

COMMITTEE DATE: 31/07/2019

Application Reference: **19/0150**

WARD: Stanley
DATE REGISTERED: 07/05/19

APPLICATION TYPE: Full Planning Permission
APPLICANT: Mr Charles Tyers

PROPOSAL: Use of land for the keeping of horses and as a residential caravan site for two traveller families, each with two caravans (one static caravan/mobile home and one touring caravan), together with the erection of two ancillary amenity buildings and extension to hardstanding.

LOCATION: LAND ADJACENT TO 433 MIDGELAND ROAD, BLACKPOOL

Summary of Recommendation: Refuse

CASE OFFICER

Pippa Greenway

BLACKPOOL COUNCIL PLAN 2015 -2020

This application does not accord with any of the Priorities of the Plan and is considered to be at odds with the Council Plan with regards to sustainability.

SUMMARY OF RECOMMENDATION

The application site falls within the designated Marton Moss Strategic Site and Marton Moss Conservation Area. 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. Currently there is an unmet need for one traveller site in the borough and this would be met by another application on this committee meeting which is in a more sustainable location (19/0094 Land on School Road). If that proposal is approved, the scheme the subject of this application would not directly contribute towards meeting an identified gypsy and traveller requirement and therefore the proposal does not outweigh the objection in principle. As such, Members are recommended to refuse the proposal. Part 2 of the Council's Local Plan has been 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 work on the Neighbourhood Plan for the Marton Moss Strategic Site is ongoing, however the weight that can be attached to the plan at this stage is limited.

INTRODUCTION

Members will be aware that the Government requires local authorities to undertake an assessment of the need for traveller and travelling showpersons sites in their area. This Council commissioned a joint study with Wyre and Fylde Borough Councils and the initial report was published in 2014 and subsequently updated in 2016. The study sets out the requirements across the Fylde Coast. For traveller sites this Council's need for sites over the period 2016-2031 is 6 pitches. However our neighbours Fylde Borough Council have over-provided by 4 pitches and hence as the study considered the Fylde Coast it reduced the need in Blackpool to 2 pitches at the end of 2018. In February of this year members approved one pitch at 411 Midgeland Road (18/0156 refers) leaving a need for one pitch.

On this agenda, there are three applications before Members relating to traveller sites, the others being:

19/0094 - LAND ADJACENT LAND ADJACENT TO GREENACRES, 161 SCHOOL ROAD

19/0317 - STATELEY LODGE, 41 SCHOOL ROAD

All of the sites are within Marton Moss where Policy CS26 applies; all are also in the proposed Marton Moss Neighbourhood Plan Area; and all are also within Marton Moss Conservation Area. All of the applications have been assessed against Policy CS16.

All of the applications have been assessed against **Policy CS16** of the Core Strategy which sets out a number of criteria

- 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;*
 - b. Be appropriately located taking into account surrounding uses, with preference given to sites being located on brownfield land;*
 - 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;*
 - d. Be of a size and scale appropriate to the size and density of the local settled community;*
 - e. Have good access to transport links, public transport and be close to shops, schools, jobs, health and local services and other community facilities;*
 - 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;*
 - 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;*
and
 - h. Provide soft landscaping and where appropriate communal recreational areas for children.*
- 3. The detailed design of the traveller site should take account of current best practice guidance**

Members will be aware that Part 2 of the Council's Local Plan was subject to an informal consultation earlier this year and although it suggests some potential sites for travellers and travelling showpeople at Faraday Way at the northern end of the town the weight that can be attached to the plan and these proposed allocations at this stage is limited. Members will also be aware that work on the Neighbourhood Plan for the Marton Moss Strategic Site is ongoing, however the weight that can be attached to the plan at this stage is limited.

SITE DESCRIPTION

The application site is 0.8 hectares of agricultural land with a derelict timber/corrugated building on part. To the rear (east) is the Midgeland Road tip (within Fylde), behind an open watercourse and belt of trees; and there is sporadic residential development in the vicinity. It is located within Marton Moss on the south eastern fringe of the borough, close to the boundary with Fylde borough. The area has a distinctive semi-rural character formed by the mix of horticultural, equestrian, residential and other uses present, reflecting its historic past as a market gardening area. While more development exists along the main highway frontages, the land behind these frontages retains an essentially rural character, although it is very different from typical more open countryside. The site forms part of the Marton Moss Strategic Site as defined in the Blackpool Local Plan Part 1: Core Strategy, adopted January 2016.

