

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	18 NOVEMBER 2020	5
CARAVAN SITE LICENSING – MOWBRECK CARAVAN PARK HOLIDAY CARAVAN SITE LICENCE			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

An application has been received from the site owner to amend the holiday caravan site licence to remove the closure period for the 2020-2021 season only.

RECOMMENDATION

That the Committee considers a request to add a condition to the holiday caravan site licence which will be effective for the 2020-2021 season only stating the following –

Static holiday caravans are permitted to remain occupied between 16th January 2021 and 29th January 2021

SUMMARY OF PREVIOUS DECISIONS

12/0459 & 12/0680 Variation of condition 7 of planning permission 78/0823 to allow all year round occupation of static caravans for holiday purposes.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

REPORT

1. Mowbreck Caravan Park benefits from a holiday caravan site licence allowing for 196 static holiday caravans to be stationed on the site and occupied between 29th January and 16th January the following year (Appendix 1). It also has a residential caravan site licence allowing for a further 30 caravans to be occupied all year round.

2. An application was received from the site owner on 17th September 2020 requesting permission for the holiday site to remain open during the usual closed period between 16th January 2021 and 29th January 2021. (appendix 2). She advises that she has many holiday home owners at Mowbreck park who have their main residence abroad and are unable to travel there due to the current covid 19 restrictions in place.
3. Government guidance has been issued in respect of applications of this nature. (Appendix 3)
4. Planning have been consulted in accordance with the government guidance and have provided the response (appendix 4)
5. Lancashire Fire and Rescue Services have been consulted on this application and have not expressed any concerns.

IMPLICATIONS	
Finance	None arising directly from the report.
Legal	None arising directly from the report.
Community Safety	None arising directly from the report.
Human Rights and Equalities	None arising directly from the report.
Sustainability and Environmental Impact	None arising directly from the report.
Health & Safety and Risk Management	None arising directly from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
Joanne Gallagher	joanne.gallagher@fylde.gov.uk Tel 01253 658609	12 th October 2020

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Application for variation of site licence	12 th October 2020	Licensing office, first floor town hall

Attached documents

Appendix 1 - Existing site licence

Appendix 2 - Application to vary site licence

Appendix 3 - Government guidance

Appendix 4 – Planning comments



Caravan Sites and Control of Development Act 1960

Section 3

Holiday Caravan Site Licence

Mowbreck Park

To: S Carroll & M Carroll
Mowbreck Park Ltd
Mowbreck Lane
Wesham
Lancashire
PR4 3JR

TAKE NOTICE THAT WHEREAS

On 21st January 2019 you made application for a site licence in respect of land situated at Mowbreck Park, Mowbreck Park, Wesham, Lancashire indicated on the plan submitted with the application (which land is hereinafter called "the land") You are entitled to benefit of permission for the use of the land as a caravan site under the Town and Country Planning Acts, 1962 to 1990, otherwise than by a Development Order.

Fylde Council hereby grant a site licence in respect of the land pursuant to Section 3 of the Caravan Sites and Control of Development Act 1960, subject to the following conditions.

This Licence cancels all previous licences.

The Schedule

1. The total number of caravans stationed on the site at any one time shall be such as to enable compliance with the requirements of this schedule to be maintained and in any case shall not exceed One Hundred and Ninety-Six (196).

2. Caravans shall be used solely for human habitation as static holiday caravans and no caravan shall be occupied between 16th January and 29th January in any one year.
3. At all times when caravans are stationed on the site for the purposes of human habitation, all facilities and equipment required to be provided by this schedule shall be properly maintained.

Site Boundaries

4. The boundaries of the site should be clearly marked, for example by fences or hedges. In addition, the site owner should give the local authority a plan of its layout. It is recommended that a 3 meter wide area should be kept clear within the inside of all boundaries.

