



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
17 FEBRUARY 2021**

Application Number	20/01188/FUL
Location	Steeple Bay Holiday Park, Canney Road, Steeple
Proposal	Variation of condition 4 of approved planning permission FUL/MAL/18/00465 (Change of use of land to allow the occupation of holiday caravans between the 1st March and the 30th November (inclusive) in each year (resubmission of 17/01364/FUL) to allow occupation between 1st December 2020 and the end of February 2021.
Applicant	Park Holidays UK Ltd
Agent	Mr Ian Butter BSc FRICS MRTPI
Target Decision Date	05.03.2021
Case Officer	Julia Sargeant
Parish	STEEPLE
Reason for Referral to the Committee / Council	Major Application

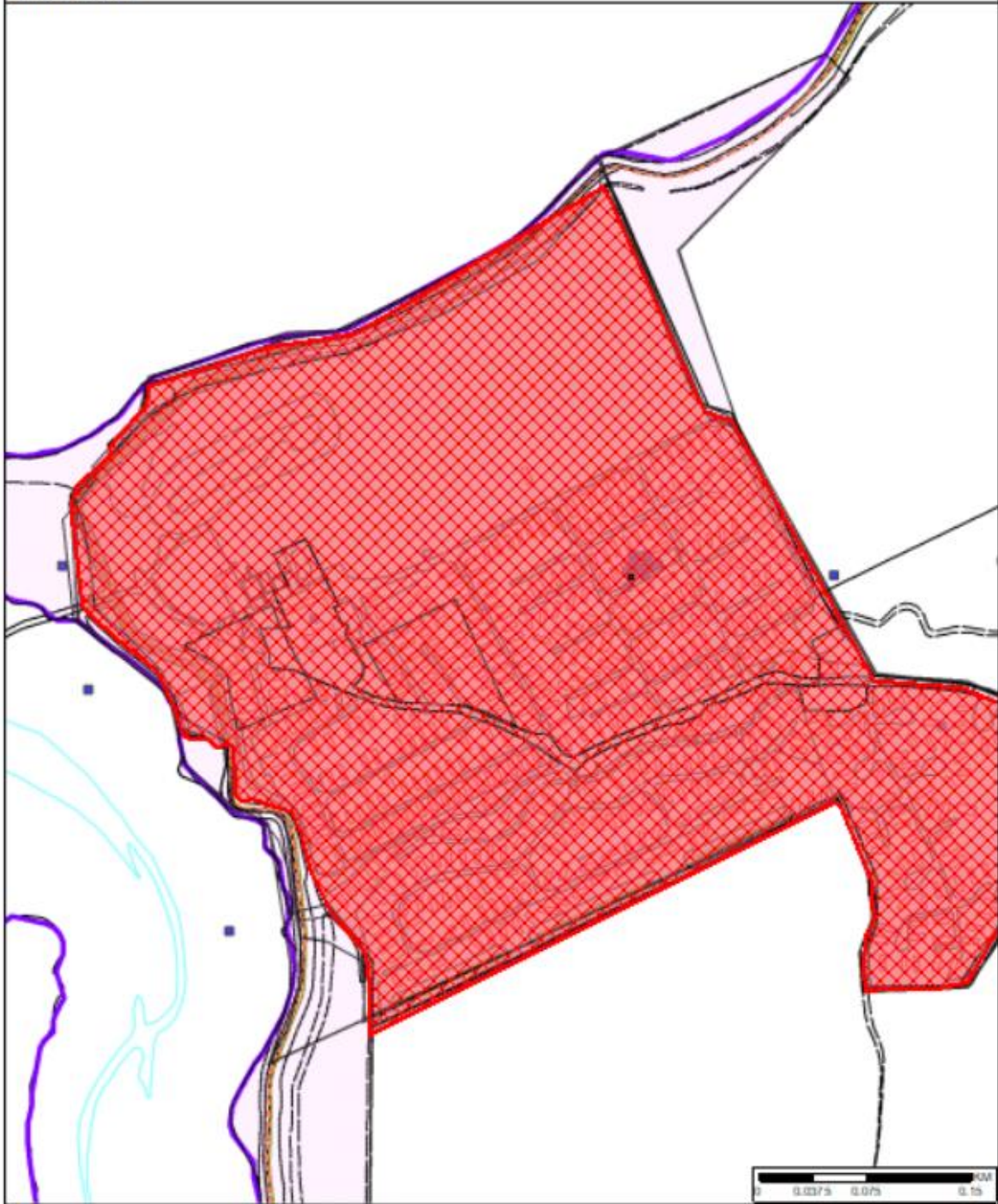
1. RECOMMENDATION


REFUSE for the reasons as detailed in Section 8 of this report.

2. SITE MAP

Please see overleaf.

Steeple Bay Holiday Park, Canney Road, Steeple
20/01188/FUL



 <p>MALDON DISTRICT COUNCIL</p> <p>Copyright For reference purposes only. No further copies may be made. This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Maldon District Council 100018588 2014</p> <p>www.maldon.gov.uk</p>	Scale:	1:3,733
	Organisation:	Maldon District Council
	Department:	Department
	Comments:	
	Date:	28/01/2021
	MSA Number:	100018588

3. SUMMARY

3.1 **Proposal / brief overview, including any relevant background information**

3.1.1 Proposal

3.1.2 This application seeks the variation of condition No.4 attached to planning permission 18/00465/FUL under Section 73 of the Town and Country Planning Act 1990. Under this section a local planning authority may amend or remove conditions but may not amend any other part of the permission. If approved a section73 application results in the grant of a new planning permission and therefore the original permission remains intact.

3.1.3 Planning permission was granted on 10 October 2018 for the following description of development:

“Change of use of land to allow the occupation of holiday caravans between the 1st March and the 30th November (inclusive) in each year (resubmission of 17/01364/FUL)”

3.1.4 The condition that this application seeks to vary is condition 4 which reads as follows:

“4. No caravan, chalet or mobile home shall be occupied for any purposes outside of the period 1 March and 30 November (inclusive) in any one year.

