



Town and Country Planning Acts

Change of Use Approved with 106 Agreement

Part 1 - Particulars of Application

Application Number: 12/0376

Location: WEST END RESIDENTIAL PARK, BLACKPOOL ROAD, KIRKHAM, PRESTON, PR4 2RE

Description: CHANGE OF USE OF LAND WITH PLANNING APPROVAL FOR DEVELOPMENT AS A CARAVAN PARK (34 SEASONAL TOURING CARAVAN PITCHES AND 2 RESIDENTIAL PARK HOMES) TO A SITE FOR 29 RESIDENTIAL PARK HOMES WITH SUPPORTING DEVELOPMENT INCLUDING INTERNAL ROAD NETWORK, LANDSCAPING AND NEW PEDESTRIAN ACCESS TO BLACKPOOL ROAD (RE-SUBMISSION OF 12/0035)

Part 2 - Particulars of Decision

The Fylde Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **PERMISSION HAS BEEN GRANTED SUBJECT TO A 106 AGREEMENT** for the carrying out of development referred to in Part 1 hereof in accordance with the development proposal specified on your submitted application form and the relevant plan (s) subject to the following conditions(s) and reasons(s):

- 1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The residential park homes on the area edged red hereby approved shall be limited in number to 29 and shall be laid out in the position, orientation and spacing that is shown on Drawing A 07.2/30A dated May 2012 hereby approved with the associated roadways, open space and landscaping laid out as shown on that plan.

Reason: To adequately define the permission and ensure the efficient operation of the site.

- 3 That the residential park homes hereby approved shall only be operated as an extension to the existing West End Residential Park with vehicular access and servicing taken from the existing access point to Blackpool Road as shown on Drawing A 07.2/30 Rev A dated May 2012 hereby approved and the total number of residential park homes on the combined site edged red and blue in this application not exceeding 43 units..

Reason: To properly define the permission and its access in the interests of the character of the area, highway safety and land use planning matters.

- 4 Prior to the commencement of any development hereby approved a schedule of all hard surfacing materials to be used on the access roads, driveways, paths and any other hard surfaced areas within the development shall be submitted to and approved in writing by the Local Planning

Authority. This specification shall include the size, colour and texture of the materials and shall be supported with samples of the materials where appropriate. Once this specification has been agreed it shall be utilised in the construction of the dwellings and only varied with the prior written consent of the Local Planning Authority.

Reason: Such details are not shown on the application and to secure a satisfactory standard of development.

- 5 Prior to any residential park home first being brought onto site, details of their dimensions, materials and external colour finishes shall be submitted to and approved in writing by the Local Planning Authority. Any initial and replacement residential park home shall be of the same agreed size, materials and colour unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of visual amenity.

- 6 The development hereby approved shall be implemented in full accordance with the Method Statement Outlining Reasonable Measures to protect Great Crested Newts report by Living Ecosystems dated May 2011 and submitted under this application.

Reason: To safeguard the habitat and population of protected species around the site during the development in accordance with Policy EP19 of the Fylde Borough Local Plan as Altered (October 2005)

- 7 That no works shall commence or be undertaken between the months of March and July inclusive, until a walkover survey of the site and its boundary hedges has been undertaken to establish the presence of any breeding birds and the results submitted to the Local Planning Authority. Should such sites be identified, then a mitigation and phasing scheme for any construction works in the vicinity of the identified nesting sites shall be submitted to the Local Planning Authority for approval and implemented throughout the construction of the dwelling.

Reason: To ensure that disturbance to any breeding birds within the site is minimised during the construction of the dwellings in the interest of nature conservation.

- 8 That prior to the commencement of development, full details of scheme to control vehicle speeds to no more than 20mph within the application site shall be submitted to and approved in writing by the Local Planning Authority. The internal road network shall be constructed in accordance with these approved details and shall be retained in a satisfactory condition at all times thereafter.

Reason: To control vehicle speeds within the development site in the interests of general pedestrian safety.

- 9 The whole of the landscape works, as approved shall be implemented and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current silvicultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme.

Reason: To ensure a satisfactory standard of development and in the interest of visual amenity in the locality.

10 That prior to the first occupation of any of the residential park homes hereby approved, the surface water drainage for the site shall be constructed and connected to appropriate soakaways, and the foul water drainage system connected to the existing sewer system as indicated on the approved plans.

Reason: To ensure that the site is appropriately drained.