Density and Space Between Caravans

5. Subject to the following variations, the minimum spacing distance between caravans made of aluminium or other materials with similar fire performance properties should be not less than 5 meters between units, 3.5 meters at the corners. For those with a plywood or similar skin it should be not less than 6 meters. Where there is a mixture of holiday caravans of aluminium and plywood, the separation distance should be 6 meters; and where there is a mixture of permanent residential homes and holiday caravans, the separation distance should again be 6 meters. The point of measurement for porches, awnings, etc is the exterior cladding of the caravan.
 - Porches may protrude 1 meter into the 5 metres and should be of the open type.
 - Where there are ramps for the disabled, verandahs and stairs extending from the unit, there should be 3.5 meter clear space between them (4.5 meter if mixture of caravans) and such items should not face each other in any space. If they are enclosed, they may need to be considered as part of the unit and, as such, should not intrude into the 5 or 6 meter space.
 - A shed or a covered storage space should be permitted between units only if it is of non-combustible construction (including non-combustible roof) and sufficient space is maintained around each unit so as not to prejudice means of escape in case of fire. Car ports and covered walkways should in no circumstances be allowed within the 5 or 6 meter space.
6. The density should be consistent with safety standards and health and amenity requirements. The gross density should not exceed 60 (sixty) caravans to the hectare, calculated on the basis of the useable area (ie excluding lakes, roads, communal services and other areas unsuitable for the siting of caravans) rather than the total site area.
7. Roads and footpaths should be designed to provide adequate access for fire appliances. (Detailed guidance on turning circles etc is available from fire authorities). Roads of suitable material should be provided so that no static caravan standing is more than fifty metres from a road. Where the approach to the caravan

is across ground that may become difficult or dangerous to negotiate in wet weather, each standing should be connected to a carriageway by a footpath with a hard surface. Roads should not be less than 3.7 metres wide, or, if they form part of a clearly marked one way traffic system, three metres wide. Gateways should be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres. Footpaths should not be less than 0.75 metres wide. Roads should have no overhead cable less than 4.5 metres above the ground. They should be suitably lit taking into account the needs and characteristics of a particular site. Emergency vehicle routes within the site should be kept clear of obstruction at all times.

Hard Standings

8. Where possible, every static caravan should stand on a hard standing of suitable material, which should extend over the whole area occupied by the caravan placed upon it, and should project a sufficient distance outwards from the entrance or entrances of the caravan to enable occupants to enter and leave safely.

Hard standings may be dispensed with if the caravans are removed during the winter, or if they are situated on a ground which is firm and safe in poor weather conditions.

Fire Fighting Appliances

Fire Points

9. These should be established so that no caravan or site building is more than thirty metres from a fire point. They should be housed in a weather-proof structure, easily accessible and clearly and conspicuously marked "FIRE POINT".

Fire Fighting Equipment

10. Where water standpipes are provided and there is a water supply of sufficient pressure and flow to project a jet of water approximately 5 metres from the nozzle, such water standpipes should be situated at each fire point. There should also be a reel that complies with British Standard 5306 Part 1, with a hose not less than 30 metres long, having a means of connection to a water standpipe (preferably a screw thread connection) with a water supply of sufficient pressure and terminating in a small hand control nozzle. Hoses should be housed in a box painted red and marked "HOSE REEL".
11. Where standpipes are not provided but there is a water supply of sufficient pressure and flow, fire hydrants should be installed within 100 metres of every caravan standing. Hydrants should conform to British Standard 750. Access to hydrants and other water supplies should not be obstructed or obscured.
12. Where standpipes are not provided or the water pressure or flow is not sufficient, each fire point should be provided with either water extinguishers (2 x 9 litre) or a water tank of at least 500 litres capacity fitted with a hinged cover, 2 buckets and 1 hand-pump or bucket pump.

Fire Warning

13. A means of raising the alarm in the event of a fire should be provided at each fire point. This could be by means of a manually operated sounder, eg metal triangle with a striker, gong or hand operated siren. The advice of the fire authority should be sought on an appropriate system.

Maintenance

14. All alarm and fire fighting equipment should be installed, tested and maintained in working order by a competent person and be available for inspection by, or on behalf of, the licensing authority. A log-book should be kept to record all tests and any remedial action.
15. All equipment susceptible to damage by frost should be suitably protected.
16. A clearly written and conspicuous notice should be provided and maintained at each fire point to indicate the action to be taken in case of fire and the location of the nearest telephone. This notice should include the following:

"On discovering a fire:

- i) Ensure the caravan or site building involved is evacuated.
- ii) Raise the alarm.
- iii) Call the fire brigade (the nearest telephone is sited ...).
- iv) Attack the fire using the fire fighting equipment provided, if safe to do so.