REASON

In order to ensure that the approved use is carried out in accordance with the submitted details, that the use of the site is for holiday purposes only and that there is no adverse effect to the adjoining designated nature conservation site in line with policies S1, S8, E5, D1, D2 and N2 of the approved Local Development Plan and the guidance contained within the National Planning Policy Framework.”

3.1.5 The application is proposing that this condition be varied to allow for the occupation of holiday caravans between 1 March and 30 November (inclusive) in each year and between 1 December 2020 and end of February 2021. This would result in a relaxation of the occupancy condition for one winter season only.

3.2 Site Description

3.2.1 The application site, known as Steeple Bay Holiday Park, lies outside of the defined settlement boundary of Steeple. It consists of static caravans occupied for holiday purposes and a number of pitches for camping and touring caravans and lodges used for the same purposes. Within the site there is a residents' club with bar, family entertainment area, a sales office and a small retail shop with bookings desk. The site, in its entirety, lies within Flood Zone 3 and is bounded to the north and west by the Blackwater Estuary. Access to the site is taken from Canney Road within the village of Steeple, which also provides access to a number of private dwellings.

3.2.2 The site shares a boundary with the seawall where the seaward side of the seawall provides wildlife areas recognized through national and international legislation as

Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and a Ramsar site.

3.3 Relevant Background/Planning History

- 3.3.1 This application was submitted at the end of last year following a Ministerial Statement which was issued on 14 July 2020 which stated:

“Caravan and holiday parks in England were able to reopen from 4th July 2020. Extending their operation beyond the usual summer season will be invaluable to parks as the sector begins to recover. We are aware that current planning conditions may limit their open season. The temporary relaxation of these planning restrictions can play a vital role in helping local businesses to get up and running again.”

