

**COMMITTEE DATE:** 05/02/2019

**Application Reference:** 18/0156

WARD: Stanley  
DATE REGISTERED: 04/05/18  
LOCAL PLAN ALLOCATION: Countryside Area

APPLICATION TYPE: Full Planning Permission  
APPLICANT: c/o Neil Pike Architects

**PROPOSAL:** Use of land as a traveller caravan site for two caravans and one chalet; use of existing two storey building for communal facilities, provision of four car parking spaces and associated landscaping.

**LOCATION:** 411 MIDGELAND ROAD, BLACKPOOL, FY4 5ED

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**Summary of Recommendation:** Grant Permission

**CASE OFFICER**

Ms P. Greenway

**BLACKPOOL COUNCIL PLAN 2015 -2020**

This application accords with **Priority two of the Plan** - Communities: Creating stronger communities and increasing resilience as it would contribute to meeting the borough's requirement for gypsy and traveller accommodation; however it is considered to be at odds with the Council Plan to some extent with regards to sustainability.

**SUMMARY OF RECOMMENDATION**

The application site falls within the designated Marton Moss Strategic Site. Policy CS26 of the Core Strategy makes it clear that development proposals not directly related to agriculture, horticulture or rural recreation will not be supported in advance of the production of a Neighbourhood Plan for the area. The impact of the proposal on the character of the surrounding area and the amenities of the occupants and neighbours can be mitigated by suitable landscaping and conditions. In addition the scheme would contribute towards meeting the borough's identified gypsy and traveller requirement. This weighs heavily in favour of the proposal and is considered to be sufficient to outweigh the objection to the principle. As such, Members are recommended to approve the proposal. Members will be aware that Part 2 of the Council's Local Plan is currently subject to an informal consultation and although it suggests some potential sites for travellers and travelling showpeople the weight that can be attached to the plan at this stage is limited. Members will also be aware

that a consultation has just started on a Neighbourhood Plan for the Marton Moss Strategic Site and again the weight that can be attached to the plan at this stage is limited.

## **INTRODUCTION**

This application is before Members as it is a Departure from the Development Plan which raises issues of Policy and the recommendation is for approval, based on the identified need for additional gypsy and traveller sites within the borough.

The Committee considered the application at its last meeting and noted concerns that the site was already occupied. It acknowledged the need for traveller sites but was also mindful of the potential impact on residents of neighbouring properties in the event that conditions attached to the planning permission, if granted, were not adhered to. The Committee considered that it would not be appropriate to consider the application until it was satisfied as to the current position regarding the occupation of the site. It also discussed the benefit of the applicant being in attendance during consideration of the case to respond to questions from the Committee. The Committee resolved to defer consideration to a future meeting to enable additional information to be provided on the current status of the site.

A site visit on 17 January 2019 was attended by officers, the applicant, his wife, four of his children and the agent. The applicant has been on site for eight months and works as a tree surgeon in Bury and has five employees. He travels during the summer months attending various fairs and also shows his horses, which are kept in a paddock at the far end of the site; he also keeps a couple of dogs and chickens. The eldest two children go out to work, one child is home schooled, two attend a local primary school and one is a baby. The family are currently occupying the "barn" which is laid out as an open plan living/dining/kitchen at ground floor, with three bedrooms and a bathroom upstairs. There are two touring caravans on site and the applicant would bring a chalet on site, should planning permission be granted. It is intended that the family would then occupy the chalet and the barn would become ancillary accommodation. The applicant has indicated that he will attend the meeting on 5 February 2019 to address the Committee and answer any questions Members may have.

