

Town and Country Planning General Development Order, 1968

ROCHFORD
RURAL DISTRICT

Council of Rochford

To: Halseyan Caravan Park Ltd. c/o Messrs. Griffin & Hughes

22 South Street, Rochford, Essex.

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council, having considered your [outline] application to carry out the following development:— Holiday caravan park for 200 caravans unlimited in time

at Parcels 29 and 30 on O.S. 75/11 Pease Lane, Mullbridge, Hockley.
in accordance with the plan(s) accompanying the said application, do hereby give notice of their decision to GRANT PERMISSION for the use of the land as a holiday caravan park.

subject to compliance with the following conditions:—

1. Caravans on the site shall only be occupied during the period 1st March to the 31st October in each year.
 2. No permanent buildings shall be erected within 100 feet of the seaward toe of the sea wall.
 3. The area hatched green on the application plan shall be retained as an open space between the camp and the River Crouch.
 4. Any duly authorised officer of the local planning authority shall be entitled at all reasonable times of the day to enter upon and inspect the site with a view to ascertaining whether the conditions of this permission are being duly complied with.
 5. That detailed drawings of any additional buildings required in connection with the camp showing the siting, design and external appearance of each of such buildings shall be submitted to and approved by the local planning authority before the erection of any additional building is commenced.
 6. This permission conveys approval to the layout of roads and access paths within the site, detailed on the site layout on drawing No. D.7-6. Any variation to the layout of roads and footpaths shall not be undertaken without the prior approval of the local planning authority.
 7. A scheme of tree planting shall be agreed with the local planning authority for the eastern boundary of the site. Such trees shall be planted during the first planting season following the date of this permission.
- The following conditions shall also apply:—
1. The site is not considered suitable as a permanent residential caravan site.
 2. To protect land for future sea wall requirements.
 3. To maintain a buffer of open land between the site and the river in the interests of amenity.
 4. To enable the planning authority to be satisfied with the working of the camp.
 5. The plans submitted do not give sufficient detail of any new buildings.
 6. The layout detailed appears satisfactory, any amendment should be considered by the local planning authority.
 7. To screen the eastern side of the camp in the interests of amenity.

RECEIVED

06.06.2013

Support Services

Dated

5th

day of

November, 1968.

3

TOWN AND COUNTRY PLANNING ACT 1962

Town and Country Planning General Development Order, 1950 to 1960

Rural District Council of Rochford

To: Halcyon Caravan Park Ltd. c/o Messrs Offin & Rumsey

22 South Street, Rochford, Essex.

In pursuance of the powers exercised by them on behalf of the County Council of Essex as local planning authority this Council, having considered your [outline] application to carry out the following development:- Holiday caravan park for 200 caravans unlimited in time at Parcels 29 and 30 on O.S. 73/11 Pooles Lane, Hullbridge, Hockley. in accordance with the plan(s) accompanying the said application, do hereby give notice of their decision to GRANT PERMISSION for the use of the land as a holiday caravan park. subject to compliance with the following conditions:-

1. Caravans on the site shall only be occupied during the period 1st March to the 31st October in each year.
2. No permanent buildings shall be erected within 100 feet of the landward toe of the sea wall.
3. The area hatched green on the application plan shall be retained as an open space between the camp and the River Couch.
4. Any duly authorised officer of the local planning authority shall be entitled at all reasonable times of the day to enter upon and inspect the site with a view to ascertaining whether the conditions of this permission are being duly complied with.
5. That detailed drawings of any additional buildings required in connection with the camp showing the siting, design and external appearance of each of such Buildings shall be submitted to and approved by the local planning authority before the erection of any additional building is commenced.
6. This permission conveys approval to the layout of roads and access paths within the site, detailed on the site layout on drawing No. D.7-8. Any variation to the layout of roads and footpaths shall not be undertaken without the prior approval of the local planning authority.
7. A scheme of tree planting shall be agreed with the local planning authority for the eastern boundary of the site. Such trees shall be planted during the first planting season following the date of this permission.

The reason for the foregoing conditions are as follows:-

1. The site is not considered suitable as a permanent residential caravan site.
2. To protect land for future sea wall requirements.
3. To maintain a buffer of open land between the site and the river in the interests of amenity.
4. To enable the planning authority to be satisfied with the working of the camp.
5. The plans submitted do not give sufficient detail of any new buildings.
6. The layout detailed appears satisfactory, any amendment should be considered by the local planning authority.
7. To screen the eastern side of the camp in the interests of amenity.

Dated 5th day of November 1963.

Council Offices

etc.

