	Use of Chalet as permanent resident-relief from Condition 3 of FBC 7456 (Certificate of lawfulness)
<b>APPROVE</b>	20/05/2013
<b>P/12/0918/VC</b>	Variation of Condition 3 of FBC7456 to allow all year round occupancy of No.33 Solent Breezes
<b>APPROVE</b>	24/12/2012
<b>P/12/0862/VC</b>	Variation of Condition 3 of FBC 7456 to allow all year round occupancy of No. 38 Solent Breezes
<b>APPROVE</b>	24/12/2012

<b>P/12/0827/VC</b>	Relief of Condition 3 of Planning Permission Reference FBC. 7456 to allow permeant residential occupation of 43 Solent Breezes
<b>APPROVE</b>	24/12/2012
<b>P/12/0945/VC</b>	Variation of Condition 3 of FBC 7456 to allow permanent residential occupation of No 55 Solent Breezes
<b>APPROVE</b>	02/01/2013
<b>P/12/1043/VC</b>	Variation of Condition 3 of FBC 7456 to allow all year round occupancy of No 68 Solent Breezes
<b>APPROVE</b>	12/02/2013
<b>P/12/1044/VC</b>	Variation of Condition 3 of FBC to allow occupation for 10 months each year, from 01 March each year to 06 January the following year
<b>APPROVE</b>	12/02/2013
<b>P/12/0826/VC</b>	Relief of Condition No 3 of planning permission reference FBC 7456 to allow permanent residential occupation of 23B Solent Breezes, Hook Lane, Southampton
<b>APPROVE</b>	03/12/2012
<b>P/10/0609/DA</b>	Non-compliance with Condition 3 of FBC.7456 (APP/A1720/C/10/2131380)
<b>ENF appeal Allowed</b>	15/02/2011
<b>P/10/0655/DA</b>	Non-compliance with Condition 3 of FBC 7456 (APP/A1720/C/10/2131645)
<b>ENF Appeal allowed</b>	15/02/2011
<b>P/08/1258/VC</b>	Variation of Condition 3 of FBC.7456 (To enable all year round occupancy)
<b>REFUSE</b>	06/01/2009
<b>P/08/0181/VC</b>	Variation of Condition 3 of FBC 7456 (to change time limit for occupation of chalet to 7 <sup>th</sup> January to 1 March Annually
<b>APPROVE</b>	17/11/2008

<b>P/08/1081/VC</b>	Variation of Condition 3 of FBC 7456 to allow all year round occupation of Chalet to 7 <sup>th</sup> January to 1 March annually
<b>APPROVE</b>	17/11/2008
<b>P/08/0915/LU</b>	Use of chalet as permanent residence- relief from Condition 3 of FBC 7456 of FBC 7456 (Certificate of Lawfulness for Existing Use)
<b>GRANTED</b>	16/09/2008
<b>P/04/1016/VC</b>	Variation of Condition 3 of FBC (To enable all year round occupancy of Chalet)
<b>REFUSE</b>	27/07/2004
<b>P/04/0927/VC</b>	Variation of Condition 3 of FBC 7456 (to enable all year round occupancy of chalet)
<b>REFUSE</b>	29/07/2004
<b>P/06/0346/LU</b>	Use of Chalet as Permanent Residence-Relief from Condition 3 of FBC 7476 (Cert of Lawfulness for Existing Use)
<b>GRANTED</b>	13/04/2006
<b>P/06/0525/VC</b>	Variation of Condition 3 of FBC 7456 (Change to occupancy condition)
<b>APPROVE</b>	31/05/2006
<b>P/04/1335/VC</b>	Variation of Condition 3 of FBC 7456 (To enable all year round occupancy of Chalet)
<b>REFUSE</b>	01/09/2004
<b>P/04/0918/VC</b>	Relief from Condition 3 of FBC 7456 to enable all year occupancy of Chalet
<b>REFUSE</b>	30/09/2004
<b>P/04/0887/VC</b>	Variation of Condition 3 of FBC 7456 (to enable all year round occupancy of Chalet)
<b>REFUSE</b>	23/07/2004
<b>P/04/0317/VC</b>	Variation of Condition 3 to FBC. 7456 (to allow occupation of holiday caravans between 1 March & 7 January)

<b>REFUSE</b>	26/04/2004
<b>P/04/0731/LU</b>	Use of Chalet of Residential Purposes all year round (Certificate of Lawfulness of Existing use)
<b>GRANTED</b>	01/07/2004
<b>P/04/1016/VC</b>	Variation of Condition 3 of FBC 7456 (to enable all year round occupancy of chalet)
<b>REFUSE</b>	29/07/2004
<b>P/04/1064/VC</b>	Variation of Condition 3 of FBC 7456 (to enable all year round occupancy of Chalet)
<b>REFUSE</b>	01/09/2004
<b>P/04/0962/VC</b>	Variation of Condition 3 of FBC 7456 (to enable all year round occupancy of chalet)
<b>REFUSE</b>	10/08/2004