## **SITE DESCRIPTION**

The site comprises a long, rectangular piece of land (12 m x 80 m), which opens out into a large, almost square field (51 m x 67 m) behind a gate. Access to the site is via a gated entrance directly off Midgeland Road and the site has a frontage of about 12 metres width. To the front of the site is a two storey detached building with a pitched roof, set on a large area of hardstanding and there is a timber shed behind. A timber gate about 80 metres into the site provides access into the field to the rear. The site was once used as a market garden and more recently an appeal was dismissed relating to a "Permitted Development" conversion of the building to a dwelling (planning application reference: 15/0531, appeal reference: APP/J2373/W/16/3149379). There are sporadic detached houses in the vicinity and a large residential care home immediately adjoining the application site at 397 Midgeland Road. The property on the other side of the site at 415 Midgeland Road is a dwelling. The site forms part

of the Marton Moss Strategic Site as defined in the Blackpool Local Plan Part 1: Core Strategy, adopted January 2016.

### **DETAILS OF PROPOSAL**

The proposal is for use of the land as a traveller caravan site for two static caravans and one permanent chalet. It also includes the use of the existing two storey coachhouse at the front of the site for communal facilities, the provision of four car parking spaces and associated landscaping. The parking spaces, chalet and caravans would be behind the existing two storey building and there would be landscaping along the front of the site and the northwest site boundary with 397 Midgeland Road. The total site area is 4,838 square metres, however the development would not encroach on the field, so the developed area would amount to approximately 1,000 square metres.

The application is accompanied by a Planning Statement which includes:

"The application is from a long established Blackpool family of travelling people, the Boswell family. It is intended for Tommy Boswell to relocate from Greater Manchester to Blackpool to be closer to his wider family and for his children to bond with relatives and their siblings. Presently on site is a two-storey former workshop that is to be upgraded to provide communal facilities for the occupants of the caravan and mobile home. The communal facilities will be in the form of toilets and general sanitary accommodation and a general meeting room for informal socialising. The general upgrade will enhance the frontage and provide a compatible frontage with other dwellings in the immediate vicinity. It is intended to position the three units to the rear of the existing building which will provide a 'screen' when viewed from Midgeland Road. The land to the rear of the site is not intended to be utilised other than for general amenity space and does not form part of this application. The three units are to provide accommodation for the applicant's family (parents and six children) with four car spaces provided for family and visitor car parking."

In response to a questionnaire, the agent states that in the last year, more than five trips (living in a caravan or trailer) have been made away from their permanent base by the whole family, visiting family or attending fairs. They usually travel in summer and stay at transit sites, on the roadside, or with friends and family; and they intend to travel in the future to visit events and family.

Since submitting the application, the family have moved onto the site.

### **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- principle of the development
- need for the development
- personal circumstances of the applicants
- impact on the character and appearance of the Marton Moss Countryside area

- impact on residential amenity
- impact on highway and pedestrian safety

These issues will be discussed in the assessment section of this report.

## **CONSULTATIONS**

**Head of Highways and Traffic Management:** To the extent that any part of this proposal constitutes a dwelling or other use not explicitly permitted as an exception to the Marton Moss policy I must object. The site is not in a sustainable location, particularly in relation to public transport, shopping and other facilities. Although there are some limited facilities in the area the majority of journeys would be by car. Its isolated position and poor accessibility to the wider road network and services are matters that are unlikely to change without a comprehensive development strategy. In that respect its approval would be contrary to the Inspector's conclusions in considering the Core Strategy.

I would expect such a development strategy to deal appropriately with highway standards. In any event I would be concerned that piecemeal development of this or various other parts of the Moss would lead to an excess of traffic on unsuitable roads with poor connections to more major roads.

Should the proposal be approved I would expect a condition limiting the use of the remainder of the site in order to limit the numbers and sizes of vehicles accessing the site to that associated with what is currently proposed.

**Service Manager Public Protection:** The land has previously been used as a nursery, therefore there is a potential for pesticides and herbicides to be present within the ground conditions. Due to the nature in which the land is proposed to be used for there will be limited risk to the caravans, however there may be a likelihood within the chalet that is proposed. Therefore further investigation is required to ensure that there is not a significant likelihood of significant harm to site users.

