

**COMMITTEE DATE:** 11/02/20

**Application Reference:** 19/0781

**WARD:** Marton

**DATE REGISTERED:** 17/12/2019

**APPLICATION TYPE:** Full Planning Permission

**APPLICANT:** Zell-am Group

**PROPOSAL:** Use of land as a holiday caravan park for the siting of 10 touring caravans or motor homes.

**LOCATION:** LAND AT NEW HALL AVENUE, BLACKPOOL

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**Summary of Recommendation:** Grant Permission

**CASE OFFICER**

Miss P. Greenway

**BLACKPOOL COUNCIL PLAN 2019-2024**

The Council Plan sets out two priorities. The first is 'the economy: maximising growth and opportunity across Blackpool', and the second is 'communities: creating stronger communities and increasing resilience.

The proposal accords with the first priority in that it is creating employment and the additional visitors will add spending into the economy.

**SUMMARY OF RECOMMENDATION**

The proposal would technically be contrary to Policy CS21 which directs visitor accommodation to the town centre, resort core and defined holiday areas. However, there are no touring caravan sites within those areas and therefore this could be justified as an exceptional circumstance for a niche type of tourism. The recommendation is therefore for approval.

**INTRODUCTION**

This application is before Members because it is a departure from the Development Plan.

## **SITE DESCRIPTION**

This application relates to a rectangular plot of land on New Hall Avenue, a cul-de-sac immediately south of Progress Way. The majority of the land is occupied by a pond (New Hall Fishery), to the north and south of which are hardstanding areas. The one to the south is occupied by a five touring caravan certificated site, which recently relocated from the land to the north of the pond. The site is well landscaped around its boundaries and a public footpath links New Hall Avenue with Progress Way (there is no vehicular access at this point). Across New Hall Avenue is a balancing pond and pumping station which links into the wider surface water drainage system on Marton Moss and the pumping station at Magnolia Point. Stables and a dwelling are diagonally across the road from the site entrance.

The property is within Marton Moss Conservation Area and Flood Zone 1.

## **DETAILS OF PROPOSAL**

The proposal is to expand the existing offer of five touring caravans to the south of the pond by an additional five touring caravans or motor homes (motor homes are caravans for the purposes of planning control and site licensing) to the north, immediately adjacent Progress Way. An otter fence surrounds the pond. The dwelling diagonally opposite the site entrance (previously known as “Serendipity” is in the same ownership and supervises the existing (and would supervise the proposed) touring caravan site.

The application has been supported by:

- A Heritage Statement
- A method of operation statement

## **RELEVANT PLANNING HISTORY**

There is no relevant planning history.

## **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- The principle of the use in this location
- The impact on the character and appearance of Marton Moss
- The impact on residential amenity
- The impact on highway/pedestrian safety

## **CONSULTATION RESPONSES**

United Utilities: recommends two conditions.

**Conservation Officer:** The site will be screened (and would benefit from additional screening along Progress Way) so I have no objection in principle.

**Local Highway Authority:** Whilst the site is demonstrably difficult to access this does not affect the public highway. I have no objection.

**Blackpool Civic Trust:** The application will be difficult to object to but conditions should be made restricting occupation of the caravans in the winter months and forbidding it being converted into use by the traveller community at a later date given the number of applications made in recent time.

**Marton Moss Neighbourhood Forum:** No response to date. Any comments will be reported in the Update Note.

## **REPRESENTATIONS**

Press notice published: Not Applicable

Site notice published: 18/12/19

Neighbours notified: 17/12/19

No representations have been received.

## **RELEVANT PLANNING POLICY**

### **National Planning Policy Framework (NPPF)**

The National Planning Policy Framework (NPPF) was adopted in February 2019. It sets out a presumption in favour of sustainable development. The following sections are most relevant to this application:

- 12. Achieving well-designed places
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

### **National Planning Practice Guidance (NPPG)**

The National Planning Practice Guidance (NPPG) expands upon and offers clarity on the points of policy set out in the NPPF.

### **Blackpool Local Plan Part 1: Core Strategy 2012-2027**

The Core Strategy was adopted in January 2016. The following policies are most relevant to this application:

- CS5 Connectivity
- CS7 Quality of Design
- CS8 Heritage

- CS9 Water Management
- CS21 Leisure and Business Tourism
- CS26 Marton Moss
- CS27 South Blackpool Transport and Connectivity

### **Blackpool Local Plan 2011-2016 (saved policies)**

The Blackpool Local Plan was adopted in June 2006. A number of policies in the Local Plan have now been superseded by policies in the Core Strategy but others have been saved until the Local Plan Part 2: Site Allocations and Development Management Policies has been produced. The following saved 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
- NE10 Flood Risk

### **Blackpool Local Plan Part 2: Site Allocations and Development Management Policies (emerging 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 policies proposed. Nevertheless, the following draft policy in Part 2 is most relevant to this application:

- DM27: Conservation Areas

### **ASSESSMENT**

#### **Principle**

Part 5 of Schedule 2 of the General Permitted Development Order (GPDO) at C states that Land occupied and supervised by an “exempted organisation” (including The Caravan Club, The Camping and Caravanning Club Ltd, and the Motor Caravanners Club Ltd) is Permitted Development. This allows a maximum of five caravans to be parked on exempted organisation approved sites, and rallies and meetings supervised and organised by exempted organisations may be held for five days. This exemption was mentioned in (cancelled) Planning Policy Guidance Note 1 Annex B as a “useful means of providing small sites in sensitive rural areas where larger sites would be unduly intrusive and should help to contribute to the rural economy in those areas. The use of these sites by other than members of these organisations would be a breach of the terms of the general planning permission.” The rights apply only to the use of land and not to operational development, however there is already an amenity block (shower/W.C. facilities) on the site which has been there for many years and are immune from enforcement action.

