

Note on Implementation

North Denes Caravan Site, Lowestoft

07 September 2006

Revised 21st October 2010



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Executive Summary of North Denes Caravan Site Note on Implementation

This Note deals with the future proposed use of the North Denes Caravan site. Resolutions were passed by the Council in respect of the site on 16 September 2004 and a consultation exercise has been undertaken on the basis of a draft of this Note. All comments and responses have been considered and, where it has been deemed necessary or proper, this Note has been amended to reflect those comments received.

This Note now reflects the intentions of the Council in relation to the site which has the primary intention of improving this facility to the benefit of all who live in, use and visit Lowestoft and its surrounding areas. This can be summarised as follows.

- The camping and touring caravan area (referred to in this Note as Area A) is to be used as public open space only.
- The car park used in the northeast corner of the site (referred to in this Note as Area D) will continue to be used as a car park but limited to 25 car parking spaces. The remainder of this area will form part of the public open space area.
- The small area north of Swimming Pool Road which has been used for static caravans (referred to in this Note as Area B) will be used as a static caravan or camping and touring caravan site.
- The area at the southern end of the site, presently used for static caravans (referred to in this Note as Area C), will remain as such with improved facilities, the use for camping and touring caravans will also be acceptable.

These proposals are set out in more detail in the following sections of this Note.

North Denes Caravan Site – Note on Implementation

1. Introduction

1.1 The North Denes Caravan site is in an area of considerable natural amenity situated in a coastal location, and has suffered from a lack of investment over a number of years. Consequently, the condition of the caravans and facilities on the North Denes site is relatively poor and certainly below the standard that should be and would be provided by a private operator.

1.2 A well-operated and well-maintained site will continue to encourage tourism and spending in the local economy and provide employment opportunities to service the needs of holidaymakers using the site and facilities. As owner of the North Denes site, the Council recognises that it does not have (and has not had) the

resources available to upgrade the caravan park and facilities to a standard that would constitute best use of the site. Upgrading the facilities must meet the model standard site licence conditions applicable to any private operator and which the Council is itself obliged to enforce under the Caravan Sites and Control of Development Act, 1960.

1.3 Management of caravan sites is also not one of the Council's core activities, as it is not statutorily obliged to provide this service. The Council is moving towards becoming an enabling authority and is looking at alternative ways of delivering services for the future, as resolved by Full Council on 25 August 2005.

1.4 On 16 September 2004, the Full Council of Waveney District Council made the following resolutions in relation to the North Denes Caravan Site.

Full Council Resolutions (16 September 2004)

- (1) *that Charles F Jones & Son be instructed to proceed with the sale of the 99 year lease for a Static Caravan Site for the area of North Denes Caravan Site (south of Swimming Pool Road), subject to the lawful termination (to the extent necessary) of any open space use which may exist;*
- (2) *that authority be given to the [Caravan Sites] Working Party to investigate the possibility of returning part of the North Denes Caravan Site, specifically the area north of Swimming Pool Road, to its natural state, to be available for public access and to give consideration to retaining a small area of this (immediately north of Swimming Pool Road) for the use of camping and touring caravans;*
- (3) *that notwithstanding the undeniable ownership qualification of the North Denes whole site, the Lowestoft Charter Trustees be asked to look at a way forward that will allow the said Charter Trustees the opportunity to participate as custodians and have authority of ownership in any and all future decisions appertaining to the Denes.*

1.5 As a result of the above resolutions it was considered appropriate that this Note be prepared in order to clarify the Council's views and to provide transparency with regard to the Council's plans *vis à vis* the public. This Note does not propose any change in the planning use for the caravan site. The intention is, in broad terms, to retain the present use of part of the site as a caravan park complemented by the necessary investment required to improve it to modern standards. The Council will not permit the site to become a holiday camp or to have a clubhouse. The Note therefore hopes to clarify the use and proposals within existing uses going forward for the benefit of both the general public and the Council.

1.6 In the first half of 2004 it was initially planned that the whole of the North Denes site would be disposed of to continue its use as a static caravan and touring and camping site. However, following representations by members of the public (including local residents), the Council revised these plans, in particular excluding the touring and camping area (see Area A at 2.6 in this Note) and returning it exclusively to open space use.