It is in the interest of all occupiers of this site to be familiar with the above routine and

the method of operating the fire alarm and fire fighting equipment."

Fire Hazards

17. Long grass and vegetation should be cut at frequent and regular intervals where necessary to prevent it becoming a fire hazard to caravans, buildings or other installations on the site. Any such cuttings should be removed from the vicinity of caravans. The space beneath and between caravans should not be used for the storage of combustible materials.

Telephones

18. An immediately accessible telephone should be available on the site for calling the emergency services. A notice by the telephone should include the address of the site.

Storage of Liquefied Petroleum Gas (LPG)

19. The storage of LPG should comply with LPGA Code of Practice 7: "Storage of full and empty LPG cylinders and cartridges" or LPGA Code of Practice 1 Part 1: "Bulk storage at fixed installations: installation and operation of vessels located above ground", as appropriate.

Where there are metered supplies from a common LPG storage tank, then LPGA Code of Practice 25: "The Storage and Use of LPG at Metered Estates" provides further guidance. In this case and where a mains gas supply is available, then the Gas Safety (Installation and Use) Regulations 1998 and the Pipe-lines Act 1962 may also be applicable.

Exposed gas bottles or cylinders should not be within the separation boundary of an adjoining unit.

LPG installations should conform to British Standard 5482, "Code of Practice for Domestic Butane and Propane Gas Burning Installations, Part 2: 1977 Installations in Caravans and Non-Permanent Dwellings".

For mains gas supply, the 1984 Regulations will be relevant for the installation downstream of any service pipe(s) supplying any primary meter(s) and such service pipes are subject to the Gas Safety Regulations 1972.

In cases where the site owner supplies gas to caravans on the site, he may need an authorisation to do so from OFGAS under the Gas Act 1986.

Electrical Installations

20. Sites should be provided with an electricity supply sufficient in all respects to meet all reasonable demands of the caravans situated on them.
21. Such electrical installations, other than Electricity Board works and circuits subject to regulations made by the Secretary of State under Section 16 of the Energy Act 1983 and Section 64 of the Electricity Act 1947, should be installed, tested and maintained in accordance with the provisions of the Institution of Electrical Engineers' (IEE) Regulations for Electrical Installations for the time being in force, and where applicable, to the standard which would be acceptable for the purposes of the Electricity (Overhead Lines) Regulations 1988, Statutory Instrument 1988 No 1057.
22. Work on electrical installations and appliances should be carried out only by competent persons such as the manufacturer's appointed agent, the electricity supplier, a professionally qualified electrical engineer, a member of the Electrical Contractors' Association, a contractor approved by the National Inspection Council for Electrical Installation Contracting, or a qualified person acting on behalf of one of the above.

The installations should be inspected periodically: under IEE Wiring Regulations, every year or such longer period (not exceeding three years) as is considered

appropriate in each case. When an installation is inspected, it should be judged against the current regulations.

The inspector should, within 1 (one) month of such an inspection, issue an inspection certificate in the form prescribed in the IEE Wiring Regulations which should be retained by the site operator and displayed, supplemented or replaced by subsequent certificates, with the site licence. The cost of the inspection and report should be met by the site operator or licence holder.

23. If an inspection reveals that an installation no longer complies with the regulations extant at the time it was first installed, any deficiencies should be rectified. Any major alterations and extensions to an installation affected by them should comply with the latest version of the IEE Wiring Regulations.
24. If there are overhead electric lines on the site, suitable warning notices should be displayed at the entrance to the site on supports for the line. Where appropriate, particular attention should be drawn to the danger of masts of yachts or dinghies contacting the line.

Water Supply

25. All sites should be provided with a water supply in accordance with appropriate Water By-laws and statutory quality standards.

Drainage, Sanitation and Washing Facilities

26. Satisfactory provision should be made for foul drainage, either by connection to a public sewage treatment works or by discharge to a properly constructed septic tank or cesspool approved by the Local Authority.
27. Properly designed disposal points for the contents of chemical closets should be provided, with an adequate supply of water for cleaning the containers.