Given that this part of the site has been used as a Caravan Club site for in excess of ten years, in policy terms it is not felt that permission could reasonably be refused for occupation of the same site, and in the same layout, by five touring caravans unconnected with an exempted organisation. Policy CS26 relates to Marton Moss and states that in advance of a neighbourhood planning approach, development on Marton Moss will be limited but could include outdoor recreational uses appropriate to a rural area. It is not considered that caravans constitute an outdoor recreational use, but they would be supportive of the fishery within the site.

The proposal would technically be contrary to Policy CS21 which directs visitor accommodation to the town centre, resort core and defined holiday areas. However, there are no touring caravan sites within those areas and therefore this could be justified as an exceptional circumstance for a niche type of tourism. As the accommodation would appeal to a different market of holiday-maker, it is not considered that the use would undermine the character or function of the main holiday areas.

### **Character and appearance of Marton Moss Conservation Area**

The application site has operated as a Caravan Club licensed site for a significant number of years, whereby a licence has been granted on an annual basis for up to five touring caravans to use the site at any one time. The site is well screened by an existing wall, fences and vegetation. The proposals would bring the caravans closer to Progress Way, but additional landscaping, in the form of hedge planting, would supplement the Progress Way boundary. The site is served by an existing “chalet” type amenity block and there are no residential properties directly overlooking it.

There have not been any significant changes to New Hall Avenue which have adversely impacted on its rural character or recent designation as a Conservation Area and it still retains the appearance of a semi-rural area. It is not felt that the stationing of a maximum of ten touring caravans or motor homes would adversely affect the character and appearance of the area.

Conditions could be imposed to restrict the number of caravans, the length of individual stays and the retention/supplementation of the landscaping.

### **Amenity**

The proposal would have limited impact on residential neighbours. There is a residential dwelling adjacent to the west, but the noise from Progress Way is likely to cause more nuisance than that emanating from touring caravans.

### **Other Issues**

New Hall Avenue is a largely unmade, single track road without footways, for the majority of its length and access to the site involves negotiating a right angled bend in the road. There is therefore the potential for greater vehicle-to-vehicle and pedestrian/horse/vehicle conflict with ten caravans rather than five using the road. The applicant says that the whole lane is visible at either end to enable campers to give way in either direction. No other vehicles use

this road for any form of access as it is a dead-end and departure times are set for 1 hour prior to arrival times. In addition, the use is for up to ten caravans and hence the maximum number may not always be present. The Head of Transportation does not have any objection and it is therefore considered that the proposal does not conflict with Policy AS1.

Drainage/flood risk. No objections have been raised by United Utilities, subject to the imposition of conditions. There is already a large fishing pond on site, which presumably would take any excess surface water run-off.

The scheme would not impact materially upon biodiversity. air, land and water quality would be unaffected and the site would not be expected to be at undue risk from such.

### **Sustainability and planning balance appraisal**

Sustainability comprises economic, environmental and social components.

Economically the scheme would have a very limited impact but the formation of additional tourism would help to support the existing business and local shops and services, and some minimal employment would be generated on site.

Environmentally, the proposal would be acceptable, there would be no detrimental impact on drainage and environmental quality and biodiversity would not be materially affected.

Socially, the scheme would not have any adverse impact in terms of flood risk. No significant impacts on highway safety are anticipated.

In terms of planning balance, the development proposed is considered to constitute sustainable development. No other material planning considerations have been identified that would outweigh this view.

### **CONCLUSION**

As set out above, the scheme is judged to represent sustainable development and no other material planning considerations have been identified that would outweigh this assessment. On this basis, planning permission should be granted.

### **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. It is not considered that the application raises any human rights issues.

## **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(s) 19/0781 which can be accessed via this link:

<https://idoxpa.blackpool.gov.uk/online-applications/search.do?action=simple>

**Recommended Decision:** Grant Permission

### Conditions and Reasons

- 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: Location Plan and drawings showing site plan received by the Council on 17 December 2019.

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

- 3 The site shall not accommodate more than ten touring caravans (or motor homes) at any one time.

Reason: To safeguard the character and appearance of Marton Moss Conservation Area, and in the interests of highway safety, in accordance with Policies CS26, AS1 and LQ10.

- 4 No caravan or motor home shall be stationed on the application site for a continuous period of more than 28 days.

Reason: To safeguard the character and appearance of the area and prevent permanent occupation of the site, in accordance with Policy CS26.

- 5 Before the development is commenced, a management plan shall be submitted to and approved in writing by the Local Planning Authority to control the timings of arrivals to and departures from the application site. All arrivals to and departures from the site shall then take place in accordance with the approved management plan.

Reason: In the interests of highway and pedestrian safety in accordance with Policy AS1 of the Blackpool Local Plan 2001 – 2016.

- 6 Within six months from the date of this permission, the hedgerow along the Progress Way frontage shall be supplemented by native species and shall thereafter be maintained at a height of not less than 2.5 metres.

Reason: To safeguard the character and appearance of Marton Moss Conservation Area, in accordance with Policies CS26 and LQ10.

- 7 No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;

(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and

(iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provisions of the NPPF and NPPG and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

- 8 Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.