## **PUBLICITY AND REPRESENTATIONS**

Press notice published: 7 June 2018

Site notice displayed: 9 May 2018

Neighbours notified: 9 May 2018

No objections have been received to the proposal.

## **NATIONAL PLANNING POLICY FRAMEWORK**

The revised National Planning Policy Framework (NPPF) retains the key objective of achieving sustainable development and hence there is a presumption that planning applications proposing sustainable development will be approved. It provides advice on a range of topics

and is a material planning consideration in the determination of planning applications. The parts most relevant to this application are:

- Section 5 – Delivering a sufficient supply of homes
- Section 8 - Promoting healthy and safe communities
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment

### **PLANNING POLICY FOR TRAVELLER SITES (PPTS)**

The August 2015 document sets out the Government’s planning policy for traveller sites and should be read in conjunction with the National Planning Policy Framework. The Government’s overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.

To help achieve this, Government’s aims in respect of traveller sites are:

- that local planning authorities should make their own assessment of need for the purposes of planning
- to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of sites
- to encourage local planning authorities to plan for sites over a reasonable timescale
- that plan-making and decision-taking should protect Green Belt from inappropriate development
- to promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites
- that plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies
- to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply
- to reduce tensions between settled and traveller communities in plan making and planning decisions
- to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure
- for local planning authorities to have due regard to the protection of local amenity and local environment.

Applications for new sites should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the National Planning Policy Framework and this planning policy for traveller sites.

Local planning authorities should consider the following issues amongst other relevant matters when determining planning applications for traveller sites:

- a) the existing level of local provision and need for sites
- b) the availability (or lack) of alternative accommodation for the applicants
- c) other personal circumstances of the applicant
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- e) that they should determine applications for sites from any travellers and not just those with local connections.

Local planning authorities should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure.

When considering applications, local planning authorities should attach weight to the following matters:

- a) effective use of previously developed (brownfield), untidy or derelict land
- b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
- c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
- d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

Subject to the implementation arrangements, **if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration** in any subsequent planning decision when considering applications for the grant of temporary planning permission.

For the purposes of this planning policy “gypsies and travellers” means:

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

## **BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY**

The Blackpool Local Plan: Part 1 - Core Strategy was adopted by the Council in January 2016. The policies in the Core Strategy that are most relevant to this application are -

CS5: Connectivity  
CS7: Quality of Design  
CS9: Water Management  
CS16: Traveller Sites  
CS26: Marton Moss  
CS27: South Blackpool Transport and Connectivity

## **SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016**

The Blackpool Local Plan was adopted in June 2006. A number of policies in the Blackpool Local Plan (2006) have now been superseded by policies in the Core Strategy (these are listed in Appendix B of the Core Strategy). Other policies in the Blackpool Local Plan are saved until the Local Part 2: Site Allocations and Development Management Policies is produced.

The following policies are most relevant to this application:

LQ1: Lifting the quality of design  
LQ2: Site context  
BH3: Residential and visitor amenity  
BH4: Public health and safety  
AS1: General development requirements (transport)

## **FYLDE COAST GYPSY AND TRAVELLER AND TRAVELLING SHOWPEOPLE ACCOMMODATION ASSESSMENT (GTAA)**

In response to the Government's Planning Policy for Traveller Sites (PPTS) document and to inform future planning policy and planning decisions the Council in conjunction with our neighbours Wyre and Fylde Borough Councils commissioned a needs assessment for gypsies/travellers and travelling showpeople. The assessment, published in September 2014, recorded the situation in terms of provision within the three Borough Council's areas and set out the need in the future, broken down into five year periods as advocated by the Government's document. The GTAA was updated in 2016 as a result of a revised version of Planning Policy for Traveller Sites (PPTS) published in August 2015.