Refuse Disposal

28. Every caravan standing should have an adequate number of suitable non-combustible refuse bins with close-fitting or plastic bags. Arrangements should be made for the bins to be emptied regularly. Where communal refuse bins are also provided these should be of similar construction and housed within a properly constructed bin store

Parking

29. One car only may be parked between adjoining caravans provided that the door to the caravan is not obstructed. Suitably surfaced parking spaces should be provided where necessary to meet the additional requirements of the occupants and their visitors. Plastic or wooden boats should not be parked between units.

Recreation Space

30. Where children stay on the site, space equivalent to about one-tenth of the total area should be allocated for children's games and/or other recreational purposes.

This provision will normally be necessary because of the limited space available round the caravans, but may be omitted where there are suitable alternative publicly provided recreational facilities which are readily accessible.

Notices

31. A suitable sign should be prominently displayed at the site entrance indicating the name of the site.
32. A copy of the site licence with its conditions should be displayed prominently on the site.
33. Notices and a plan should be displayed on the site setting out the action to be taken in the event of an emergency. They should show where the police, fire brigade, ambulance and local doctors can be contacted, and the location of the nearest public telephone. The notices should also give the name and location/ telephone number of the site licence holder or his/her accredited representative. At sites subject to flood risk, warning notices should be displayed giving advice about the operation of the flood warning system.
34. All notices should be suitably protected from the weather and displayed where possible out of the direct rays of the sun, preferably in areas lit by artificial lighting.

Dated 14th day of February 2019

A handwritten signature in dark ink, appearing to read 'Tracy Manning', is written over a light blue horizontal line.

Director of Resources

Resources Directorate

Notes

It is provided by the Caravan Sites and control of Development Act 1960 as follows:-

Appeal to Magistrates' Court against conditions attached to site licence.

7.-(1) Any person aggrieved by any condition (other than the condition referred to in subsection (3) of section five of this Act) subject to which a site licence has been issued to him in respect of any land may, within twenty-eight days of the date on which the

licence was so issued, appeal to a Magistrates' Court acting for the petty sessions area in which the land is situated; and the Court, if satisfied (having regard amongst other things to any standards which may have been specified by the Minister under subsection (6) of the said section five) that the condition is unduly burdensome, may vary or cancel the condition.

(2) Insofar as the effect of a condition (in whatever words expressed) subject to which a site licence is issued in respect of any land is to require the carrying out on the land of any works, the condition shall not have effect during the period within which the person to whom the site licence is issued is entitled by virtue of the foregoing subsection to appeal against the condition nor, thereafter, whilst an appeal against the condition is pending.

Provision as to breaches of condition

9.-(1) If an occupier of land fails to comply with any conditions for the time being attached to a site licence held by him in respect of the land, he shall be guilty of an offence and liable on summary conviction, in the case of the first offence to a fine not exceeding level 4 on the Standard Scale of fines*.

(2) Where a person convicted under this section for failing to comply with a condition attached to a site licence has on two or more previous occasions been convicted thereunder for failing to comply with a condition attached to that licence, the court before whom he is convicted may, if an application in that behalf is made at the hearing by the local authority in whose area the land is situated, make an order for the revocation of the said site licence to come into force on such date as the court may specify in the order, being a date not earlier than the expiration of any period within which notice of appeal (whether by case stated or otherwise) may be given against the conviction; and if before the date so specified an appeal is so brought the order shall be of no effect pending the final determination or withdrawal of the appeal.

The person convicted or the local authority who issued the site licence may apply to the magistrates' court which has made such an order revoking a site licence for an order extending the period at the end of which the revocation is to come into force, and the magistrates' court may, if satisfied that adequate notice of the application has been given to the local authority or, as the case may be, the person convicted, make an order extending that period.

(3) Where an occupier of land fails within the time specified in a condition attached to a site licence held by him to complete to the satisfaction of the local authority in whose

area the land is situated any works required by the condition to be so completed, the local authority may carry out those works, and may recover as a simple contract debt in any court of competent jurisdiction from that person any expenses reasonably incurred by them in that behalf.