And

“Where local planning authorities consider it appropriate to require an application to vary relevant planning conditions (where for instance there is a risk of flooding or where parks are situated close to protected sites) they should prioritise the application and make an early decision to provide certainty to caravan and holiday park operators. In doing so, they should consider the benefits of longer opening season times to the local economy as it recovers from the impact of Covid-19.”

- 3.3.2 This application site is located in Flood Zone 3 and is adjacent to protected sites. To this end the application has been supported by a flood risk assessment as well as a report to inform the habitats regulation assessment.
- 3.3.3 It is also pertinent to note that planning permission was refused on 16th March 2020 under reference 19/01301/FUL for a permanent variation to condition 4 of 18/00465/FUL which would allow occupation of the holiday caravan site for 11 and a half months a year. This application was refused due to insufficient information submitted to demonstrate that the proposal would not have significant impact, or the significant impact is such that it can be mitigated or compensated in a satisfactory way upon the designated sites adjacent the site.

3.4 **Conclusion**

- 3.4.1 Having taken all material planning considerations into account, it is found that due to the lack of sufficient information to demonstrate that the development would not be harmful to the sensitive nature conservation designations and the protected species, the proposal would be unacceptable and contrary to policies S1, D2 and N2 of the Local Development Plan (LDP) as well as guidance contained within the National Planning Policy Framework (NPPF). Furthermore, the submitted Flood Risk Assessment (FRA) does not comply with the requirements set out in the National Planning Policy Guidance (NPPG) and does not, therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. The submitted FRA is therefore not sufficient to demonstrate that the development would remain safe from flooding contrary to the guidance within the NPPF, the NPPG and LDP Policy D5

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2019 including paragraphs:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 54-57 Planning conditions and obligations
- 80-84 Building a strong, competitive economy
- 148-169 Meeting the challenge of climate change, flooding and coastal change
- 170-183 Conserving and enhancing the natural environment

4.2 Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:

- S1 Sustainable Development
- S7 Prosperous Rural Communities
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D2 Climate Change and Environmental Impact of New Development
- D5 Flood Risk and Coastal Change
- E1 Employment
- E3 Community Services and Facilities
- E5 Tourism
- N2 Natural Environment and Biodiversity.
- T1 Sustainable Transport
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Car Parking Standards

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The Council is required to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) and Section 70(2) of the Town and Country Planning Act 1990 (TCPA1990). In terms of the material considerations for Section 73 applications the NPPG states that local planning authorities should, in making their decisions, focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission. Furthermore paragraph

031 of the NPPG states *“In deciding an application under section 73, the local planning authority must only consider the disputed condition/s that are the subject of the application – it is not a complete re-consideration of the application. A local planning authority decision to refuse an application under section 73 can be appealed to the Secretary of State, who will also only consider the condition/s in question.”*

- 5.1.2 Policy E5 of the LDP states that the Council will support developments which contribute positively to the growth of local tourism in a sustainable manner and realise opportunities that arise from the District’s landscape, heritage and built environment. It is considered that the principle of the proposal would be in line with the main thrust of policy E5 as the temporary extension of the occupancy period would contribute to the local tourism.
- 5.1.3 The proposal is to extend the opening period for one season only between 1st December 2020 and end of February 2021. Thus, for one season only the site would have year round use. However, it must be noted that since the application was submitted, and the ministerial statement of 14th July 2020, the Country is currently back in a National Lockdown as a result of the ongoing Covid-19 pandemic and therefore even if this permission is granted the holiday park would not be able to open or make use of any extended opening season – the argument put forward in terms of boosting tourism and assisting local businesses is therefore no longer valid. Furthermore, permission has recently been refused for a permanent extension of the operating season (variation of condition 4 to allow operation of the site between 1 March and 15 February (inclusive) in the following year) due to potential significant impact upon the nature conservation designations and protected species. No additional information has been submitted in relation to impacts upon designated sites and therefore the principle of this application is not supported. This is discussed in further detail below.