## **6.0 Representations**

6.1 At the time of writing this report 24 representations have been received (5 objecting and 19 support) on the following grounds:

### Object

- a) Contrary to local plan
- b) Site could expand
- c) Increase in permanent resident
- d) Increase in traffic
- e) Harm to tourist industry
- f) Poor management
- g) People should not be travelling to site during pandemic
- h) Noise and disturbance
- i) Harm to historic environment within Hook village
- j) Set precedent for all year round occupancy

### Support

- a) Allow holiday homes to be used all year round
- b) No increase in traffic
- c) Prevents the spread of Covid-19
- d) Supports tourist industry
- e) Protects vulnerable
- f) Supports local shops and businesses

## **7.0 Consultations**

INTERNAL

### **Environmental Health**

7.1 No Objection.

## **8.0 Planning Considerations**

8.1 The following matter represents the key material planning consideration which needs to be assessed to determine the suitability of the development proposal. The key issue solely relates to the principle of development.

8.2 The application site is located within the defined countryside as stated within Policy CS14 of the Core Strategy. This policy specifically seeks to limit "*Built development on land outside the defined settlements*" in order "*...to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function*".

8.3 Tourism uses are referred to within the supporting text of Policy CS14 at para 5.146 which indicates that "*... development in the countryside, outside the settlement boundaries will be strictly controlled and will focus on meeting agricultural, farm diversification, countryside recreation, leisure and tourism needs i.e. needs that can only be met in this type of location*". Developments for the purpose of tourism are therefore acceptable in principle in a rural location.

8.4 Solent Breezes was originally built as a holiday park. However, over the years, a number of chalets have been used as permanent residential homes or as temporary homes rather than for holiday purposes. The site is not sustainable due to its relatively isolated location away from local services. Further, increased numbers of people living at the site permanently will cause a change to its character from one of a holiday park to a residential housing estate.

8.5 Policy DSP11 specifically relates to development proposals within Solent Breezes Holiday Park. The Policy highlights that within Solent Breezes Holiday Park planning permission or proposals to vary conditions on existing permissions will not be granted which would allow the occupation of any chalets or caravans on a permanent basis. To ensure this, all permissions will be subject to holiday occupancy conditions, including maximum occupancy for 10 months in a calendar year. Permissions will only be granted for holiday occupation provided all the following criteria have been met:

- i. The holiday accommodation is of a high standard and appropriate for the time of proposed use;

- ii. It can be demonstrated how the prevention of accommodation for permanent residential used will be managed, monitored and enforced, to be agreed between the Council and the site/property owner or operation or advance;
- iii. The submission of a Coastal Change Vulnerability Assessment that identifies that the proposal will result in no increased risk to life of significant increase in risk to property and;
- iv. Where it can be demonstrated that the proposal would not have an adverse impact on the SPA.

8.6 It is clear from Policy DSP11 that all year-round occupation of any chalets or caravans will not be granted on a permanent basis. However, 2020 has been an exceptionally difficult year given the current circumstances of the Covid-19 Pandemic. The Government has made provisions through a Ministerial Statement, dated 14 July 2020 to ensure planning permissions and restrictive conditions affecting holiday parks are considered as quickly as possible and that Local Planning Authorities should act proportionately in responding to suspected breaches of planning control. The Statement highlights that *“Given the current situation, whilst local planning authorities must have regard to their legal obligations, they should not seek to undertake planning enforcement action which would unnecessarily restrict the ability of caravan and holiday parks to extend their open season”*.

8.7 In view of the current pandemic, the applicant is only seeking an all year-round occupancy for one year only in order to protect the local residents from having to move out of their caravans and risk spreading the virus. Therefore, it is considered that in this exceptional circumstance the proposal would be acceptable.

8.8 It should be highlighted that allowing 12 month occupancy will be strictly controlled to one-year only for the 2021 season. The condition imposed in the original application (Ref FBC.7456) will revert to the established restriction the following year. The imposition of this condition is essential to prevent the establishment of permanent residential dwellings on this site within the countryside in an unsustainable location which would likely lead to the similar loss of further caravans from their original intended use as a seasonal/holiday park to the detriment and erosion of the character of the Solent Breezes site as a whole.

8.9 Therefore, on balance, the proposal is in accordance with the recommended guidance within the July 2020 Ministerial Statement and whilst contrary to Policies CS6, CS14 and CS15 of the adopted Fareham Borough Core Strategy (2011) Policy DSP11 of the Fareham Borough Local Plan Part 2:

Development Sites and Policies, for a single season, in these exceptional circumstances, the proposals is considered acceptable.