Transfer of site licences and transmission on death, etc.

10.-(1) When the holder of a site licence in respect of any land ceases to be the occupier of the land he may, with the consent of the local authority in whose area the land is situated, transfer the licence to the person who then becomes the occupier of the land.

(2) Where a local authority give their consent to the transfer of a site licence, they shall endorse on the licence the name of the person to whom it is to be transferred and the date agreed between the parties to the transfer as the date on which that person is, for the purposes of this Part of this Act, to be treated as having becoming the holder of the licence.

(3) If an application is made under subsection (1) of this section for consent to the transfer of a site licence to a person who is to become the occupier of the land, that person may apply for a site licence under section three of this Act as if he were the occupier of the land, and if the local authority at any time before issuing a site licence in compliance with that application give their consent to the transfer they need not proceed with the application for the site licence.

(4) Where any person becomes, by operation of law, entitled to an estate or interest in land in respect of which a site licence is in force and is, by virtue of his holding that estate or interest, the occupier of the land within the meaning of this Part of this Act he shall, for the purposes of this Part of this Act, be treated as having become the holder of the licence on the day on which he became the occupier of the land, and the local authority in whose area the land is situated shall, if an application in that behalf is made to them, endorse his name and the said date on the licence.

*(Currently £1,000, subject to alteration by Order)

Caravan Sites and Control of Development Act 1960

Site Licence Variation Form

1. Brief Site Details

Name of Site: <div style="text-align: center; font-family: cursive; font-size: 1.2em;">MOWBRECK PARK LTD.</div>	
Postal address of Site: <div style="text-align: center; font-family: cursive; font-size: 1.2em;">Mowbreck lane Wesham Preston.</div>	
Post Code: <div style="text-align: center; font-family: cursive; font-size: 1.2em;">PR4 3JR</div>	Phone: 01772 682494 Fax: e-Mail: info@mowbreckpark.co.uk

2. Applicants Details

Name: <div style="text-align: center; font-family: cursive; font-size: 1.2em;">MOWBRECK PARK LTD / Shirley & Michael Carroll</div>	
Postal address of Applicant (If different from above): <div style="text-align: center; font-family: cursive; font-size: 1.2em;">A/A.</div>	
Post Code:	Phone: Mobile: e-Mail:

3. Is the applicant the:

Freeholder	<input checked="" type="checkbox"/>	Tenant	<input type="checkbox"/>
Leaseholder	<input type="checkbox"/>	Other	<input type="checkbox"/>

If applicant is the leaseholder of a tenant, please give details of the agreement:

4. Existing Licence Conditions:

Type of unit	Please Tick as appropriate	Number
Permanent residential	<input checked="" type="checkbox"/>30.... Caravans
Static Holiday	<input type="checkbox"/>	196.... Caravans
Holiday Chalets	<input type="checkbox"/> Chalets
Touring Holiday	<input type="checkbox"/> Units

Opening Season:

Static Sites	<input type="checkbox"/>	30 th Jan to 16 th Jan
Touring Sites	<input type="checkbox"/> to

5. Proposed Application to alter Licence Condition:

Type of unit	Please Tick as appropriate	Number
Permanent residential	<input type="checkbox"/> Caravans
Static Holiday	<input type="checkbox"/> Caravans
Holiday Chalets	<input type="checkbox"/> Chalets
Touring Holiday	<input type="checkbox"/> Units

Opening Season:

Static Sites	<input checked="" type="checkbox"/> to All YEAR
Touring Sites	<input type="checkbox"/> to

Is this a temporary amendment to the opening season for 2020/2021 following the coronavirus restrictions in force in 2020?

Yes ☒

No ☐

6. Does the site have planning permission?

Yes

☒

No

☐

Applied For

☐

Date:

If yes, please give relevant permissions and references:

12/0459
12/0680.

