

DOMES CARAVAN PARK – APPLICATION TO ALTER SITE LAYOUT

1 SUMMARY

- 1.1 This report considers an application to remove a footpath on the Dome Caravan Park, Lower Road, Hockley, under caravan site licence conditions.
- 1.2 Licensing of caravan parks is a statutory function, but the Council has discretion over the conditions attached to a licence.

2 INTRODUCTION

- 2.1 The Dome Caravan Park is licensed for up to 123 residential caravans. The site operators have removed a footpath on the site, which led from Main Street to The Close (see Appendix A).
- 2.2 Site licence condition 1.3 states that no alterations shall be made to the location of any road, footpath, approved structure or recreational space shown on the approved plan without the prior written approval of the Council.
- 2.3 The site operator has been given the opportunity to submit a retrospective application to remove this footpath, on the understanding that the footpath will have to be re-instated if the application is refused.
- 2.4 The site operator's application is attached as Appendix B. A letter from the Dome Resident's Association objecting to the change is attached as Appendix C.
- 2.5 If the application is refused, the site operator has the right of appeal to the Magistrates Court. The Court would then have to decide whether the refusal is unduly burdensome for the site operator, or whether the Council had acted reasonably in the circumstances.

3 COMMENT

- 3.1 The site owner has already established an alternative path, which was created on the removal of a caravan a few years ago. Using this footpath does not mean the residents would have to walk much further than using the original path.
- 3.2 As pointed out in the letter from the Resident's Association, the adjoining road does take two-way traffic, but the frequency of use of this road is not considered to be high. Members should note that planning enforcement action is currently being taken to reduce the

amount of touring caravan storage to the rear of the site, which would reduce the amount of traffic.

- 3.3 As an alternative to using the two-way road, residents are able to use Main Street which is a one-way road.
- 3.4 On balance it is felt that a refusal of this application would be difficult to justify in Court and as such it is recommended that Members approve the application and the footpath is removed from the approved plan.

4 RESOURCE IMPLICATIONS

- 4.1 There would be resource implications in contesting any appeal lodged by the site licence holder. In the event the appeal was successful, the site licence holder would be entitled to claim the costs of proceedings.

5 LEGAL IMPLICATIONS

- 5.1 The site licence holder has a right to request the Council to consider a revised site layout and has the right of appeal to the Magistrates Court if this application is refused or is not determined. In deciding any appeal, the Court would have to consider whether the Council had acted reasonably in the circumstances.

6 PARISH IMPLICATIONS

- 6.1 The Dome Caravan Park is in the parish of Hullbridge.

7 RECOMMENDATION

- 7.1 It is proposed that the Committee **RESOLVES**

To approve the application to remove the footpath as shown in Appendix A and that the footpath is removed from the approved plan. (HHHCC)

Graham Woolhouse

Head of Housing, Health and Community Care

Background Papers:

Letter to site operator dated 10 May 2002.

Letter from site operator dated 17 May 2002.

Letter from the Dome Resident's Association dated 13 May 2002.

For further information please contact Elaine Prosser on:

Tel: 01702 318052

E-Mail: elaine.prosser@rochford.gov.uk

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APPENDIX B



THE DOME VILLAGE,
LOWER ROAD,
HOCKLEY, ESSEX. SS5 5LU
TELEPHONE 01702 230278

For. 17 May '02

Dear Miss Prosser,

Thank you for your letter of 10 May.

The footpath at 21 Main St. was in
bad repair + has been replaced by the
new footpath we established several years
ago between 1 Ave. + 2 Ave. The occupier
of 47 Close has volunteered his delight!

Yours sincerely,

H. A. Baker

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APPENDIX C



Mr. G. Woolhouse
Rochford District Council

M. Handley
Chairperson
8 The Close
The Dome
Lower Road
Hockley
SS5 5LX

13 -5-02

Dear Sir,

The Residents Association wish to bring to your attention, the removal of a footpath, behind no 20 Main St. and no.48 The Close on The Dome Park to make it possible to site a new larger unit. The Residents are most upset about its removal, as ~~this will cause extreme inconvenience when visiting the General shop etc.~~ It will now be necessary not only to walk further but also to walk straight into the flow of two way motorized traffic on a main site road. This traffic includes Touring Caravans being towed on and off the site by the General Public. They are not as aware as the Residents about pedestrians now having to walk on this main road. Although we are looking for site improvements this by no stretch of the imagination is an "improvement" to our site, quite the reverse.

We understand that Messer's Baker are required to apply in writing to Rochford Dist. Council for permission to alter the terms of the site Licence under section 1.3 Site Layout BEFORE any work commences. We are lead to believe no such application has been made. However the pathway was removed, and blocked off on Friday 10th May.

As caring Residents we are completely in favour of having the Site tidied up and modernised, as it stands, it is in a very sorry state of repair. The removal of this footpath has not been an improvement and has caused extreme antagonism to the Residents,

Messrs. Baker could put their efforts into other projects that are still outstanding before making life any more difficult for the Residents.

Yours sincerely,

M. Handley,
M. Handley,