- 1.7 During 2005 the Council considered a small extension (into the area referred to later in this Note as Area B) of the static caravan site north of what is known as Swimming Pool Road, and using a small area north of that (ie in Area A) for touring and camping.
- 1.8 In late 2005, the Council sought informal feedback on this proposal from some local interested parties. Having considered that feedback and heard the concerns, the Council decided not to progress that proposal. Therefore, the caravan site area will not be extended northwards further than envisaged at the Full Council meeting on 16 September 2004 and as set out on Plan 2 attached.
- 1.9 This Note explains the Council's proposals in light of the Resolutions. To implement this, the Council will follow the procedures under the Local Government Act 1972 to dispose of the relevant parts of the site and to implement this Note. This will take place during the remainder of 2006 and into the early part of 2007.
- 1.10 This Note intends to guide any private operator towards retaining and improving the current use of part of the North Denes site under the terms of a long lease. The Council and any private operator will take into consideration the requirements of the current planning policy framework as provided for in the adopted and interim local plans.
- 1.11 The Council has undertaken a process of public consultation in relation to this Note. This took place during May and June 2006. The Council received a total of 88 (including a Petition) responses to the consultation.

2. **Site description**

- 2.1 The North Denes site is currently owned and operated by Waveney District Council. A location plan shows where the site is situated within Lowestoft – see Plan 1. The extent of the Council's ownership is shown by the red edging on Plan 2.
- 2.2 The site is situated in the North Denes area of Lowestoft, adjacent to the North Beach. The site is used as a caravan and camp site and has, at least in part, been used in this way since the mid-1950s with a present capacity for 275 static caravans, 500 touring caravans and car parking. Plan 3 shows the uses for which the site is designated in the Local Plan.
- 2.3 The eastern boundary of the site is marked by the North Denes sea wall, which is part of the Lowestoft coastal defence network. Beyond this are the beach and the North Sea. Links Road forms the northern boundary, and beyond that is the continuation of the Denes. The western boundary adjoins Gunton Cliff, along which are residential properties which overlook the site (in particular the north

end of the site); North Parade, which is also residential and overlooks the site; The Ravine (a road which lies in an east-west line) then meets Whapload Road; Whapload Road forms part of the western boundary of the site, parallel to the Sparrow's Nest park; there are also a number of residential properties that overlook the static caravan part of the site. The southern boundary adjoins the Heritage walk which runs along the beach itself; beyond that is an area of public open space used for net drying, and to the south of that is the Unilever (Birds Eye) factory.

- 2.4 Towards the centre of the site is a recreation ground, known as the Denes Oval, which is also owned and managed by the Council as a cricket ground with some tennis courts, gardens and a putting green. This is not part of the North Denes caravan site and is not part of this Note.
- 2.5 The site has been subdivided into four principal areas (A-D) for ease of reference. These areas are shown on Plan 2 and are as follows.
- 2.6 **Area A** is marked and shown edged blue on Plan 2 and is the northern part of the site, being approximately 33.03 acres (13.37 hectares). It is made up of largely rough grassland with a looped unmade track. To the western side are Gunton cliffs, which climb steeply to a height of approximately fifty feet above sea level and have some rough footpaths that lead to Gunton Cliff Esplanade. Its eastern boundary adjoins the coastal defence wall, and part of its southern boundary adjoins the recreation ground. This area has planning permission for touring caravans and camping on a seasonal basis for up to 500 pitches. Parts of this area of the site are subject to restrictive covenants which state that the land "should be forever kept and used as and for a public recreation or pleasure ground but should not be used as a racecourse and no building should be erected thereon save a caretaker's cottage/s not exceeding three ... a bandstand/s not exceeding two ... with lavatories and a cricket pavilion".



View over Area A from the north west

2.7 **Area B**, marked and shown edged in green on Plan 2, forms part of the middle of the Site and measures approximately 3.12 acres (1.26 hectares). The boundary line between this area and Area A will follow the present fence line. The area is made up of grassed areas and surfaced roads. Also located in this area are a toilet and shower block, an administrative office and shop. Area B (along with Area C) has planning permission for use as a static caravan site for up to 275 caravans. This area is not subject to any restrictive covenants concerning its use.



View of Area B from Gunton Cliff

2.8 **Area C**, marked and shown edged orange on Plan 2, is the southern part of the site and measures approximately 7.95 acres (3.22 hectares). The area is made up of grassed areas and surfaced roads. The Ravine road continues through this part of the site (and the part that runs through the caravan park is known as Swimming Pool Road), although it is not adopted. This road has already been closed off to vehicular access to the public (albeit access is still allowed by the public on foot and by bicycle). This road forms the northern boundary and gives the emergency services access to the sea wall area. Also located in this area are toilets and a shower block. Area C has planning permission for use as a static caravan site for up to 275 caravans (in conjunction with Area B). This area is not subject to any restrictive covenants concerning its use.