7. How is drinking water provided?

Mains supply to unit ☒ 196 Units + 30 residential
Standpipes ☐ Units

8. How are toilets and wash hand basins provided?

Communal toilet blocks ☐ Units
Units have their own facilities ☒ Units

9. How are showers provided?

Communal shower blocks ☐ Units
Units have their own showers ☒ 196 Units + 30 residential

10. Type of foul drainage?

Mains drainage ☒ 196 Units + 30 residential
Cesspool or cesspit ☐ Units

11. How is kitchen waste water disposed of?

Units have their own sinks connected to foul drainage. ☒ 196 Units + 30 residential
Communal washing up sinks/waste water disposal points connected to foul drainage. ☐ Units
Other (Please give details) ☐ Units

No waste water disposal ☐ Units

12. How is surface water drainage provided?

Dykes.

13. How is refuse stored on the site?

Individual bins at each unit ☒30... Units
 Communal wheeled bins or skips ☒196... Units
 Communal bin store ☐ Units

14. Do units use liquefied petroleum gas (LPG) cylinders?

Yes ☒
 No ☐

15. Is there a LPG storage area on the site?

Yes ☒
 No ☐

16. Has the applicant held a site licence which has been revoked at any time in the last three years?

Yes ☐
 No ☒

17. Was the site in use as a caravan site:

On 9th March 1960 ☒
 On 29th March 1960 ☒
 At any other time since 9th March 1958 ☐

If so, when:

18. Address for correspondence:

Caravan site ☒
 Applicants address ☐
 Other (please state below) ☐

Name: S CARROLL & M. CARROLL MOWBRECK PARK LTD.	
Address: MOWBRECK LANE WESHAM PRESTON	
Post Code: PR4 3JR	Phone: 01772 682494 Mobile: e-Mail: info@mowbreckpark.co.uk

Signed:

SA Carroll

Dated:

17/09/20

With the application form, please send the following:

A layout plan of the site at 1:500 scale including:

- | | |
|------------------------------------|---|
| A. Site Boundaries | B. Position and numbering of touring/holiday caravans and residential park homes. |
| C. Roads and footpaths | D. Toilet blocks, stores and other buildings |
| E. Water Supplies | F. Recreational spaces |
| G Fire points | H. Parking spaces |
| I. Foul and surface water drainage | |

If you are proposing to amend, add or remove site licence conditions then please provide the information on an additional sheet attached to the application.

Please return this completed form to:

The Licensing Team
Town Hall
Lytham St Annes
Lancashire
FY8 1LW

Data Protection – PLEASE READ THIS NOTICE CAREFULLY

We will use the information you provide in this form and in any supporting documents to process and determine your application for a licence. The information will be held on internal databases and electronic document management systems and included in such public registers as the Council may be required to maintain.

The information supplied may be passed to other bodies, including law enforcement agencies and government departments, as allowed by law. We may check information you have provided, or information about that that another person has provided, with other information we hold. We may also obtain information about you from, or provide information to, organisations such as government departments, law enforcement agencies, other local authorities, and private sector organisations such as banks, insurance companies or legal firms, to:

- Verify the accuracy of information,
- Prevent or detect crime, or
- Protect public funds.

We will not give your information to anyone else, or use information about you for other purposes, unless the law requires us to.

Extension to the open season of a caravan, campsite or holiday park for a temporary period

What should caravan, campsite and holiday park owners do if they wish to extend their open season beyond the usual summer season in the winter for a temporary period?

Where the open season of a caravan, campsite or holiday park is limited by planning condition, park owners are encouraged to speak to their local planning authority before submitting an application to extend their opening beyond the usual summer season for a temporary period.

Pre-application engagement can improve both the efficiency and effectiveness of the planning application system and improve the quality of planning applications and their likelihood of success. Local planning authorities can also advise whether a planning application is necessary.

Where there may be particular concerns about flooding or the impact on a protected site, applicants are also encouraged to seek advice from the Environment Agency and Natural England respectively, before submitting an application.

How can site owners make an application?

Under section 73 of the Town and Country Planning Act 1990, caravan, campsite and holiday parks can submit an application to local planning authorities to vary or remove conditions associated with a planning permission. A successful s.73 application results in the grant of a new planning permission and therefore the original permission remains intact. When determining a s.73 application, the local planning authority may impose conditions beyond those proposed in the application. However, the conditions imposed should only be ones which could have been imposed on the original grant.