The revised version of Planning Policy Traveller Sites (PPTS) now requires a Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (GTAA) to determine whether households living on sites, yards, encampments and in bricks and mortar fall within the new "planning" definition of a Gypsy, Traveller or Travelling Showperson. The new definition now excludes those who have ceased to travel permanently. In terms of Blackpool, the previous GTAA identified a need for 38 additional Gypsy and Traveller pitches and two Travelling Showpeople plots. The updated GTAA (with the new definition of Gypsy or

Traveller) indicates that there is a need for a maximum of six additional pitches in Blackpool over the 15 year GTAA period (2016 - 2031).

## **ASSESSMENT**

### **Principle of Development**

The National Planning Policy Framework seeks to promote sustainable development, which includes:

- objectively assessing the need for housing, business and other needs of an area
- securing high quality design and a good standard of amenity for existing occupants of land and buildings and future occupants
- recognising the intrinsic character and beauty of the countryside
- encouraging the re-use of brownfield land, and
- encouraging development in locations where it can be served by various modes of transport.

The PPTS clearly requires Councils to have a five year supply of sites (and preferably more) if a need is identified. The Council's GTAA identifies a need and suggests a method of delivery over a 15 year period. The need is front loaded, in part, because there is a waiting list for the Chapel Road site but is also probably a reflection of the fact that although the last planning permission for a site was three years ago (land adjacent to 39 School Road), the one prior to that was 12 years ago (Holmfield, Jubilee Lane). Need is one aspect of the considerations and does attract weight when assessed against other considerations. However there is a clear requirement to consider the size/scale and location of any site, the characteristics of the surrounding area and to protect local amenity and the environment. There is also a requirement to 'strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan'.

Policy CS16 of the Core Strategy relates to traveller sites and suggests that the target for new pitches established through the GTAA will be met through the next stage of the plan - the site allocations and development management development plan document (DPD). However it also recognises that applications may come forward before the DPD is adopted and hence it sets out eight criteria against which applications should be judged.

- a) Be suitable in that it provides a good living environment for residents, including access to essential infrastructure and services and does not cause an unacceptable environmental impact;**

In this case the application site fronts a narrow road along the eastern boundary of the Marton Moss area within Blackpool, about 500 metres from the School Road junction which provides links to south Blackpool, the M55 and Lytham St Annes. School Road no longer carries the No. 10 bus route (which provided an hourly service to the new Co-op on Highfield Road and to the Town Centre) but there is a No. 17 bus service from Common Edge Road a kilometre to the west, which provides half hourly services to St Annes and to

the Town Centre. The site is 800 metres from St Nicholas' Primary School and 2.2 km remote from Highfield Humanities College on Highfield Road. The nearest local centres (Common Edge Road/Highfield Road junction and St Annes Road /Squires Gate Lane junction) are some 2 km away. So the site is not on the doorstep of facilities and is not considered to be particularly sustainable.

**b) Be appropriately located taking into account surrounding uses, with preference given to sites being located on brownfield land;**

The site is not a brownfield site, however there is already a two storey building on it, probably a workshop/store originally associated with agricultural/horticultural use of the field to the rear.

Three previous appeals have been dismissed for use of this building as a dwellinghouse:

- 15/0531 External alterations and use of premises as altered as a single private dwelling house (permitted development application).
- 04/0490 External alterations and use premises as altered as single private dwellinghouse.
- 00/0876 Use of premises as altered as a single private dwellinghouse.

The 2015 appeal on application 15/0537 was dismissed as the proposal was not permitted development, the other two appeals 04/0490 and 00/0876 were dismissed because the formation of a front garden, together with the domestic paraphernalia associated with it, would result in a domestic appearance and add to suburbanisation and be detrimental to the character of the area. In the current application, the front area is intended to be landscaped to provide a buffer screen to the site and it would not appear too obviously domestic in nature.

Another tension in terms of the policy position is that Policy CS26 for Marton Moss in the Core Strategy envisages a continuation of the current policy stance set out in Policy NE2 (i.e. no new residential development unless associated with agriculture, horticulture or outdoor recreational uses) until a neighbourhood plan is produced which will identify in what circumstances development may be acceptable.