SITE HISTORY

18/0123 Erection of a building to house 4 stables and 1 storage area and formation of paddock, hardstanding area and access road/track GRANTED.

17/0763 Erection of a building to house 8 stables and 2 tack rooms and formation of paddock, hardstanding area and access road/track REFUSED

76/0055 Use of land for siting of caravan REFUSED

75/1717 Siting of 1 residential caravan REFUSED

75/0735 Erection of temporary dwelling REFUSED

74/0133 Erection of dwelling house on small holding REFUSED

DETAILS OF PROPOSAL

Planning permission was granted last year (18/0123 refers) for the erection of a building to house 4 stables and 1 storage room and formation of paddock, hardstanding area and access road/track. The current proposal is to implement that permission, in addition to the use of the land as a traveller caravan site for two static caravans, two touring caravans and two amenity buildings. The development would be to the rear of the site in proximity to the borough boundary with Fylde; and an existing hedge would be to the front of the caravans, screening them from view. It also includes the provision of four car parking spaces and associated hardstanding. The development would not encroach onto the front of the site (to be a paddock), so the developed area would amount to approximately 1,000 square metres.

The application is accompanied by a Design and Access Statement. In response to a questionnaire which has been sent out for all 3 applications on the agenda, the agent states

that in the last year, more than 5 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. The agent states "Please find attached a completed questionnaire setting out my client's travelling pattern. As you will see, the applicant travels extensively for work, including horse fairs. The keeping of horses is intrinsic to his traditional gypsy way of life and, the application site would allow him a settled base where he can live and look after his horses. Living on the same land as his horses would reduce the number of trips he needs to make and, contributes towards the sustainability of the proposed development."

The application has been advertised as a Departure from the Development Plan

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: It is of concern that the use is now being changed to (at least partly) residential since the location is relatively inaccessible by any quantification of accessibility. For that reason I cannot support the application. Given that a single approval would not materially change the highway issues on Midgeland Road an objection on highway grounds would not be effective.

Conservation Officer: I refer to the application for land adjacent to 433 Midgeland Road, which falls within the Marton Moss Conservation Area. Notwithstanding other policy considerations, the proposed amenity buildings and additional hard standing would be set well back from Midgeland Road and the caravans screened by trees, so the development will have minimal visual impact on the character of the Conservation Area, provided the paddock is maintained in a condition suitable for grazing to support the proposed use and additional buildings. Additional hard standing should be kept to a minimum, and grass reinforcement mesh used wherever possible instead of gravel or other surface material. No trees should be removed as part of the development, and additional screening should be provided if necessary.

NATS (Aerodrome Safeguarding): The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria.

Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal. However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted. If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Blackpool Civic Trust: Reviewing the proposed planning guidelines suggest to us an overall a strategy is needed for travellers within the borough and a one off application should be deferred until the findings are known.

Marton Moss Neighbourhood Forum: No response to date. Any comments received prior to the Committee meeting will be reported in the update note.

Service Manager Public Protection: Historically the land has been used as a nursery, as a result a Phase 1 study is requested. If this shows that there is a significant likelihood of significant harm then it is to be followed by a Phase 2 investigation.

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 08/05/2019

Neighbours notified: 07/05/2019

Objections received from:

Mardi Gras, Division Lane - Approving traveller sites is depreciating all the surrounding properties and the traffic is horrendous in this area before these heavy duty homes and vehicles start moving in and out of this area, we should not be punished and pushed aside and made to feel less important as I am personally not allowed to build on my land opposite this site, please tell me how this is fair? I would also like to know why you have allowed/allowing at least 5 gypsy sites all within the space of a mile and in such a short space of time! Will you be offering support and compensation for all those affected by the work, the hassle and the depreciation of their homes? My land which is stables is:- 562 Midgeland Road. I am a member of the Marton Moss forum and will be getting legal advice either from them or seeking a personal lawyer! I AM DISGUSTED!!! If you lived where we do, how would you feel?