5.2 Design and Impact on the Character of the Area

- 5.2.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high quality built environment for all types of development. These principles have been incorporated in policy D1 of the LDP and the Maldon District Design Guide (MDDG) (2017).
- 5.2.2 The proposal would extend the occupancy period for caravans located within an established and existing caravan park for one season only. Therefore, the proposal would not alter the character and appearance of the area in any material way. On this basis the impact of the proposal upon the character and appearance of the area is considered acceptable.

5.3 Impact on Residential Amenity

- 5.3.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG (2017)

- 5.3.2 The nature of the proposal is such that it would not alter the relationship of the existing plots with their neighbouring plots or the relationship of the use with residential properties nearby and as such there would be no detrimental impact upon the amenity of the neighbouring residents.

5.4 Access, Parking and Highway Safety

- 5.4.1 Policy T1 of the approved LDP seeks to create additional sustainable transport opportunities. Policy T2 aims to create and maintain an accessible environment, requiring development proposals, inter alia, to provide sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.4.2 The proposal would not alter the highway access or parking arrangements. Furthermore, as this is an established use on the land, the extension of the occupancy period is not considered to create any significant additional traffic or increase in the demand for parking provision. On this basis, the proposal is considered acceptable in terms of access, parking and highway safety. The Highways Authority was consulted on the previous application to permanently extend the opening period of the caravan park (19/01301/FUL) and raised no objection to the proposal.

5.5 Private Amenity Space and Landscaping

- 5.5.1 Policy D1 of the approved LDP requires all development to provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces. The proposal would not alter the physical dimensions of the plots or the caravans occupying them. As such there are no objections in terms of private amenity space. In any case, the land is a caravan site and therefore, conditions to allow sufficient space between the caravans are imposed through licensing controls.

5.6 Flood Risk

- 5.6.1 The application site is located within Flood Zone 3a, defined by NPPG as having a high probability of flooding. Policy D5 of the LDP, in line with national policy, provides local flood risk considerations and seeks to direct development to the lower risk flood zones. The proposal is for the temporary extension of occupancy to allow the site to be used between December 2020 and the end of February 2021, when it would normally have to be closed. This is classified as a 'more vulnerable' development, as defined in Table 2: Flood Risk Vulnerability Classification of the NPPG.
- 5.6.2 The application has been supported by a FRA (although it is noted that it does not appear to specifically relate to the current proposal but for an extension of the operating period to 11.5 months of the year). The FRA states that whilst the risk of flooding to the site is high, this can be mitigated through the following:
- Existing static holiday caravans by design already have floor levels a minimum of +600mm above external levels and are tethered to ensure they do not move during an inundation event.

- An existing Flood Evacuation Management Plan (FEMP) is in place for the Site. This will ensure occupants are evacuated before the Site floods or know how to react should flooding occur within the Site without warning.
- Static holiday caravans affected by localised surface water flooding should be vacated and occupants relocated.
- Look for visual signs that the watercourse is in danger of overtopping or rising above expected levels.
- Undertake maintenance activities to keep the onsite watercourses clear from debris and overgrown vegetation to maintain the conveyance of the channels.
- Follow the existing FEMP for the Site when the expected visual signs appear so that an evacuation can occur to ensure occupants are moved away from the source of flooding.