**c) Not cause demonstrable harm to the quality, character and appearance of the landscape taking account of the cumulative impact of other authorised sites in the vicinity;**

There are no other gypsy/traveller accommodation sites along this section of Midgeland Road. The road is characterised by ribbon development interspersed with areas of open land, some of which previously housed greenhouses. It is more of an urban fringe area than an open countryside location and is characteristic of the many roads which cross Marton Moss. The restriction on the siting of the caravans, chalet and vehicles to the middle section of the site leaving the field to the rear undeveloped, would mean less impact on the character and appearance of the area.

**d) Be of a size and scale appropriate to the size and density of the local settled community;**

The site is to accommodate one family and it is considered that this would not have any significant impact on the local community in terms of its size.

**e) Have good access to transport links, public transport and be close to shops, schools, jobs, health and local services and other community facilities;**

Refer to comments in respect of a) above. The site is not in a sustainable location, particularly in relation to public transport, shopping and other facilities and although there are some limited facilities in the area, the majority of journeys would be by car. However, the site would be for gypsies, who by definition travel.

**f) Have safe and convenient vehicular and pedestrian access from the highway and provide adequate space for the provision of parking, turning, servicing, storage and land for associated livestock where appropriate;**

The access into the site is considered adequate for its function and there is space within the site for car parking and for vehicles to turn around and leave the site in forward gear. It is unlikely that the proposed development would generate a significant amount of traffic such as to have highway safety implications. However, a condition could be imposed limiting the use of the remainder of the site in order to limit the numbers and sizes of vehicles accessing the site to that associated with what is currently proposed. The field at the rear is capable of accommodating livestock if required.

**g) Be well designed and landscaped to give privacy between pitches/plots, and between sites and neighbouring properties and to avoid harmful impacts by noise, light, vehicular movements and other activities;**

Landscaping is proposed around the amenity block, caravans and chalet in order to improve the appearance of the site and provide some privacy to neighbours. The adjacent residential care home at 397 Midgeland Road (The Willows) manages the care for specialist vulnerable residents who have dementia or associated conditions. There are concerns over the impact the development might have on their vulnerable residents. The access road to the care home is immediately adjacent to the boundary with the application site and opens out into a 10 metre wide parking court. The bedrooms here are separated from the car park by a single storey blank wall with a door in it, so there is no impact on noise or privacy. Further beyond, three bedroom windows face the application site; these have a separation distance of 13 metres to the boundary and are also behind a fence, which provides additional privacy. Beyond these three bedrooms is additional care home parking, which is likely to have more impact on the residents due to its close proximity, than any noise and disturbance from the application site. The caravans are located at an angle so that any views across to the care home are further restricted (in addition to the fence and landscaped buffer). The caravans and chalet are in close

proximity to each other, but because of the angle at which they are sited, they still retain privacy between them.

In terms of the likely impact upon 415 Midgeland Road the chalet and caravans are located a minimum of 20 metres to the rear of this dwelling. The amenity block building to the front of the site is an existing building which will be converted and re-used. Its use by a single family should not be adverse in terms of potential noise and disturbance.

**h) Provide soft landscaping and where appropriate communal recreational areas for children.**

Soft landscaping is proposed on site and there is no need for communal recreational areas as the proposal would be for one family.

**Need for the development**

The GTAA demonstrates that there is a need to provide additional sites over the next five years and beyond. There do not appear to be any alternative sites available in the borough and the lack of a five year supply weighs heavily in favour of this proposal.

**Personal circumstances of the applicants**

The Planning Statement which accompanies the application states that the proposed caravan site is intended to accommodate Mr Boswell and his family, who are gypsies and travellers falling within the statutory definition, with strong family connections to Blackpool, and with a personal need for accommodation in the town, so that his children can bond with relatives and their siblings in the town.