A/126/PAB/P



**Department of the Environment and
Department of Transport**

Common Services

Room 1422 Tollgate House Houlton Street Bristol BS2 9 DJ

Telex 449321

Direct line 0272-218 927

Switchboard 0272-218811

**ROCHFORD DC
CHIEF EXECUTIVE**

19 AUG 1983

Messrs Abbotts
22 South Street
ROCHFORD
Essex
SS4 1BQ

P.A.

S.R.

C.S.

M.H.

D.T.S.

Your reference

TCP/893/FHS/CB

Our reference

T/APP/5218/A/12420/PH2

Date

17 AUG 1983

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY MR W J CATON
APPLICATION NO:- ROC/546/82

1. I refer to this appeal, which I have been appointed to determine, against the decision of the Rochford District Council to refuse planning permission for an amendment to Condition 1 in decision EEC/ROC/581/62, dated 5 November 1963, to permit caravans on the site to be occupied only during the period from 10 January to 20 December in each year, at Halcyon Caravan Park, Pooles Lane, Hullbridge. I held a local inquiry into the appeal on 19 July 1983.

2. At the opening of the inquiry it was agreed by yourselves and the Council that the application was effectively to continue the use of the appeal site as a holiday caravan park between 10 January and 20 December each year without complying with the condition in the planning permission referred to above, which provided that caravans on the site were only to be occupied during the period from 1 March to 31 October in each year. It was acknowledged by the Council that there had been no breach of that condition before the making of the application.

3. The appeal site is on the south bank of the River Crouch, about ½ mile east from the village of Hullbridge. It is approached by way of Pooles Lane, a narrow metalled road without footpaths, which turns south at the site and connects with Kingsmans Farm Road, a largely unmade road leading further to the east. The site is surrounded by mature tree and hedgerows. There are also a considerable number of trees interspersed among the caravans on the site. I understand that the site licence permits up to 126 caravans to be stationed on the site but that there are at the moment just over 100 caravans on the site.

4. From my inspection of the site and its surroundings and the representations made I consider that the principal issue to be determined in this case is whether or not the appeal proposal would be difficult to enforce and thereby result in a full residential use of the site, contrary to the intentions of the planning policies for the area.

5. On your client's behalf it was submitted that since permission was granted for the use of the site there had been nationally an increase in the length of holiday time available for employed people. Many of your client's tenants wished to make use of their caravans for short breaks of 2 or 3 days in the winter months, particularly if they were required to take some of their holidays at the beginning

of the year. In addition there were often spells of fine weather in the late autumn when tenants would like to use their caravans. There was no intention to create a full residential use. The requirements to know the tenants' permanent home address for insurance purposes would continue.

6. It was argued that as a holiday site the caravan park accorded with all the relevant planning policies. The site had not been allocated for development in the 1953 development plan but had been shown as a holiday camp in the 1964 review, both as submitted and as approved in 1976. The site was on the edge of the extended metropolitan green belt. There was nothing in the recent structure plan to suggest that the allocation of the site would be changed when a local plan was prepared. Extended holiday use would not be detrimental in the surrounding area, where there were several caravan sites and plots with houses that had the status or character of permanent residential use. The site did not have a betting shop, club or laundry room and there was no intention to establish any of those facilities. There was a general store nearby and other shops in the village. There was no reason why conditions on Pooles Lane should be any worse in winter than during the summer months.

7. Your client stated that he would like to make his site available for use for as long a period as possible. The Christmas and New Year period was omitted from the application because that was when people wished to gather in their own homes. It was submitted on his behalf that there was no reason why a different condition should be imposed from that suggested in Circular 5/68. The difficulties of enforcement were not entirely understood but your client was willing to enter into a Section 52 agreement with the Council before a permission was granted, whether in relation to the 20-day period of non-occupancy sought in the application or to the months of December and January as was suggested at the inquiry. The conditions suggested by the Council for attachment to a permission if granted were acceptable to your client.

8. Your client's appeal was supported in a number of letters received from his tenants and some local residents before the inquiry, by a large number of letters in response to a circular letter that he had sent to his tenants and by 3 tenants who spoke at the inquiry.

9. It was contended by the Council that to permit the caravans on the site to be occupied for all but 20 days in the year would be tantamount to full residential use. It was alleged that occupiers of the adjoining Shangri-La West Caravan Park had conspired to prevent the collection of evidence during the 20 days that they were required not to occupy their caravans. It was feared that a similar situation might arise at the appeal site. In addition the 20 days proposed in this case coincided with public holidays and the Council's limited enforcement staff might not be available during that period.