SUMMARY OF RELEVANT POLICIES & GUIDANCE

This decision has been made having regard to the guidance provided by the National Planning Policy Framework and the policies contained within the adopted Development Plan which comprises the saved policies of: the Fylde Borough Local Plan and all other relevant planning guidance and in particular policies:

Fylde Borough Local Plan:

- EP01 Environmental Improvement Schemes
- EP11 Building design & landscape character
- EP12 Conservation trees & woodland
- EP14 Landscaping of new developments
- EP19 Protected species
- EP22 Protection of agricultural land
- EP25 Development and waste water
- EP26 Air pollution
- HL02 Development control criteria for new housing proposals
- HL06 Design of residential estates
- SP02 Development in countryside areas
- SP08 Expansion of existing business & commercial operations
- TREC17 Public Open Space within New Housing Developments

Date of Decision: 24/03/2017

Signed:



Mr P. Walker
Director of Development Services
Fylde Borough Council
Town Hall
Lytham St Annes, FY8 1LW

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IMPORTANT – PLEASE CAREFULLY READ THE NOTES BELOW AS FAILURE TO COMPLY COULD

MAKE THE DEVELOPMENT UNAUTHORISED

- 1) These notes should be read in conjunction with the decision notice issued by the Local Planning Authority in respect of the application which you have recently submitted to the Council.

IN CASES WHERE PERMISSION/CONSENT HAS BEEN GRANTED

- 2) Any permission/consent is granted on the basis of the approved plans listed in the decision notice. The development should be undertaken in strict accordance with the approved plans, as any deviation will constitute unauthorised development which may be liable to enforcement action. Any amendments to the approved plans are likely to require the submission of a further application to the Council. Should such changes be desired, you are advised to contact the Development Management Service to determine the most appropriate means by which any revisions could be considered.
- 3) Any permission/consent granted is subject to the conditions set out in the decision notice and it is the responsibility of the developer to ensure that these conditions are fully complied with. Any conditions that require work to be carried out or details to be approved before any development can take place form a “condition precedent”. If a condition precedent is not complied with, the whole of the development will be unauthorised and may result in enforcement action being taken by the Council.
- 4) The applicant is reminded of the need to obtain formal approval of those details required by the conditions of any planning permission/consent before development may lawfully commence on the site (or any other relevant trigger as set out in each condition). Formal applications for the approval of matters reserved by condition are currently subject to fees (per request) of £28 for householder applications and £97 in all other cases. Any breach of the imposed conditions may leave you liable to enforcement action or may require you to submit a new application in order to regularise any unauthorised works.
- 5) If the applicant is aggrieved by any of the conditions imposed as part of the planning permission, they may appeal to the Planning Inspectorate. Any appeal against the grant of permission subject to conditions to which the applicant objects needs to be made within 6 months of the date on the decision notice.
- 6) In undertaking any development you should ensure that you have also secured any necessary approval under the Building Regulations or any other approvals or consents required including consent from the landlord or obligations under the Party Wall Act.
- 7) For developments that need a new address or address change, please contact addresses@fylde.gov.uk or 01253 658515. New addresses need to be done at the earliest stage to enable Utility connections for the new properties.

IN CASES WHERE PERMISSION/CONSENT HAS BEEN REFUSED

- 8) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse planning permission/consent, they may appeal to the Planning Inspectorate. The relevant time limits to lodge an appeal following the Local Planning Authority’s refusal of permission/consent are as follows:
 - a) For **householder** planning applications – **12 weeks** from the date on the decision notice.
 - b) For **advertisement** consent applications – **8 weeks** from the date on the decision notice.
 - c) For **minor commercial** development applications – **12 weeks** from the date on the decision notice.
 - d) For **any other** types of planning application – **6 months** from the date on the decision notice.

SAVE THAT in circumstances **where an enforcement notice has been served** for the same or very similar development, the time limit to lodge an appeal (in all cases) is:

- within **28 days** from the date of the Local Planning Authority’s decision if the enforcement notice was served before the decision was made, yet not longer than 2 years before the application was made.
- within **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the normal appeal period).

Appeals must be made directly to the Planning Inspectorate and can be dealt with by exchange of written statements or heard before an Inspector at an Informal Hearing or at a Public Inquiry. Further information regarding the appeals process (including application forms) can be obtained from the Planning Inspectorate via their website - <https://www.gov.uk/appeal-planning-decision>.