***Recommendation***

9.1 GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development shall be carried out in accordance with the following approved documents:
  - a) Location plan 1:1250 at A2  
REASON: To avoid any doubt over what has been permitted.
2. Occupation of the caravan site shall only be between 7<sup>th</sup> January 2021 and 1<sup>st</sup> March 2022 and between 1<sup>st</sup> March in any year and 7<sup>th</sup> January in the succeeding year inclusive of those dates.  
REASON: In order to prevent the establishment of a permanent residential dwelling on this site within the countryside in an unsustainable location; in order to prevent the change of character of this building as a seasonal/holiday chalet which would likely lead to the similar loss of further chalets from their intended use and the eventual erosion of the character of the Solent Breezes site as a whole.
3. The development hereby permitted shall, with the exception of condition 3, be carried out in accordance with those conditions imposed on planning permission ref FBC.7456, dated 30 July 1976, so far as the same are still subsisting and capable of taking effect.  
REASON: In order to secure a satisfactory appearance of the development; in order to protect the amenities of the area; in order to secure a well-planned development.

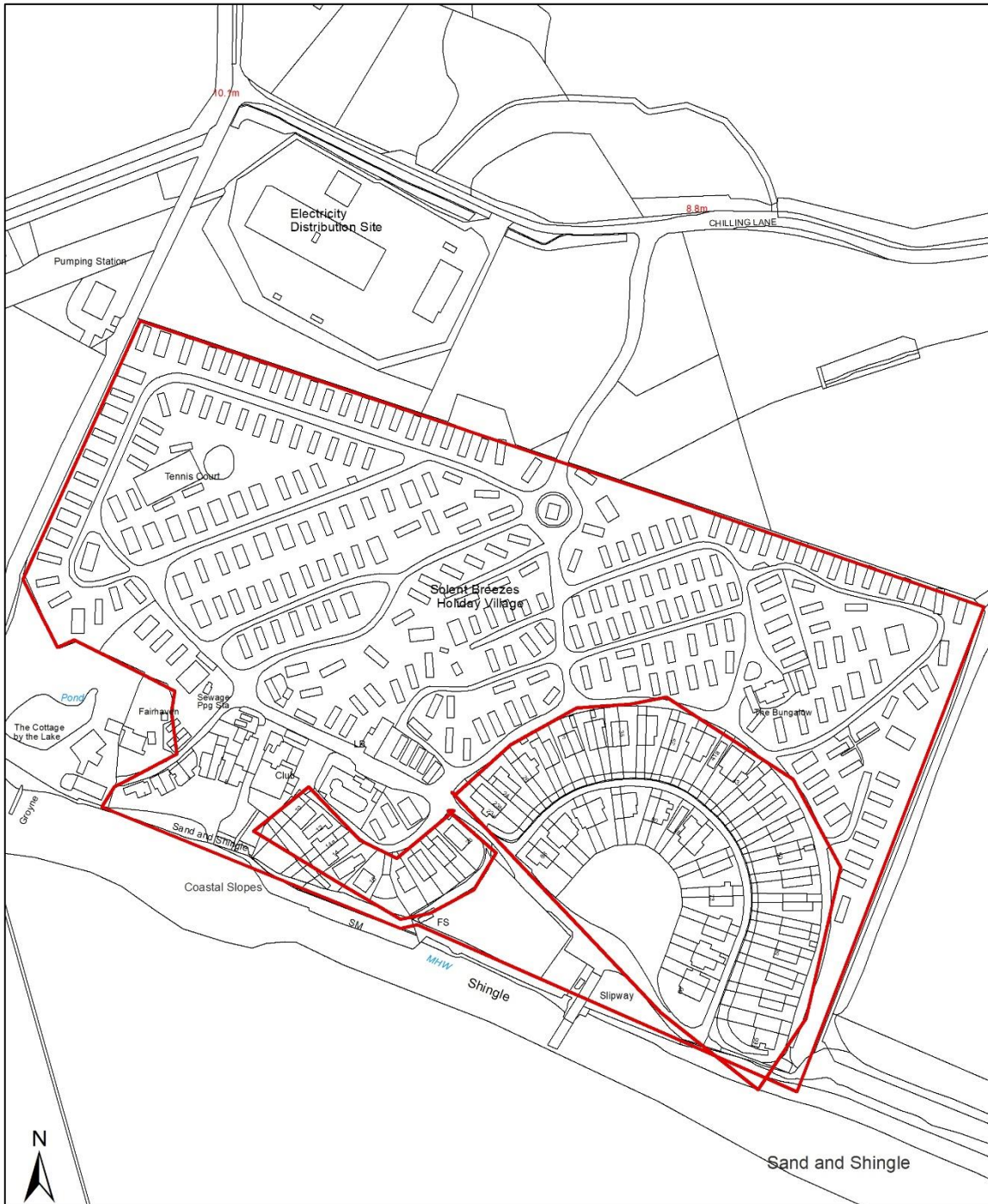
**10.0 Background Papers**

P/20/1398/VC



# FAREHAM

BOROUGH COUNCIL



Solent Breezes  
Scale 1:2,500

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