**Impact on the character and appearance of the Marton Moss Countryside area**

The Marton Moss Characterisation Study that forms part of the evidence base to the Core Strategy states that this area consists of the areas of small piecemeal post medieval enclosure along Division Lane, Midgeland Road up to Chapel Road and west to Common Edge Road, surrounding by busy arterial routes. It consists of the earliest cobbled buildings through to modern detached bungalows and is an enclosed leafy landscape based around lanes, rectangular fields and drains with views limited to gaps in hedgerows across open paddocks. The caravans would be only slightly visible from Midgeland Road behind the existing outbuilding and views through to the open countryside would be retained.

**Impact on residential amenity**

The proposal should not have any significant impact on the amenities of the occupiers of the adjacent care home or dwelling as the proposed siting of the caravans/building and the provision of a landscaped buffer one metre wide along most of the boundary with the care home would help to reduce the impact, see section g) above. A planning condition would require a scheme of planting (including details of species etc.) to be submitted within three

months of an approval and implemented in the next planting season. Use of the site would also be restricted to one family living within two caravans and a chalet limiting the level of activity.

### **Impact on highway and pedestrian safety**

The Head of Highways and Traffic Management has objected as the site is not in a sustainable location, particularly in relation to public transport, shopping and other facilities. Although there are some limited facilities in the area, he considers that the majority of journeys would be by car and is concerned that piecemeal development of this or various other parts of the Moss would lead to an excess of traffic on unsuitable roads with poor connections to more major roads. However, as this proposal is for one family, it is not considered that permission could be resisted on this ground. The footway is sporadic here, but as the lane is now effectively a cul-de-sac, the amount of traffic is minimal and likely to be mainly used by locals.

### **CONCLUSION**

This application raises a number of issues. The recent update to the GTAA demonstrates a need for an additional six pitches in the period 2016 - 2031 and the existence of a need and a lack of sites in Blackpool to meet that need weighs heavily in favour of this application. However, the application site is on what is effectively a quiet cul-de-sac on Marton Moss, and is somewhat remote (800 m) from St. Nicholas Church of England Primary School on School Road, the No. 17 bus service (1 km) on Common Edge Road and other neighbourhood facilities, although it is clearly not an isolated site in the open countryside.

The impact on the character and appearance of the area and on the amenities of neighbours can be mitigated by appropriate landscaping and a restriction on the location and limitation on the number of caravans, chalet and parking within the site. Whilst the unsustainable location and conflict with Policy CS26 weighs against the proposal, on balance it is considered that a recommendation of approval is appropriate subject the conditions set out below.

### **LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION**

None

### **HUMAN RIGHTS ACT**

Under Article eight and Article one of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. The Secretary of State recognises that these types of applications raise human rights issues but in this case the Council has considered those issues in its overall assessment of the application.

## **CRIME AND DISORDER ACT 1998**

The contents of this report have been considered in the context of the Council's general duty, in all its functions, to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998

## **BACKGROUND PAPERS**

Planning Application File 18/0156 which can be accessed via the link below:

<https://idoxpa.blackpool.gov.uk/online-applications/>

**Recommended Decision:** Grant Permission

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority including the following plans: Site Plan Scale 1:200 and location plan, dated 13 March 2018.

Reason: For the avoidance of doubt and so the Local Planning Authority can be satisfied as to the details of the permission.

3. No more than two caravans and one chalet, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended) (of which no more than one shall be static) shall be stationed on the site at any one time.

Reason: To safeguard the character and appearance of the area and the amenities of local residents in accordance with Policies CS7 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012 - 2017 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

4. The development and residential use hereby permitted shall be solely for the benefit of Mr. Tommy Boswell, his wife and their resident dependents.

Reason: Planning permission is being granted on the basis that there is a need for the site as part of the Fylde Coast Gypsy and Traveller and Travelling Showpeople Accommodation Assessment 2014 and 2016 update and in accordance with Policy CS16 of the Blackpool Local Plan Part 1: Core Strategy 2016 - 2027.