5.6.3 The Environment Agency (EA) have been consulted on this application and have raised a holding objection as the submitted FRA does not comply with the requirements set out in the NPPG. It does not, therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the submitted FRA fails to:

- “1. Provide details of the risk of flooding to the site following a breach in the tidal defences, which includes the depths of flooding, the hazard of flooding, the expected rate of onset of flooding and the duration of flooding for the 0.5% and 0.1% annual probability flood events.*
- 2. The FRA confirms that caravans will be raised 600mm above external ground levels, but does not confirm what the flood depth within the caravans would be in the 0.5% and 0.1% flood events.*
- 3. The flood warning and evacuation plan submitted within the Appendix of the FRA, dated November 2020, suggests the evacuation of the site upon receipt of a flood warning, or a severe flood warning. We would recommend that evacuation is considered upon issue of a flood alert, considering the close proximity of the caravans to the tidal defences, and their vulnerable nature.”*

5.6.4 The EA advise that the applicant can overcome our objection by submitting an FRA that covers the deficiencies highlighted above and demonstrates that the development will be safe and will not increase risk elsewhere. If this cannot be achieved the EA are likely to maintain their objection to the application. Production of an FRA will not in itself result in the removal of an objection. As the application stands the FRA submitted is not sufficient to demonstrate that the development would remain safe from flooding contrary to the guidance within the NPPF, the NPPG and LDP Policy D5.

5.7 Nature Conservation and Biodiversity

5.7.1 Paragraph 170 of the NPPF states that ‘*Planning policies and decisions should contribute to and enhance the natural and local environment by; (amongst other things) minimising impacts on and providing net gains for biodiversity.*’ Furthermore paragraph 175 of the NPPF states that ‘*if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.*’ Paragraph 180 of the NPPF states that in order to prevent unacceptable risks from pollution, planning decisions should

ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.

5.7.2 Strategic LDP policy S1 includes a requirement to conserve and enhance the natural environment, by providing protection and increasing local biodiversity and geodiversity, and effective management of the District's green infrastructure network

5.7.3 Policy N2 of the LDP states that:

“All development should seek to deliver net biodiversity and geodiversity gain where possible. Any development which could have an adverse effect on sites with designated features, priority habitats and / or protected or priority species, either individually or cumulatively, will require an assessment as required by the relevant legislation or national planning guidance.”

5.7.4 Policy D2 seeks all development to minimise its impact on the environment by incorporating measures to minimise all forms of possible pollution including air, land, water, odour, noise and light. Any detrimental impacts and potential risks to the human and natural environment will need to be adequately addressed by appropriate avoidance, alleviation and mitigation measures.

5.7.5 The application site is within close proximity to an internationally designated sites (Natura 2000 site, Blackwater Estuary Special Protection Area (SPA), Blackwater Estuary Ramsar site), and therefore, the proposal has the potential to affect the ecology features of the designated site. Internationally designated sites are afforded protection under the Conservation of Habitats and Species Regulations 2017, as amended (the 'Habitats Regulations'). The designated site is also protected at a national level as the Blackwater Estuary Site of Special Scientific Interest (SSSI). As stated previously, policy N2 of the LDP states that where any potential adverse effects to the conservation value or biodiversity value of designated sites are identified, the proposal will not normally be permitted.

5.7.6 If the LPA is considering to grant planning permission in relation to any development likely to affect a designated site of conservation of nature, Section 63 of the Habitats Regulations require the LPA to carry out an appropriate assessment (also known as a Habitat Regulation Assessment (“HRA”)) to fully consider the impact of the proposal to the designated site. To do so, the Applicant has to provide sufficient information to the LPA to allow them to carry out the HRA. As noted above, although the ecological matters of the proposal are covered in the submitted Report to inform the Habitats Regulations Assessment, objections have been raised by Natural England (NE) regarding the results which cannot rule out the likely significant impacts of the development on Blackwater Estuary SPA/ Ramsar.

5.7.7 NE has been consulted on this application and advise that this current application 20/01188/FUL does not present any substantially new information in relation to Habitats Regulations matters, and the submitted 'report to inform the HRA' (dated December 2019) is the same report that they have already commented upon in their previous letter (in relation to application 19/01301/FUL which was refused). NE refer back to their letter submitted in relation to 19/01301/FUL where in particular, it raised

an objection to the proposal, due to the way that the two winter bird surveys have been interpreted. It is highlighted that they cannot be used to determine the recreational impacts from the increased park visitors during the winter season on wintering birds, since the park, when the seasonal surveys were carried out, was mostly closed. Current surveys cannot therefore be used to directly assess whether there are potential additional impacts of holiday park operation on designated sites between 1 December 2020 and the end of February 2021.