View of Area C looking from the southeast sea wall

2.9 **Area D**, marked and shown edged pink on Plan 2 in the northeastern corner of the site, measures approximately 1.13 acres (0.46 hectares). This area (along with an area immediately to the west) has been used as car parking for access to the beach and Denes generally. The car park area is unsurfaced. Area D has no express planning permission for this purpose, but has been used as such for at least ten years. This area of land is subject to the same restrictive covenants as identified for parts of Area A.



View of Area D from Gunton Cliff

3. Policy framework

- 3.1 The Local Plan for Waveney was adopted in November 1996. The Waveney Interim Local Plan was approved for the purposes of development control in May 2004. The Interim Local Plan represents the Council's emerging planning policies and is being used alongside the adopted Local Plan in determining planning applications. Both local plans provide the planning policy framework until such time as the Local Development Framework is prepared under new planning legislation.

There is no current Adopted Policy supporting the use of the site as one entity. The site is clearly designated in its individual parts, but not as a whole. Under the Adopted and Interim Local Plan, the areas of the site are all designated for tourism.

The aim of this Note is that, following consultation, it can (if necessary) be taken into account as a material consideration.¹

- 3.2 Adopted Local Plan policies to be considered are ENV1, ENV13, TM1, TM3, TM10, TM11, TM13 and OS1². These set out the Council's policies with regard to development within the coastal environment and the impact of tourism. The most relevant parts of these are set out in Appendix 1.

Except for ENV13, these policies have not been amended since the Adopted Plan of 1996.

¹ Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

² Copies of these policies are available for inspection at the Council's offices and are published on its website: www.waveney.gov.uk

Any development of the North Denes site will also need to take account of PPG17 (Open Space), PPG20 (Coastal Planning), PPG21 (Tourism), PPG25 (Development and Flood Risk) and the East of England Plan (RPG6).³

- 3.3 This Note accords with the planning policy framework, except in relation to the deletion of touring caravans and camping from Area A and its use for open space.
- 3.4 The proposals for the site in the context of this policy framework can be summarised as follows.
- 3.4.1 The proposals set out in this Note are primarily to upgrade an existing caravan park, to improve the facilities available to tourists and consequently to improve the usage of the caravan park.
- 3.4.2 The Note recognises the importance of tourism to the economy in the Lowestoft area and in particular the use of temporary accommodation for tourists visiting Lowestoft. The tourism opportunities can be enhanced by investment in the caravan and camping park and its facilities, thus ensuring its long-term attraction to the tourist market.
- 3.4.3 The overriding purpose is to improve the management of the North Denes site in a way that gives best value in order to improve security, usage, layout and design. Thus the caravan park will be restricted to and consolidated in Areas B and C, while Areas A and D will be consolidated to form a defined area for use as open space adjoining Gunton Denes immediately north of the site, bringing to the district a net gain of 34.16 acres of open space (including Area D).
- 3.4.4 This Note embodies a reworking of the site as a whole to ensure its overall success.

4. **Development principles**

The Council considers that the proposals for the North Denes site as outlined in this Note will provide clear guidance for its future use. The main reasons for which the Council considers a framework is necessary and beneficial are set out below.

- 4.1 The Council wishes to obtain maximum benefit from the sale of this asset and at the same time set a development framework within which any third party operator will have to work in dealing with and improving the North Denes site and its facilities (in particular, matters such as landscaping, security and

³ Copies of these documents can be found on the Department for Communities and Local Government's website at www.communities.gov.uk

screening). In relation to security, the new operator will be encouraged to liaise with the local Suffolk Constabulary Crime Reduction Officer.

- 4.2 Area A on plan 2 will be used exclusively as public open space, which will significantly increase the area of public open space use within the district by a net gain of 34.16 acres. It is accepted that this area was previously used (at least by some members of the public) as open space, but this played a secondary role to its use as a touring, camping and caravan site. This Note will ensure that this area is designated exclusively as open space, thus enhancing the coastal area around Lowestoft and increasing the open space provision for the district.
- 4.3 It is believed this Note will assist in regenerating the caravan site, make the site as an overall package more attractive, secure employment locally and help to enhance tourism in and around Lowestoft by providing a much improved caravan and camping park.
- 4.4 The Council wishes to designate Areas A and D as open space (and, in the case of Area D, as car parking). These areas together made up the touring and camping part of the site. This reflects the Council's resolutions made on 16 September 2004. In addition, it was also resolved that the Council proceed with the disposal of Area C as a static caravan site, with Area B to be used for camping and touring. Negotiations with potential site operators have now determined that the use of Area's B and C will be considered for camping, touring and caravanning site or static caravan site.