Does a s73 planning application require an Environmental Impact Assessment?

A section 73 application is considered to be a new application for planning permission under the 2017 Environmental Impact Assessment (EIA) Regulations. The local planning authority will need to determine if an EIA is necessary. Where an EIA was carried out on the original application, the planning authority will need to consider if further information needs to be added to the original Environmental Statement to satisfy the requirements of the EIA Regulations. Whether changes to the original Environmental Statement are required or not, an Environmental Statement must be submitted with a section 73 application for an EIA development.

What should local planning authorities do if they receive an application to vary planning conditions to permit opening beyond the usual summer season for a temporary period?

Where local planning authorities consider it appropriate to require an application to vary relevant planning conditions (where for instance there is a risk of flooding or where parks are situated close to protected sites) they should prioritise the application and make an early decision to provide certainty to caravan, campsite and holiday park operators. In doing so, they should consider the benefits of longer opening season times for a temporary period to the local economy as it recovers from the impact of COVID-19.

Who must a local planning authority consult if they receive an application?

Local planning authorities are required to undertake a formal period of public consultation, prior to deciding a planning application. This is prescribed in article 15 of the Development Management Procedure Order (as amended). Depending on the type of development proposed these consultees may include neighbouring landowners, parish councils and relevant statutory consultees.

The Environment Agency are statutory consultees for development, other than minor development that is in Flood Zones 2 and 3, or in Flood Zone 1 which has critical drainage problems. Natural England are statutory consultees for development that is likely to affect a site of special scientific interest.

Will permission be granted if the caravan park is in a flood protection zone, or near an SSSI?

Statutory consultees and other third parties can suggest conditions to mitigate potential impacts and make a development acceptable in planning terms. The decision as to whether it is appropriate to impose such conditions rests with the local planning authority.

What does this mean for caravan site licences?

All existing site licences and any conditions attached to them will remain in force. Local authorities could decide to alter any conditions attached to a licence to reflect any new planning requirements, but this will be subject to consultation with the owner who has a right of appeal against the decision.

Do local planning authorities have to take enforcement action if there is a breach of planning condition?

The National Planning Policy Framework already emphasises that planning enforcement is a discretionary activity, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Given the current situation, while local planning authorities must have regard to their legal obligations, they should not seek to undertake planning enforcement action which would unnecessarily restrict the ability of caravan, campsite and holiday parks to extend their open season.

From: Matthew Taylor
Sent: 15 September 2020 11:57
To:
Cc: Licencing
Subject: RE: closed season
Attachments: 12-0459 decision.pdf; 12-0459 location plan.pdf; 12-0680 decision.pdf; 12-0680 location plan.pdf

Dear Shirley,

Following on from your query below, I can advise as follows from a planning perspective:

The original planning permission which allowed the siting of caravans on the land (reference 78/0823) was most recently varied in 2012 by planning permissions 12/0459 and 12/0680. Those permissions varied conditions on the original planning permission in order to allow the year round occupation of caravans on the site providing that these are used for holiday purposes only (as controlled by condition 1 of each permission). I have attached copies of the decision notices and location plans for both permissions for your information.

As there is no condition on either planning permission requiring a shutdown period in January between the dates set out in your e-mail, this is not something that is required by the existing planning permissions on the site. Therefore, I suspect that your query below relates, instead, to restrictions contained in the site licence rather than the planning permission. I have, therefore, copied the Council's Licencing Service into my reply so that they can advise you of the licencing requirements separately.

I trust that this clarifies the position with respect to the planning implications of your query.

Kind regards,

Matthew

From: shirley carroll <shirley.carroll@fylde.gov.uk>
Sent: 12 September 2020 13:00
To: Planning <planning@fylde.gov.uk>
Subject: closed season

Re: Mowbreck Park, Wesham, Preston, PR4 3JR

We would like to apply for the park to remain open during its 2 week closed period, January 16th - 30th January for 2021.

We have many holiday home owners at Mowbreck park who have their main residence abroad and are unable to travel there. Most of them also fall into the high risk category.

Please advise us if you have any objections to this as I do need to submit an application to alter the site licence,

kind regards,

shirley Carroll