10. If the site became residentially occupied the Council submitted that such a use would be contrary to the policies of the structure plan approved in 1982. That plan proposed that the site should be included in the metropolitan green belt and within a special landscape area, where new residential development should not normally be permitted. In addition the residential use of up to 200 caravans that were allowed by the 1963 permission would make a substantial inroad into the 700 additional dwellings proposed for the Southend-on-Sea, Rochford and Castle Point districts up to 1991 and would severely reduce the flexibility intended by the Secretary of State in meeting housing needs in the South-East Policy Area of the county.

17. I have also considered whether or not it is desirable for the additional conditions suggested by the Council to be attached to the planning permission granted in this instance. In my opinion however the provisions of the permission granted in 1963 will continue to have effect, with the exception only of Condition 1 to that permission. It seems to me that it is not appropriate for additional conditions to be imposed at this stage, other than that relating to the extended period during which the caravans may be occupied, to which I have already referred.

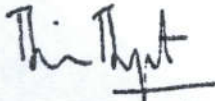
18. I have taken into account all the other matters raised in the representations including the possibility that increased pressure for sailing on the river would result from an extension of the holiday use of the site. In my view however those matters are outweighed by the considerations which have led to my decision.

19. For the above reasons, and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for the continued use of Halcyon Caravan Park, Pooles Lane, Hullbridge, as a caravan park without complying with Condition 1 in decision EEC/ROC/581/62 dated 5 November 1963, in accordance with the terms of the application No ROC/546/82 dated 6 August 1982 and the plan submitted therewith, subject to the condition that caravans on the site shall only be occupied during the period 1 February to 30 November in each year.

20. The developer's attention is drawn to the enclosed note relating to the requirements of the Chronically Sick and Disabled Persons Act 1970.

21. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than Section 32 of the Town and Country Planning Act 1971.

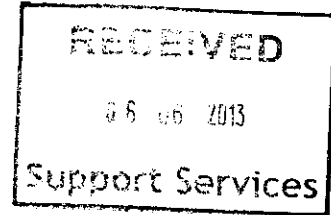
I am Gentlemen
Your obedient Servant



B D BAGOT BA(Arch) MCP RIBA MRTPI FRSA
Inspector

ENC

STATUTORY DECLARATION



I MAUREEN Goodere of 38 Halcyon Park, Pooles Lane, Hullbridge SS5 6QA in the County of Essex being over 18 years of age DO SOLEMNLY AND SINCERELY DECLARE as follows:

My late husband and I purchased the mobile home at 38 Halcyon Park in July 1995 from Mr Bill Caton, the previous owner of the mobile home park. Since that time the mobile home and the area of land outlined in red on the submitted application plan has been continually occupied on a permanent residential basis as our main place of residence. In all that time the mobile home has never been left for any purpose including holiday accommodation.

I confirm that Council Tax has been paid to Rochford Council from July 1995 until the present day on the basis of a permanently occupied mobile home. In addition, a monthly pitch rental has been paid to The Berkeley Leisure Group Limited on the basis of permanent residential use from the date of their acquisition of the Park in August 1997 until the present day.

AND I MAKE THIS SOLEMN DECLARATION, conscientiously believing this to be true by virtue of the Statutory Declaration Act of 1835

Signed and declared by Maureen Goodere at

M Goodere

This 17th day of April 2013

Before me
Jan Dyer Neale
Solicitor

THE MITCHELL
PLANNING & DESIGN
SOLUTIONS
22 HIGH STREET
MALDON, ESSEX CM9 5PJ

RECEIVED

06.06.2013

Support Services

STATUTORY DECLARATION

I John Roland Berkley of West Coker House, West Coker, Yeovil BA22 9BW in the County of Somerset being over 18 years of age DO SOLEMNLY AND SINCERELY DECLARE as follows:

I am Managing Director of the Berkeley Leisure Group Limited, the Company which owns the Halcyon Mobile Home Park. The Company acquired the Park in August 1997.

From that date until the present day Mrs Maureen Goodere, and together with her late husband, have continuously occupied the mobile home and immediate surrounding land outlined in red on the submitted application plan at 38 Halcyon Park on a permanent residential basis as their main place of residence. During that period a pitch rental fee has been paid continuously to the Company on a monthly basis on the basis of permanent residential use.

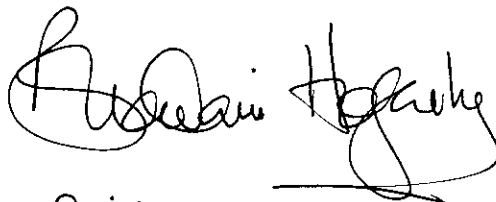
AND I MAKE THIS SOLEMN DECLARATION, conscientiously believing this to be true by virtue of the Statutory Declaration Act of 1835

Signed and declared by John Roland Berkley at

Pardoe, Glenhouse House, Yeovil

This 11 day of ^{April} ~~March~~ 2013

Before me



Solicitor