This has the following benefits.

- 4.4.1 It achieves a balance between the continuing use as a caravan and camping park and re-designation of a substantial area of open space.
 - 4.4.2 It makes the caravan and camping park a more attractive proposition for inward investment.
- 4.5 Therefore this Note sets out the proposals (with safeguards) to ensure that the North Denes site retains its benefits whilst maximising its assets. This Note sets out guidelines as to what is expected of any operator of the caravan park and in what way the areas will be promoted for use. These are as follows.
 - 4.5.1 **Area A** to be used for informal public open space — The Council will consider any proposals to accommodate picnic tables and amenity areas and some planting and/or sympathetic landscaping, but for no other purpose. This may include improvement of the footpaths down from Gunton Cliff. The Council will consult with local residents to obtain their views on landscaping and layout. The Council will also promote this area for designation as "open space" within the Local

Plan. For the avoidance of doubt, Area A will remain in the Council's ownership.

4.5.2 **Area B** to be used as a camping, touring and caravanning site or static caravan site. The Council will support proposals to extend the use of this part of the site (along with Area C) to year-round use limited to ten months' holiday occupation, provided that such proposals meet with the general principles and guidance set out in this Note (and any additional criteria set by the Environment Agency). The Council will also require —

4.5.2.1 the demolition or refurbishment of the existing shower and toilet blocks within Areas B and C, to be replaced with a permanent structure providing shower, toilet and office facilities. These structures should be in the approximate location of the present structures, but any other location will be sympathetically reviewed subject to the usual planning requirements;

4.5.2.2 the demolition or refurbishment of the existing shop unit to provide an upgraded facility for visitors using the caravan site, subject to the usual planning requirements (for the avoidance of doubt, this would not include any clubhouse facility);

4.5.2.3 a sympathetic and improved landscaping scheme for the whole of Area B to improve its appearance, both internally and externally this may include a boundary fence;

4.5.2.4 compliance with any requirements contained in the model standard site licence conditions under the Caravan Sites and Control of Development Act, 1960.

(See also the landscaping requirements set out at the end of this section.)

4.5.3 **Area C** to be used as a static caravan site camping or touring and caravanning site — The access through this area to the beach will remain closed to vehicular access by the general public to allow for greater security of the caravan and camping park (this is explained in more detail below). The Council will consider proposals to extend the use of this part of the Site to year-round use (limited to ten months' holiday occupation), provided that such proposals meet with the general principles and guidance set out in this Note (and any additional criteria set by the Environment Agency). The Council will require —

- 4.5.3.1 a sympathetic and improved landscaping scheme for the whole of Area C to improve its appearance both internally and externally, this may include a boundary fence;
- 4.5.3.2 that vehicular access via Swimming Pool Road remain closed to the general public and the present barriers be moved to a more appropriate location to complement this. Additionally, enhanced access on foot and by bicycle to the sea wall will be supported and encouraged;
- 4.5.3.3 the demolition or refurbishment of the existing shower and toilet blocks within Areas B and C, to be replaced with a permanent structure providing (to the extent necessary) shower, toilet and office facilities (for the avoidance of doubt, not including any clubhouse facility). These structures should be in the approximate location of the present structures, but any other location will be sympathetically reviewed; and
- 4.5.3.4 that the proposals comply with any requirements contained in the model standard site licence conditions under the Caravan Sites and Control of Development Act 1960.

(See also the landscaping requirements set out at the end of this section.)

- 4.5.4 **Area D** to be retained in its current use as a car park (limited to 25 spaces) – The Council will promote the resurfacing of this area and the securing of the perimeter. Whilst not entirely relevant to this Note, the Council will also wish to resurface the car park immediately to the west of Area C.

5. Site constraints (on site and off site)

5.1 Flood risk

Any caravan site operator may have to have regard to a flood risk assessment as part of any new planning application process in accordance with PPG25 (Development and Flood Risk). In particular, the Environment Agency has indicated that a full flood risk assessment will have to be carried out by the new operator if it wishes to extend the period of use of the site from eight to ten months' holiday occupation, together with the submission of a robust Business Case.

5.2 Coastal erosion

Policy ENV13 in the Interim Local Plan requires the production of a coastal risk assessment report by any developer if the development is within thirty metres of the predicted shoreline position in 2050. Whilst the caravan park already exists along the shoreline and this would not be a new development as such, the Council will expect any party to consider ENV13 in this respect. Consideration should also be given to PPG20 (Coastal Planning).