- 5.7.8 It is also noted that the conclusion that if disturbed, birds occupying roosts that have alternative nearby roost options, is not a justification for allowing disturbance from the footpath. Furthermore, the conclusion that visitors do not tend to undertake long walks is not reliable justification. Also, the conclusion that the slipway will not be used, due to the use of a physical barrier would not be able to prevent paddle boarders and as such, it is considered that the report is non-committable in this regard. Overall, it is stated that the conclusions drawn within the report to inform the HRA are not justified and thus, NE cannot agree that there will be no likely significant effects on the nature conservation sites.
- 5.7.9 In light of the above, it is considered that insufficient information to demonstrate that the proposal will not cause any adverse effect to the integrity of the designated site has been submitted with the application and as such, an objection is raised regarding the potential impact of the development on the nature conservation sites and the protected species.

6. ANY RELEVANT SITE HISTORY

- **MAR/59/52** - Caravans for weekend and holiday use – Approved – 22/04/1963
- **MAR/61/56/1** - Continued use of land for caravan park – Approved – 23/04/1963
- **MAR/625/64** - Two (2) staff houses – Approved – 23/02/1965
- **MAL/882/84** - Two (2) caravans for manager – 18/01/1985
- **94/00214/FUL** - Use of mobile caravan for reception and security officer – Approved – 02/06/1994
- **01/00686/FUL1** - Renewal of consent FUL/MAL/94/00214 to allow use of mobile caravan for reception and security office – Approved – 11/09/2001
- **09/00049/LDE** - Claim for Certificate of Lawfulness Application: Use of land as caravan site for weekend and holiday purposes – Approved – 07/04/2009
- **17/01364/FUL** - Change of use of land to allow the occupation of holiday caravans between the 1st March and the 30th November (inclusive) in each year - Refused – 14/03/2018
- **18/00136/SCR** - Request for a Screening Opinion to determine the requirement for an Environmental Impact (EIA) for the change of use of land to allow the occupation of holiday caravans between the 1st March and the 30th November (inclusive) in each year. – EIA Not Required

- **18/00159/LDE** - Claim for a lawful development certificate for the existing use as a holiday home sales area between 1 November in any one year and 14 March in the following year – Approved – 29/03/2018
- **18/00465/FUL** - Change of use of land to allow the occupation of holiday caravans between the 1st March and the 30th November (inclusive) in each year (resubmission of 17/01364/FUL) – Approved – 12/10/2018
- **18/00541/FUL** - Construction of extensions to existing clubhouse to enclose existing swimming pool and extend clubroom (D2) – Approved – 31/07/2018
- **18/01085/LDE** - Claim for lawful development certificate for existing continuous occupation of holiday caravans between 1st March - 30th November – LDE Refused – 28/11/2018 – Appeal Dismissed - 25 March 2020
- **19/00368/FUL** - Section 73A application for use of seven (7No.) caravans for staff accommodation throughout the year – Refused – 17/10/2019
- **19/01301/FUL** - Variation of condition 4 on approved planning permission FUL/MAL18/00465 (Change of use of land to allow the occupation of holiday caravans between the 1st March and the 30th November (inclusive) in each year (resubmission of 17/01364/FUL)) – Refused – 16/03/2020

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 **Representations received from Parish / Town Councils**

Name of Parish / Town Council	Comment	Officer Response
Steeple Parish Council	As at the time of the meeting the district was moved from Tier 2 into Tier 3 and since the meeting the district has now moved into Tier 4 and encouraging people to travel into the area to utilise a stay in a caravan would be against current restrictions, therefore the application is superfluous.	Noted – please refer to paragraph 5.1.3

