



# FYLDE BOROUGH COUNCIL

## Town and Country Planning Acts

### Change of Use Granted

#### Part 1 - Particulars of Application

**Application Number:** 12/0609

**Location:** THE CONIFERS, BAMBERS LANE, WESTBY WITH PLUMPTONS,  
BLACKPOOL, FY4 5LH

**Description:** PROPOSED CHANGE OF USE FROM GRAZING LAND TO FORM  
EXTENSION TO EXISTING 6 PITCH ROMANY GYPSY CARAVAN SITE  
WITH ASSOCIATED FENCING, SURFACING, LANDSCAPING AND  
OTHER WORKS

#### 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 only for the carrying out of development referred to in Part 1 hereof in accordance with the actual development proposal specified on your submitted application form and the relevant plan, a stamped copy of which is returned with this notice, subject to the following conditions(s) and reasons(s):

- 1 The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

- 2 Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 1987 (as amended), the caravan site hereby approved shall be occupied solely as a Gypsy caravan site.

The grant of planning permission for a residential caravan park or a holiday caravan park would not be appropriate in this locality.

- 3 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, there shall be no more than 6 pitches established on the site as shown on drawing C13/209/1 dated Jan 2013, and each pitch shall only be occupied by a single family. At no time shall there be allowed to remain on the application site as a whole, as edged red and blue on the approved plan, any more than a total of 24 caravans (including both static and touring/towing caravans).

In order to control the intensity of development having regard to the restricted width of Bammers Lane and the character of the area.

- 4 The occupation of the site hereby permitted shall be carried on only by the existing residents (as specified in the approved schedule of names) and their resident dependents. When the land ceases to be occupied by those named in this condition, the use hereby permitted shall cease and all caravans, structures, materials and equipment brought on to the land in connection with the use shall be removed. Within 3 months of that time the land shall be restored in accordance with a scheme previously submitted to and approved in writing by the local planning authority.

To retain an appropriate level of control over the occupation of the site in accordance with the proper planning of the area and to comply with Policy SP2 and Policy HL8 of the Fylde Borough Local Plan.

- 5 That the extended Gypsy site shall only be laid out in accordance with the access arrangements, pitch layout, fencing heights and routes, perimeter site landscaping and surface materials shown on approved drawing C13/209/1 dated Jan 2013.

To ensure an appropriate layout to the site.

- 6 That prior to the first use of the extended Gypsy site hereby approved the two additional passing places on Bambers Lane between the site entrance and the junction with School Road as shown on the approved plan shall be constructed to the standard in the Lancashire County Council Specification for Construction of Estate Roads (2011).

In the interests of improving the safety of users of all users of Bambers Lane in accordance with criteria 7 of Policy HL8 of the Fylde Borough Local Plan.

- 7 Prior to the first use of the extended pitches hereby approved full details of the foul and surface water drainage of the extended area, shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be constructed as part of the development and shall be operated throughout occupation so as to ensure adequate drainage of the site.

To ensure that the site has appropriate arrangements for drainage as required by condition 10 of Policy HL8 to the Fylde Borough Local Plan.

- 8 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) or the Town & Country Planning (Use Classes) Order 1987 (as amended), with the exception of the parking of commercial vehicles utilised by the residents of the site for travelling to and from their place of work, the site shall not be used for any form of commercial activity.

The establishment of a commercial activity on this locality would be contrary to the provisions of the development plans and detrimental to the residential amenity of neighbouring residents.

- 9 Details of any external lighting [incorporated post heights, design, construction and lighting head form] shall be submitted to and approved by the Local Planning Authority prior to the commencement of any lighting works by the developer.

In the interests of the visual appearance of the estate layout / form of development.

- 10 Prior to the commencement of any construction works in regard to any ancillary buildings, details of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The buildings shall be constructed in accordance with the approved details.

To ensure that all aspects of the development are implemented to minimise the harm to the character of the countryside as required by criteria 9 of Policy HL8.

#### **Summary of Reasons for Approving Planning Permission**

Fylde Borough Council has considered the proposed development in the context of the

Development Plan, together with all relevant material considerations. The local planning authority considers that planning permission ought to be granted for the reasons summarised below. A full copy of the report which addresses all relevant considerations, is available on request to the local planning authority.

The application relates to the extension of an existing Gypsy site located on Bambers Lane on land that is designated as Countryside in the Fylde Borough Local Plan. The scheme has been revised to relate to the extension of the existing 6 pitches on the site, rather than the original scheme that increased the number of pitches to 12.

As the proposal does not involve any increase in the number of pitches there is no need to assess the need or supply for Gypsy pitches in the borough, or the appropriateness of the location.

The site extends the existing site to run alongside a commercial operation which lessens the potential impact on the neighbouring residential amenity of settled residents of the area and so complies with criteria 6 of Policy HL8. It is not green belt land and so there is no conflict with Policy E of PPTS.

The concerns of the highway authority have been addressed by the introduction of 2 additional passing places on Bambers Lane between the site entrance and the junction with School Lane. This ensures that the proposal is in accordance with criteria 7 of Policy HL8 and will also benefit the other users of this single track road.

The extension is considered to have an acceptable impact on the visual appearance of the Bambers Lane streetscene and its countryside setting given the nature of that setting and of the surrounding area. As such the proposal complies with criteria 8 of Policy HL8. Paragraph 24 d) of the PPTS refers to avoiding enclosing a site in a way that deliberately isolates it from the community. There is a concern that the proposed conifer hedging to the boundaries of the site will do that here, but such hedges are a feature of many other properties in the surrounding area and this landscaping will assist in minimising the visual impact of the caravans in the Countryside.

The proposal offers an opportunity for the Gypsy community at The Conifers which has been on the site for over 5 years to expand in a manner that has a minimal impact on the area and allows them to continue to utilise the schools, health services, etc. that are available in reasonable proximity to the site. The extended site remains an appropriate scale for the surrounding area and is considered to comply with all relevant criteria of the Planning Policy for Traveller Sites.

Accordingly the application is recommended for approval subject to a series of conditions.

**IMPORTANT – PLEASE CAREFULLY READ THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED**In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

## **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 Regional Spatial Strategy for the North West;  
the Fylde Borough Local Plan;  
and all other relevant planning guidance and in particular policies:

### **Regional Spatial Strategy:**

DP01 Spatial Principles

L01 Health, sport, recreation, cultural and education services

**Fylde Borough Local Plan:**

EP23 Pollution of surface water  
EP24 Pollution of ground water  
EP27 Noise pollution  
EP30 Development within floodplains  
HL08 Sites for Gypsies  
SP02 Development in countryside areas

**Informative notes:**

1. This consent requires the construction, improvement or alteration to the public highway. Under the Highways Act 1980 Section 184 the County Council as Highway Authority must specify the works to be carried out. Lancashire County Council as Highway Authority will carry out these works at the developer's expense and therefore before any access works can start you must contact the Environment Directorate for further information by telephoning 0845 0530011 or writing to Lancashire County Council Customer & Business Support, Palatine Hall, Dalton Square, Lancaster LA1 1PW quoting the planning application number.

**Date of Decision:** 13/02/2013

Signed: 

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Director of Development Services  
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