The Shoreline Management Plan (SMP), which recently opened for public consultation and is now being finalised, confirms that the 20-, 50- and 100-year policy is to “hold the line through maintaining/replacing existing defences”. The “line” in the context of the Site is the existing sea wall. This suggests that it is considered environmentally and economically acceptable to continue to provide a coastal defence in the vicinity of the existing sea wall for up to a hundred years, but subject to continuation of existing central Government policy. This is subject to change, so there is a risk that the stated policy may change in future. This would be for the coastal risk assessment to consider.

There may be a need at some point in the future to rebuild the sea wall as part of the new line of defence, and that is why there is reference in ENV13 to a thirty-metre area behind the line of defence. In the longer term, it will be prudent for any user of the Site to make allowance for a new sea wall to be constructed behind the existing one.

The SMP summary of Preferred Plan policies includes the following statement.

“The present shingle beach is expected to completely disappear in the short term, due to insufficient sediment supply and high level of exposure to waves, therefore significant work may be required to maintain the integrity of the built defences. In the very long term (50–100 years) this may become no longer possible to justify and it may be appropriate to consider alternative policies that could involve retreating the existing defence line to a more sustainable position.”

This confirms that, in addition to the risk that current central government policies (on which these predictions are based) may change, there is a long-term risk that “retreat” may become the sustainable policy.

The SMP is subject to review in accordance with government policy, on a five-yearly basis.

In any lease/sale of the caravan site, the Council will need to reserve rights of access along the back of the sea wall for maintenance and/or repair work to be undertaken.

The Council has received comments on the draft of this Note from the Environment Agency and has met with the Agency. These have, of course, been considered in full in the light of the proposals set out in this Note. The Council intends to enter into a more long-term dialogue with the Agency (together with the new operator) to deal with its comments and the issues raised by it.

However, bearing in mind the low level nature of the existing uses and development as set out in this Note, the Council does not consider that any particular measures or requirements are necessary in addition to those already set out in this Note.

5.3 **Land stability/contamination**

Areas A and D (see plan 2) are areas that were used, pre-1974, as a landfill site for the disposal of household waste by Lowestoft Borough Council during the winters of 1969 and 1972. Additionally, the area towards the southern end of Area C may have been used as a household waste dump (possibly a bottle dump) in Victorian times.

Most of the other areas of the site have a high likelihood of being “made-up ground”.

5.4 **Design, conservation, boundary treatment and landscaping**

The site adjoins the North Lowestoft Conservation area. Any new development or redevelopment must be sensitive to the amenity of the surrounding area, although a boundary fence will be permitted.

The following areas will require particular attention.

5.4.1 **Western and southern boundaries of Area C** — These will require sympathetic treatment to ensure an improvement in landscaping so that the caravan park merges more naturally into the environment. In particular, sympathetic screening along these boundaries will be required to deal with any views over the site from local residences or from the Heritage walk at the southern end of the caravan park, to ensure greater security around this part of the site generally and to reflect the fact that it is adjacent to a conservation area.

5.4.2 **Northern boundary of area B** — This boundary adjoins what is intended to be an open space area (Area A), and landscaping and screening will therefore need to be sympathetic to that area.

5.4.3 **Areas B and C generally** — The Council will require the boundaries of these areas and all landscaping within them to be sympathetic to the location and in particular sensitive to the local residents who overlook these areas.

5.5 **Transport, highway and access issues**

Any proposals will need to comply with highways and access issues raised (if any) by Suffolk County Council.

Waveney District Council will support the continued closure of vehicular access to the beach along Swimming Pool Road (except for emergency vehicles). Access on foot and by bicycle will continue to be permitted and will be enhanced.

5.6 **Public footpaths and cycle ways**

At the time of first publication there were no public footpaths or cycle ways within the site as described above, although Swimming Pool Road has since been designated. At the date of revision an application for public footpaths both on the site and the surrounding areas is being considered.

5.7 **Other constraints**

There are major gas and sewage pipelines at the back of the sea wall. Access to these is covered by relevant legislation.

6. **Planning history of the North Denes caravan site**

The planning uses for Areas A–D of the site can be summarised as follows.

Area A has planning permission for touring caravans and camping on a seasonal basis for up to 500 pitches.

Area B (in conjunction with Area C) has planning permission for use as a static caravan site for up to 275 caravans.

