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Our Ref: SL/2020/0580

Your Ref:

Date: 27 August 2020

Dear Sir / Madam

LOCATION: The Pastures Log Cabin Park, Templand Lane, Allithwaite, GRANGE-OVER-SANDS

PROPOSAL: Variation of condition 5 (The holiday lodges shall not be used other than as holiday accommodation. They shall not be used as a sole or principal residence by any occupants. Furthermore, this permission does not authorise occupation of the lodges except during the period 01 March to 14 January each year) attached to planning permission SL/2020/0231 (Siting of 3 holiday lodges, laying of stone drive and hardstanding plus foul water connection)

Thank you for your application. It was received on **10 August 2020**. The application is valid.

We may have changed the description of the proposal. If you do not agree with the description please contact me.

Your application number is **SL/2020/0580** (Please use this whenever you contact us). The Planning Officer dealing with your application is **Nick Howard**.

If we do not issue a decision within 8 weeks you may lodge an appeal with the [Planning Inspectorate](#)

If this application is to be heard before Planning Committee, we will let you know in writing or by email at least 7 days before the Committee date. Please see our website for a list of [Planning Committee](#) dates.

PLEASE NOTE THAT:

1. YOU SHOULD CHECK WITH THE BUILDING CONTROL SECTION TO CONFIRM WHETHER OR NOT THE WORKS YOU PROPOSE REQUIRE CONSENT UNDER BUILDING REGULATIONS.
2. YOU SHOULD CHECK WITH THE COMMUNITY INFRASTRUCTURE LEVY SECTION TO CONFIRM WHETHER OR NOT THE WORKS YOU PROPOSE ARE LIABLE FOR PAYMENT OF CIL.

If you have provided an email address we will normally contact you by email.

Yours faithfully

Development Management

Email: development.management@southlakeland.gov.uk

REMOVAL OF CLOSED SEASON FOR 3 HOLIDAY LODGES EXTENSION OF THE PASTURES:

APPROVAL SL/2020/0231 CONDITION 5

PLANNING STATEMENT

The condition at issue

The Authority's planning committee added an *extra control* to the approval recommended by the officer for holiday use only of the lodges, by requiring the condition specifies only occupation of the lodges 01 March to the next 14 January 'to safeguard the local tourist economy' (Local Plan policy DM18).

Summary request

To satisfy the reason for the condition:

Instead of the closed season, vary the wording by substituting the second sentence of the Condition with the Authority's safeguard 'standard condition' requiring the site owner/operator to keep a register of the caravan occupants' main addresses etc... as set out on the application form.

It will be shown the closed element of the condition is unnecessary, unreasonable and contrary to that safeguard as well as many previous approvals for holiday lodges, including the 4 camping pods previously intended for the same site (SL/2019/0446).

Relevant Planning History at The Pastures Lodge Park

*The requested variation is for keeping a register of visitors staying at the lodge park, which has worked successfully for about a decade now (and presumably on many other caravan sites in the District and beyond). In effect the same variation is requested 8 years later and in the meantime the Authority granted the following permissions allowing occupation at any time of year, **attaching the requested variation** (the condition numbers are provided):-*

2012/0155 (as varied on appeal with regard to condition 4b attached to 2011/0862) for siting two additional holiday lodges

2012/0384 condition 4: siting of one holiday lodge

2012/0412 condition 4 which varied condition 4 (opening season) attached to 2009/0469 for siting 9 caravans to allow occupation at any time of year, by substituting the standard condition (NB the power to require occupants' main residence Council tax evidence became unenforceable, because of the above appeal that allowed exemption from that element of control).

2013/0346 condition 4: siting two static caravans

2013/0710 condition 9: siting seven holiday lodges

2014/0725 condition 9 siting four additional holiday lodges

2016/0768 condition 6: for three holiday caravans

2016/0087 condition 8 (appeal allowed) for seven holiday caravans) *pointing out the inspector was satisfied with occupation as holiday lodges at any time including a condition with similar wording to that of the Authority, after stating (quote) 'require the proper registration of holiday occupiers' (para. 23 of his decision letter).*

2017/0334 condition 6: siting 4no. holiday lodges

2019/0495 condition 6: siting one holiday lodge

2019/0664 condition 6: variation of condition 5 attached to 2019/0175

Policy justification

1. *The imposition of a closed season is at odds with the Authority's application of Local Plan policy since about 2012, when they (including by committee decisions) resolved to lift closed seasons on caravan parks (the first may have been Holgates' Holiday Park at Silverdale SL/2011/0575,6,7 as authorized by the Planning Committee, from my record of events). The above schedule of permissions is extensive evidence of the Authority's (and appeal inspectorate's) varying of the closed season condition, in effect not to have one; by ensuring the appropriate safeguard for holiday use only.*

2. *The Core Strategy was the Local Plan document relied in, in particular policy CS7.6 about tourism development inter alia, to (quote) 'improve high value - added tourism' (safeguarding the local economy.)*

3. *So has the DM18 changed that? The answer is 'no', because the Core Strategy is still part of the 'suite' of adopted development management documents for decision making. Its policy CS7.6 encourages development to support the local economy and tourism is stated as underpinning it in the District. (explanatory text para. 8.26 ending '..... because of the money spent by visitors'.*

4. *That visitor spend and all the other benefits to sustain the local economy e.g. pubs, cafes, food stores in this case at nearby Cartmel, Allithwaite and Grange in particular, equally applies between 14 January and March and possibly more important for those business' income during the otherwise 'lean trading' late winter period, in order to stay viable and support all year-round employment. This applies to Woodset Ltd. too and the many local full-time and part-time jobs they sustain for all-year operation of The Pastures Lodge Park of nearly 50 static caravans (lodges) not forgetting the expectation of visitors to come to stay at any time of year; many short 'staycation' breaks being typical research findings of tourism boards, including for Cumbria.*

5. *Historically a closed season was for recovery of the 'heavy use' of ground when sites were often used by tourer caravans (former Local Plan policy T7). Lodges like the approved three are static and have all-weather parking and access. Woodset Ltd. provided and maintain The Pastures with such high quality lodges and means of circulation, within landscaped 'parkland'.*

6. *The reason for condition 5 relies upon policy DM18 but it does not apply a criterion to safeguarding the local tourist economy.* That safeguard continues to be provided by policy CS7.6 as probably alluded to in supporting text 5.3.3 and which repeatedly has been the reason for the release from the closed season in the above listed approvals *to in effect benefit the local tourist economy*, as set out in point 4. above.

6. *The National Planning Policy Framework* requires balanced decision-taking whereby the sustainable development benefits with regard to the Local Plan as a whole means that the closed season is unjustified for the approved extra three holiday lodges.

7. *An appeal would be expected to succeed* because of the condition is inconsistent with the many listed and other Authority relevant decisions over the last 8 years or so and those made by The Planning Inspectorate.

Yet the applicant seeks to resolve the matter locally and as advised by central government.

8. *Perhaps the decision-making constraints by video link*, as the Authority's committee procedure for the pandemic 'social distancing' requirements led to this condition, so this application is the opportunity to rectify the matter.

If the case officer or manager have any queries, please contact me before formulating your recommendation:

C Ashton (BA) Hons Dip TP MRTPI ashtonplanning08@gmail.com 21/7/20

cc the directors of Woodset Ltd.