NATIONAL PLANNING POLICY FRAMEWORK

The revised 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:

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

PLANNING POLICY FOR TRAVELLER SITES (PPTS)

This 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 planmaking 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
- CS8: Heritage
- 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
- LQ10: Conservation Areas
- BH3: Residential and visitor amenity
- BH4: Public health and safety
- AS1: General development requirements (transport)

BLACKPOOL LOCAL PLAN PART 2: PROPOSED SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES

The Blackpool Local Plan Part 2 has been subject to an informal consultation exercise and will be subject to formal consultation later this year. At this point in time limited weight can be attached to the proposed policies. The policies in Part 2 that are most relevant to this application are:

- Policy DM20: Landscaping
- Policy DM27: Conservation Areas
- Policy DM33: Biodiversity
- Policy DM39: Transport Requirements for New Development

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 this Council in conjunction with neighbours Wyre and Fylde 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 3 Councils' areas and set out the need in the future, broken down into 5 year periods as advocated by the Government's document. The Gypsy and Traveller and Travelling Showpeople Accommodation Assessment 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 for Traveller Sites now requires a Gypsy and Traveller and Travelling Showpeople Accommodation Assessment 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 Gypsy and Traveller and Travelling Showpeople Accommodation Assessment identified a need for 38 additional Gypsy and Traveller pitches and 2 Travelling Showpeople plots. The updated Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (with the new definition of Gypsy or Traveller) indicates that there is a need for a maximum of 6 additional pitches in Blackpool over the 15 year Gypsy and Traveller and Travelling Showpeople Accommodation Assessment period (2016 - 2031). Since a number of sites have been recently approved in Fylde, which contribute towards Blackpool's supply, there is only a requirement for one pitch, which could be met on the School Road site (19/0094).

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 Planning Policy for Traveller Sites clearly requires Councils to have a five year supply of sites (and preferably more) if a need is identified. The Council 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 4 years ago (land adjacent to 39 School Road), the one prior to that was 17 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 Gypsy and Traveller and Travelling Showpeople Accommodation Assessment 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 development plan document is adopted and hence it sets out 8 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, and is remote 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 which is 1.2 km to the west, and provides half hourly services to St Annes and to Blackpool Town Centre, and the closest train station is 4 km distant. The site is 1 km from St Nicholas Church of England Primary School and almost 3 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 2.5 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, although there is a derelict single storey building on it, it is probably a workshop/store originally associated with agricultural/horticultural use of the field.

The policy position is that Policy CS26 for Marton Moss in the Core Strategy promotes a continuation of the policy stance set out in Policy NE2 of the 2001-2016 (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 other gypsy/traveller accommodation sites along this section of Midgeland Road. There is a site at 411 Midgeland Road 18/0156 refers), which although was considered unsustainable, was approved because the unmet need (lack of 5 year supply of sites) at that time weighed significantly in the balance. The travelling showmans site across Midgeland Road (19/0010) was similarly approved, because although unsustainable, the unmet need for this type of site weighed significantly in favour of the application. 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, amenity blocks and vehicles to the rear of the site, over 100 metres from the road and behind a substantial hedge, with a field to the front for the paddock, would mean less impact on the character and appearance of the Marton Moss Conservation Area.

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

The site is to accommodate two pitches (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;

See the comments in respect to 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 have to be by car.

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 Head of Highways and Traffic Management has objected to the proposal as he considers that the location is relatively inaccessible by any quantification of accessibility and considers that for that reason he cannot support the application. However, he considers that a single approval would not materially change the highway issues on Midgeland Road, so an objection on highway grounds would not be effective. 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, if approval was being considered by Committee, a condition could be imposed limiting the use of the remainder of the site in order to limit the area of hardstanding and the numbers and sizes of vehicles accessing the site to that associated with what is currently proposed.

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 to be retained around the proposed amenity blocks and caravans in order to not impact on the appearance of the site and provide some privacy to neighbours. The caravans would be located so that any views into neighbouring gardens would be restricted by landscaping and the stable building. The caravans and chalet would be in close proximity to each other, but as it is anticipated that the two families would be related, privacy is not considered to be an issue.