Area C has planning permission for use as a static caravan site for up to 275 caravans (in conjunction with Area B).

Area D has no express planning permission, but has been used as a car park for at least ten years.

The rest of this section deals in more detail with the planning history for the different parts of the caravan site.

There are several planning permissions relating to the site for the period from 1953 to 1989. (See Appendix 3 for a list of the planning consents.)

Of these historical permissions, a number relate to the development of parts of the site for use as a camping site, caravan park and touring caravan site and

this Note concentrates on these permissions only. Some of the permissions were of a temporary nature and appear to have been renewed on a regular basis.

The archive records are incomplete. Only a few of the applications record clearly the site boundary on a plan, and they do not clarify the application site through the description of the permission.

The planning history for the site can be set out as follows.

6.1 Land to the north of the site (roughly Area A on Plan 2)

Planning permission was granted on 24 November 1975 for a camping site with road works and lighting. This permission was for the part of the site from The Oval to Links Road. It can safely be assumed that this relates to an area of land similar to Area A.

The first planning consent relating to this area for which there is a plan is a permission granted on 3 May 1984 for the use of the part of the site as a seasonal tenting and touring caravan site (500 pitches). The permission contained a condition restricting the use to between 31 March (or Easter, if earlier) and 30 October, and a condition relating to landscaping.

It can be established that the area of this site has an historical permission for a camping/touring caravan use of 500 pitches.

6.2 Land to the south of the site (roughly Areas B and C on Plan 2)

Planning permission was granted on 23 December 1953 for the use of land as a caravan site. This land appears to fall within the boundary of Area C on Plan 2. It appears (although is not certain) that reserved matters were submitted pursuant to this outline. It seems that the extensions referred to below relate to this outline, and the temporary permissions also referred to below effectively extend the boundary of this existing permission.

On 28 February 1958 permission was granted to extend the existing caravan site and toilets. The plan does not clearly identify the existing/extended areas, but the site falls within the southern part of land in Areas B/C near the sea wall. The conditions on the permission authorised the use of the land from 1 March to the end of October each year and required all tents and caravans erected or standing on the site and all camping equipment to be removed from the site or stored on or before 31 October in each year.

A temporary permission for fifty caravans was granted on 23 March 1959. Whilst no plan is available, this appears to predate the temporary permissions mentioned above and may relate to the same area of land. This again has a condition restricting use to the summer period.

A temporary planning permission was also granted on 13 April 1961 for the siting of 187 caravans during the holiday season (1 April or Easter to 31 October each year). A condition in the permission (and, it appears, in subsequent renewals) restricted the use to holiday caravans.

The first planning permission accompanied by a plan relating to the part of the site is dated 17 November 1966 and relates to the renewal of the above temporary planning permissions. This was renewed on 21 November 1968, although the plan appears to cover a slightly different area. Temporary consents appear to have been granted for this purpose for a further two years.

There is a second planning permission dated 1 January 1971 which provides for the extension of the existing caravan site at North Denes. It seems that this effectively replaces the continual renewal of the temporary permissions, and is likely to relate to the same area.

There is also a permission for 275 caravans dated 3 December 1971. It cannot be confirmed to which land this relates, as the planning documents are not clear. It is, of course, very likely that it relates to Areas B and C.

Some confusion has arisen regarding planning document reference W3234/10 dated 20 October 1993 and its effect on the above permission. That document does not prevent the storage of static caravans on the site over the winter period.

It is clear that Areas B and C have a detailed history of planning consents for (static) caravans.

6.3 **Area to the north of the site (roughly Area D)**

There are no planning documents for the use of this area. It is presently used as a car park (including a slightly larger area on the western side of Area D on Plan 2). It has been used in this way for at least ten years.

6.4 **Existing lawful use**

Under current planning legislation, the Council may determine any uncertainty over the existing lawful use of the site (or part of the site) by way of a certificate of lawfulness of existing use or development to demonstrate that the site (or specific parts of the site) has been used for this purpose for a continuous period of ten years.

APPENDIX 1

- LOCAL POLICIES - (Extracts from local planning policies)

TM1 (Tourism in Corton)

"Proposals that enhance the tourism potential of the North Denes/Sparrows Nest/Ness Point area will be permitted provided the following criteria are met:

- 1. Built and natural features of the local environment are maintained and enhanced;*
- 2. High quality sustainable transport links to the town centre are provided;*
- 3. There is no significant conflict with the use and amenity of adjacent sites; and*
- 4. Open spaces are maintained".*

TM3 (Tourism in North Denes/Sparrows Nest Area)

"Proposals which seek to enhance the tourism potential of the area will be acceptable. Within the High Street Conservation Area and in particular the sites fronting Whapload Road, a mix of uses including tourism related uses such as restaurants, residential, retail, office and light industry (B1) will be acceptable subject to other policies in the plan, namely environmental policies to preserve or enhance the conservation area and historic buildings, highway policies and standards, and impact on the amenities of the proposed and existing adjacent uses."