5. When the caravans, chalet and site cease to be occupied by those named in condition 4 the use hereby permitted shall cease and all caravans, structures, materials and equipment brought onto the land in connection with the use shall be removed and the land restored to its former condition.

Reason: Planning permission is being granted on the basis that there is a need for the site as part of the Fylde Coast Gypsy and Traveller and Travelling Showpeople Accommodation Assessment 2014 and 2016 update and in accordance with Policy CS16 of the Blackpool Local Plan Part 1: Core Strategy 2016 - 2027.

6. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning Policy for Travellers Sites, 2015.

Reason: Planning permission is being granted on the basis that there is a need for the site as part of the Fylde Coast Gypsy and Traveller and Travelling Showpeople Accommodation Assessment 2014 and 2016 update and in accordance with Policy CS16 of the Blackpool Local Plan Part 1: Core Strategy 2016 - 2027.

7. No commercial activities shall take place on the land, including the storage of materials.

Reason: To safeguard the character and appearance of the area and the amenities of local residents in accordance with Policies CS7 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012 - 2017 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

8. No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site at any time; and for the avoidance of doubt, no storage of materials, goods or parking shall take place on the field at the rear of the site.

Reason: To safeguard the character and appearance of the area and the amenities of local residents in accordance with Policies CS7 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012 - 2017 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

9. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within three months of the date of failure to meet any of the requirements set out below:

i) within three months of the date of this decision a scheme (hereafter referred to as the Site Development Scheme) shall have been submitted for the written approval of the local planning authority for:

- a) hard and soft landscaping. Hard landscaping shall include surfacing materials and any means of enclosure. Soft landscaping shall include

identification of all trees, shrubs and hedges to be retained showing their species, spread and maturity; and new tree, hedge and shrub planting including details of species, plant sizes and proposed numbers and densities.

- b) external lighting within the site
- c) details of foul, surface and waste water drainage (including 'grey' waste water from washing/shower facilities) either by connection to a public sewer or by discharge to a properly constructed sewage treatment plant, septic tank or cesspool. All drainage and sanitation provision shall be in accordance with all current legislation and British or European Standards
- d) a storage and collection area for refuse and recyclables

The site Development Scheme shall be implemented in full in accordance with the approved details no later than six months from its written approval. Upon implementation of the Site Development Scheme specified in this condition, that scheme shall thereafter be maintained. No lighting, hardstandings or means of enclosure other than those forming part of the approved scheme shall be constructed or erected on the site.

Reason: To safeguard the character and appearance of the area and the amenities of local residents in accordance with Policies CS7 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012 - 2017 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

10. The approved landscaping in the Site Development Scheme shall be carried out in the first planting season available and maintained for a period of five years after planting. If within a period of five years from the time of planting, any landscaping is removed, uprooted, destroyed or dies or becomes damaged or defective, another of the same species as that originally planted, shall be planted.

Reason: To safeguard the character and appearance of the area and the amenities of local residents in accordance with Policies CS7 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012 - 2017 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

11. No development shall be commenced until a desk study has been undertaken and agreed in writing with the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been agreed in writing with the Local Planning Authority. If remediation methods are then considered necessary, a scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented and completed prior to the commencement of the development. Any changes to the approved scheme shall be agreed in writing with the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

12. Within three months from the date of this permission, the car parking provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

13. Prior to first use of the amenity building as such, all glazing to the first floor elevations facing 397 and 415 Midgeland Road shall be obscure glazed and shall thereafter be retained at all times as obscure glazed and fixed permanently closed.

Reason: To safeguard the living conditions of the occupants of the neighbouring premises, in accordance with Policies BH3 and LQ14 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

14. The forecourt to the building on the site shall not be used for the parking of cars or other vehicles.

Reason : To safeguard the visual amenities of the area and the amenities of the occupiers of adjoining properties in accordance with Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027 Policies LQ1, LQ2 and BH3 of the Blackpool Local Plan 2001-2016.

### **Advice Notes to Developer**

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.