In terms of the likely impact upon 433 Midgeland Road the caravans would be located well away from the dwelling. The proposed access road would run along the boundary with the dwelling, but it is considered that the impact of its use by two families should not adversely impact in terms of potential noise and disturbance.

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

There is no need for communal recreational areas as it is anticipated that the proposal would be for two related families.

Need for the development

The Gypsy and Traveller and Travelling Showpeople Accommodation Assessment demonstrates that there is a need to provide additional sites over the next 5 years and beyond. Prior to today's Planning Committee meeting, that amounted to the need for one pitch. That should be satisfied by the earlier application considered by committee (19/0094). There is therefore no over-riding need for this proposal.

Personal circumstances of the applicants

The Public Sector Equality Duty (PSED) contained in the Equality Act 2010 sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. The best interests of any child is also a primary Public Sector Equality Duty consideration. Since the application involves two gypsy families, they have protected characteristic for the purposes of the Public Sector Equality Duty.

In thinking about the aims of the Public Sector Equality Duty, the statement made by the agent which accompanies the application does not provide any personal circumstances as to why the applicant needs to be here. His initial statement submitted with the proposal, stated that "anybody should be able to apply for a gypsy caravan site, without being a gypsy themselves. The use of the land as a gypsy caravan site can be controlled by condition and, occupation restricted to gypsies and travellers falling within the definition in Annex 1 of Planning Policy for Traveller Sites."

No strong family connections to Blackpool have been cited and no overriding personal circumstances have been advanced in relation to dependant relatives or children. The only reason put forward is so that the applicant can better care for his horses, which I do not consider to be a factor over-riding the normal application of Policy.

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 not be particularly visible from Midgeland Road behind the existing hedge 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 dwellings as the proposed siting of the caravans/amenity building and the retention of a landscaped buffer would help to reduce the impact, see section g. above. A planning condition could require a scheme of additional planting (including details of species etc) if approval was considered appropriate. Use of the site could also be restricted to two related families living within two caravans and two amenity buildings 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 a maximum of two families, 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 6 pitches in Blackpool in the period 2016 - 2031; however the need has been reduced to one site by various approvals within Fylde and consideration of 19/0094 earlier on this Committee removes any further requirement to provide more sites if approved. If 19/0094 is refused, the lack of sites in Blackpool to meet that need weighs in some small measure in favour of this application. However, the application site has poor accessibility - it is on what is effectively a quiet cul-de-sac on Marton Moss, and is somewhat remote from St. Nicholas primary school on School Road, the no. 17 bus service 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, amenity buildings and parking within the site. However, the lack of need, the unsustainable location and conflict with Policy CS26 weighs against the proposal, and on balance it is considered that a recommendation of refusal is appropriate.

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, refusing the application would not be an interference of the applicant's rights as there is no home established on the site.

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 Files 18/0123, 18/0156, 19/0010, 19/0094, 19/0150 & 19/0317 which can be accessed via the link below: <http://idoxpa.blackpool.gov.uk/online-applications/search.do?action=weeklyList>

Recommended Decision: Refuse

Conditions and Reasons

1. In the absence of any over-riding identified need for the development in terms of Policy CS16, the proposal is contrary to Policy CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, which seeks to limit development in Marton Moss to the conversion or change of use of existing buildings for agricultural or horticultural purposes, or outdoor recreational uses appropriate to a rural area, in advance of the production of a Neighbourhood Plan for the area.

2. The proposed use of the land as a traveller site for two gypsy families would not constitute sustainable development in terms of the economic, environmental or

social dimensions as set out in the National Planning Policy Framework; in particular because the location is remote relative to services and bus routes. As such, the proposal would be contrary to the National Planning Policy Framework and Policy CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012 – 2027 which seek to prevent any further erosion of the remaining rural character of Marton Moss.

3. ARTICLE 35 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 38)

The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors which conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and the Blackpool Local Plan 2001-2016, which justify refusal.

Advice Notes to Developer

Not applicable