TM10 (Tourism Facilities in the Local Area)

"Proposals for tourist accommodation and facilities in the rural area will be granted subject to the appropriate transportation policies and policies for the protection of the environment"

TM11 (Small Scale Caravan/Camping Sites)

"New, and extension to, small scale touring caravan and camping sites (up to 15 pitches) will be approved subject to the following criteria:

- 1. The site is well landscaped and will not effect or be intrusive in areas of landscape or ecological importance;*
- 2. The site is not situated within the heritage coast;*

3. *Associated permanent buildings can be satisfactorily accommodated in the landscape;*
4. *There are satisfactory drainage arrangements and highway access and an adequate local road network;*
5. *The proposal will not have a materially adverse effect on the amenities and local residents.*

Applications for new and extensions to large scale touring caravan and camping sites (more than 15 pitches) will be assessed against the above criteria but will not be permitted within the AONB (Area of Outstanding Natural Beauty)."

TM13 (Static Caravan, Chalet and Camping Sites)

"New or extensions to existing, static caravan, chalet and cabin sites will only be permitted subject to the following criteria:

1. *The site is not situated within the AONB, heritage coast, special landscape area or on land adjacent that would be detrimental to these areas;*
2. *The site is well contained in the landscape; the layout retains trees, other natural on-site features, (or provides compensatory planting and other nature conservation measures elsewhere within or near the site); and supplementary landscaping integrates the development with its surroundings and creates a high quality environment within the site;*
3. *The site will not significantly affect areas of wildlife value;*
4. *There are satisfactory drainage arrangements and mains services; highway access and an adequate local road network; and car parking in accordance with the Council's adopted standards;*
5. *The proposal will not have a materially adverse effect on the amenities of local residents. The provision of on-site commercial, recreational or entertainment activities should form an integral part of the scheme and be located so as not to cause inconvenience to other uses in the locality;*
6. *The provision of a variety of accommodation types and densities and informal layout groupings, having regard to the size and character of the site and its setting.*
7. *The choice of external and hard surfacing materials and the use of colour will be dictated by the need to ensure that visual harmony is achieved both within the site and when viewed from outside the site's boundaries;*
8. *That proposals take into account the need for crime prevention measures and access for disabled people."*

ENV1 (Areas of Outstanding Natural Beauty and Heritage Coast)

"The District Council will secure the conservation and enhancement of the natural beauty of the Suffolk coast and heaths Area of Outstanding Natural Beauty (AONB), including the heritage coast, by favouring the conservation of the landscape in development control decisions and by positive measures of management and enhancement.

Proposals for development which would have a material adverse impact on the landscape will not be permitted unless it can be demonstrated that there is an overriding national need for such development and no alternative suitable site can be found. The council will also resist development on land outside but close to the boundary of the AONB which would result in material harm to the setting of the designated area."

ENV13 (Coastal Erosion and Flooding)

Development will not be permitted seaward of the predicted shoreline position at 2050.

"Proposals for development 30m landward of the predicted shoreline position at year 2050 will be permitted provided that there is no material adverse impact on the management of coastal processes. Proposals will need to demonstrate that there are no suitable alternative locations elsewhere and should be accompanied by a risk assessment report."

OS1 (Existing Public Open Space Protection)

"The development of sites identified as existing public open space will not be permitted"

"Proposals for the development of open space areas or buildings with recreational, educational, biodiversity or amenity value or with the potential to fulfil a recreational wildlife or amenity function, will only be permitted where:

- 1. The proposal is ancillary to the open nature of the area; or*
- 2. An assessment demonstrates that the site is surplus to requirements.*

In appropriate circumstances, developers may be required to provide a suitable replacement facility nearby. The absence of identification on the Proposals Maps does not imply that development is appropriate."