7.2 **Statutory Consultees and Other Organisations**

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Environment Agency	Raises an objection to the application on flood risk grounds. The FRA submitted does not provide a suitable basis for assessment to be made of the	Noted – please refer to section 5.6 of the report.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	<p>flood risks arising from the proposed development.</p> <p>Advise that the applicant can overcome our objection by submitting an FRA that covers the deficiencies stated in the response and demonstrates that the development will be safe and will not increase risk elsewhere. If this cannot be achieved, we are likely to maintain our objection to the application. Production of an FRA will not in itself result in the removal of an objection.</p>	
Natural England	<p>Refer to previous consultation response dated 6th February 2020 in response to 19/01301/FUL.</p> <p>This current application 20/01188/FUL does not present any substantially new information in relation to Habitats Regulations matters, and the submitted ‘report to inform the Habitats Regulations Assessment’ (dated December 2019) is the same report that we have already commented upon in our previous letter.</p> <p><u>Response dated 6th February 2020</u></p> <p>Based on the information provided, likely significant impacts on Blackwater Estuary SPA / Ramsar—in addition to operations permitted by FUL/MAL/18/00465—as a result of holiday park operation between 01 December and 14 February, cannot be ruled out.</p>	Noted – please refer to section 5.7 of the report.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	<p>Importantly, the results from the two winter bird surveys should be interpreted with care: they cannot be used to determine how recreational impacts from increased park visitors between 01 December and 14 February impacts overwintering birds, since the park was mostly closed during the completed survey seasons.</p> <p>Overall, a number of conclusions within the report to inform the HRA are not justified, therefore we cannot agree that there will be no likely significant effects of the Blackwater Estuary SPA / Ramsar site.</p> <p>We advise that a likely significant effect cannot be ruled out, and that an Appropriate Assessment should be carried out, in consistency with the Habitats Regulations.</p>	

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objections to the proposal considering government guidance on caravan sites affected by the Covid - 19 pandemic.	Noted. Please refer to paragraph 5.1.3

7.4 Representations received from Interested Parties

7.4.1 3 letters were received **objecting** to the application and the reasons for objection are summarised as set out in the table below:

Objection Comment	Officer Response
Application period is for the period December to February, but the consultation date does not end until the 3 rd January 2021	Noted. The consultation took place as soon as the application was valid.
The site is not for permanent residential use and to make it so would have an adverse impact on the area due to rubbish and noise.	The application does not seek permanent residential use but holiday use.
To allow this site 12 month opening will turn it into low grade permanent housing.	Conditions restrict the occupation of the caravans for holiday purposes only.
As we are in tier 4 restrictions the application is superfluous.	Noted – please refer to paragraph 5.1.3
3 month shut down gives local residents a break from the use of the site.	Noted.
There is speeding along the access to the site.	Noted, however no objections were raised to the proposed permanent change in open season by ECC Highways.

8. PROPOSED REASONS FOR REFUSAL

- 1 The proposed extended occupancy period of the caravan has a potential significant impact upon the nature conservation designations and protected species. The Applicant has submitted insufficient information to allow the Local Planning Authority to complete a Habitats Regulation Assessment to demonstrate that the proposed extended occupancy period of the site between 1st December 2020 and 28th February 2021 (inclusive) in the following year would not have significant impact or the significant impact is such that it can be mitigated or compensated in a satisfactory way. The development is therefore unacceptable and contrary to policies S1, D2 and N2 of the Local Development Plan as well as guidance contained within the National Planning Policy Framework.
- 2 The application site is located within a high risk flood zone (flood zone 3a) and the caravan park is a more vulnerable use. The submitted Flood Risk Assessment does not comply with the requirements set out in the Planning Practice Guidance and does not, therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. The proposal is therefore unacceptable on flood risk grounds and contrary to policies S1 and D5 of the Maldon District Local Development Plan and the National Planning Policy Framework.