– GOVERNMENT POLICIES –

- Planning Policy Guidance Note (Open Space) 17 (PPG 17)
- Planning Policy Guidance Note (Coastal Planning) 20 (PPG 20)
- Planning Policy Guidance Note (Tourism) 21 (PPG 21)

- Planning Policy Guidance Note (Development and Flood Risk) 25 (PPG 25)
- Government Office for the East of England RPG6 (November 2000) - Regional Planning Guidance for East Anglia to 2016

APPENDIX 2

- PLANS -

Index of plans

1. Site location plan within Lowestoft area
2. Site layout and division
3. Designated uses in the Local Plan for the Site

APPENDIX 3

– PLANNING HISTORY SCHEDULE OF DOCUMENTS –

(Available for inspection at the Council's Offices)

No	Reference	Date	Brief Description
0	N2797	23/12/53	Consent – to use land as a caravan site
1	N2797/1	04/03/54	Approval of layout (limited to 20 caravans)
2	N2797/2	18/03/54	Layout of caravan site
3	N3562	19/10/55	Disposing of household refuse
4	N2797/3 and 4	28/02/58	Extension of existing caravan site and toilets (conditional period 1 March–31 October) (all tents and caravans to be removed from the site by 31 Oct)
5	as above	as above	As above
6	N2797/5	04/03/59	Extension of public conveniences
7	N2797/6	23/03/59	Temporary consent to site 50 caravans (period of consent expires 31/03/1964) (caravans shall be occupied only from 1 April/Easter–31 Oct)
8	N2796/7	11/05/59	Refused – erection of a timber building
9	N2797/8	17/12/59	Erection of shop, offices and toilets
10	N2797/9	13/04/61	Siting of 187 caravans (to expire on 31/03/64, all caravans to be removed) (period of use restricted as above)
11	N2797/10	21/08/61	Construction of toilets
12	N2797/11	25/09/61	Extension to toilets
13	N2797/12	05/03/64	Siting of 187 caravans (renewal of N2797/9) (to expire on 31/3/66 all caravans to be removed) (period of use in each year restricted as above)
14	N2797/13	28/04/64	Variation of N2797/12, extension of period to 31/03/67
15	N2797/14	26/01/66	Use of land as an extension of holiday caravan camp (to expire 31/03/67) (period of use in each year restricted as above)
16	N2797/15	26/01/66	Extension to form cloakroom and toilet
17	N2797/16	17/11/66	A – variation of N2797/12, extension of period to 31/03/68 B – extension of temporary consent until 31/03/69
18	N2797/17	21/11/68	Extension of temporary consent until 31/03/70

No	Reference	Date	Brief Description
19	N2797/18	unknown	Application to extend consent for caravan and camping site for one year
20	N2797/19	24/11/69	Extension of temporary consent until 31/10/70. Seasonal use 1 April to 31 October.
21	N2797/20	01/01/71	Outline Consent — extension of existing caravan site
22	N2797/21	02/02/71	New toilet block
23	N2797/22	03/12/71	Use land for up to 275 caravans (occupation only from 1 April/Easter to 31 Oct)
24	N2797/23	19/03/73	Extension of shop
25	N2797/24	16/05/73	Refused — erection of cycle hire shop
26	N2797/25	unknown	Proposal (it is believed, as limited information) for a prefab concrete shop (only one plan available)
27	W3234	24/11/75	Camping site with road works/lighting (no plan)
28	W11297	02/02/81	Seasonal play area on land adjoining North Denes caravan site (no plan)
29	W3234/1	23/02/82	Pitches for up to 50 touring caravans for 12 months only (period to cease 23/02/83)
30	W3234/2	25/02/83	Pitches for up to 100 touring caravans (period to cease 30/09/83)
31	W3234/3	09/12/83	Construction of camping site manager's office and clubroom/amusement arcade
32	W3234/3	06/02/85	Amended position of building
33	W3234/4	09/12/83	Extension of pavilion for changing rooms/ washroom
34	W3234/5	01/02/84	Alterations and extensions to existing shop and formation of hot food takeaway
35	W3234/6	05/03/84	Temporary site office
36	W3234/7	03/05/84	Use as seasonal tenting and touring caravan site (500 pitches) (no caravans or tents on site between 30 October and 31 March)
37	W3234/8	04/04/85	Renewal of consent W3234/6 for temporary site office (limited up to 31/03/86)
38	W11297	03/04/86	Licence to operate a Sunday market from Easter 1986 to 28 December 1986
39	W3234/9	25/06/87	Installation of wind chargers

No	Reference	Date	Brief Description
40	W14543	31/05/89	Siting of ice-cream kiosk (limited period 1 April to 31 October)
41	W3234/10	20/10/93	Vary condition 2 to N2797/22 to permit all static caravans to be left on their permanent sites throughout the non-use period