

Blackpool Council

18 August 2017

To: Councillors Humphreys, Hutton, Jackson, O'Hara, D Scott, Stansfield and L Williams

The above members are requested to attend the:

PLANNING COMMITTEE

Wednesday, 30 August 2017 at 6.00 pm
in Committee Room A, Town Hall, Blackpool FY1 1GB

A G E N D A

1 DECLARATIONS OF INTEREST

Members are asked to declare any interests in the items under consideration and in doing so state:

- (1) the type of interest concerned; and
- (2) the nature of the interest concerned

If any Member requires advice on declarations of interest, they are advised to contact the Head of Democratic Services in advance of the meeting.

2 MINUTES OF THE MEETING HELD ON 1 AUGUST 2017 (Pages 1 - 10)

To agree the minutes of the last meeting held on 1 August 2017 as a true and correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED (Pages 11 - 14)

The Committee will be requested to note the planning/enforcement appeals lodged and determined.

4 PLANNING ENFORCEMENT UPDATE REPORT (Pages 15 - 18)

The Committee will be asked to note the outcomes of the cases and support the actions of the Service Manager – Public Protection.

5 PLANNING APPLICATIONS AND APPEALS PERFORMANCE (Pages 19 - 22)

To update Members of the Planning Committee of the Council's performance in relation to Government targets.

6 CONSERVATION AREA GUIDANCE (Pages 23 - 54)

The Committee to consider approval of the Conservation Area Guidance.

7 PLANNING APPLICATION 17/0060 - ANCHORSHOLME PARK , ANCHORSHOLME LANE WEST, BLACKPOOL (Pages 55 - 84)

The Committee is requested to consider an application for planning permission, details of which are set out in the accompanying report.

8 PLANNING APPLICATION 17/0301 - LAND ADJACENT TO 27 STOCKYDALE ROAD, BLACKPOOL (Pages 85 - 118)

The Committee is requested to consider an application for planning permission, details of which are set out in the accompanying report.

9 PLANNING APPLICATION 17/0340 - 44 STONY HILL AVENUE, BLACKPOOL (Pages 119 - 126)

The Committee is requested to consider an application for planning permission, details of which are set out in the accompanying report.

10 PLANNING APPLICATION 17/0439 - 50 BISPHAM ROAD, BLACKPOOL (Pages 127 - 148)

The Committee is requested to consider an application for planning permission, details of which are set out in the accompanying report.

11 PLANNING APPLICATION 17/0443 - 340 WATERLOO ROAD, BLACKPOOL (Pages 149 - 158)

The Committee is requested to consider an application for planning permission, details of which are set out in the accompanying report.

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Bernadette Jarvis, Senior Democratic Governance Adviser, Tel: (01253) 477212, e-mail bernadette.jarvis@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk

Present:

Councillor L Williams (in the Chair)

Councillors

Hutton	O'Hara	T Williams
Jackson	D Scott	

In Attendance:

Mrs Bernadette Jarvis, Senior Democratic Governance Adviser
Mr Gary Johnston, Head of Development Management
Mrs Clare Lord, Legal Officer
Mr Latif Patel, Group Engineer, Traffic Management
Mr Mark Shaw, Principal Planning Officer

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE MEETING HELD ON 4 JULY 2017

The Committee considered the minutes of the Planning Committee held on 4 July 2017.

Resolved: That the minutes of the meeting held on 4 July 2017 be approved and signed by the Chairman as a correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

The Committee noted the Planning Inspectorate's decision to dismiss an appeal against the service of an Enforcement Notice relating to the unauthorised erection of decking, a fence and a shed at first floor level on the flat roof of the outrigger at 212 Dickson Road, Blackpool. Another appeal to the Planning Inspectorate in respect of the property at 21 Cranleigh Avenue, Blackpool, against the service of an Enforcement Notice relating to the unauthorised erection of a rear dormer hung in brown uPVC and the erection of a side dormer hung in brown uPVC and with an opening window was allowed.

Resolved: To note the planning appeals lodged and determined.

Background papers: None

4 PLANNING ENFORCEMENT UPDATE REPORT

The Committee considered a report detailing the planning enforcement activity undertaken within Blackpool during June 2017.

The report stated that 96 new cases had been registered for investigation, five cases had

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 1 AUGUST 2017

been resolved by negotiation without recourse to formal action and 42 cases were closed as there was either no breach of planning control found, no action was appropriate or it was not considered expedient to take action. One Community Protection Notice had been issued during the same period.

The report also provided comparative information for the same period last year.

Resolved: To note the outcome of the cases set out in the report and to support the actions of the Service Manager, Public Protection Department, in authorising the notices.

Background papers: None

5 PLANNING APPLICATION AND APPEALS PERFORMANCE REPORT

Mr Johnston, Head of Development Management reported on the Council's performance in relation to the determination of planning applications and planning appeals for the month of June and the quarter period from April to June 2017. He advised Members that performance was above the target thresholds set by Government.

Resolved: To note the report on planning applications and appeals performance.

6 PLANNING APPLICATION 17/0188 - 65 HARROWSIDE, BLACKPOOL

The Committee considered planning application 17/0188 relating to external alterations including installation of bi-fold doors to front elevation and new door and extraction flue to rear elevation, and use of premises as altered as a restaurant (Use Class A3) at 65 Harrowside, Blackpool.

Mr Shaw, Principal Planning Officer, presented the Committee with an overview of the application and the proposed site layout, location plans and aerial views of the site. The property was situated within a designated Local Centre and the application sought to convert a vacant ground floor shop into a restaurant to include a forecourt to the front of the premises for occasional use.

Mr Shaw reported on discussions held with representatives from the Council's Environmental Protection department and the Applicant's Agent during which an agreement had been reached to impose a condition to restrict the hours of use from 5pm to 10pm each day and to request that a sound proof scheme and flue extraction details be submitted and agreed by Environmental Protection. A proposed condition to prevent any further alteration to the forecourt without prior planning approval would be also attached to the permission, if granted.

The Committee noted that the use of the premises restaurant in a local centre was in accordance with Council Policy and Mr Shaw drew Members' attention to the proposed conditions to control its use in view of the residential accommodation situated above the premises.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 1 AUGUST 2017

Mr Shaw reported on two further representations received from nearby residents who had previously objected to the application. One of the representations indicated that the resident was now satisfied with the amended closing time of 10pm. The second representation reiterated previous concerns relating to potential noise and the proximity of the forecourt to their property.

Mr Ambrosini, Applicant, spoke in support of the application. He provided reassurances to the Committee that the premises would be soundproofed and music restricted to inside the premises. He added that the intention was for the restaurant to cater mainly for couples and families and the expectation that the majority of customers would walk to the restaurant or arrive by taxi.

In response to questions from the Committee, Mr Ambrosini confirmed that the number of covers in the restaurant would be 20 and that it would be feasible for the restaurant to close at 10pm.

Resolved: That the application be approved, subject to the conditions, and for the reasons set out in the appendix to the minutes.

Background papers: Applications, plans and replies to consultations on the application.

7 PLANNING APPLICATION 17/0360 - RUSKIN HOTEL, 55-61 ALBERT ROAD, BLACKPOOL

The Committee considered planning application 17/0360 relating to the Ruskin Hotel, 55-61 Albert Road, Blackpool, for the erection of a bridge at first floor level connecting the rear elevation of the hotel with existing rear garage/accommodation block, external alterations, erection of glazed balustrade and parapet wall to roof of garage/accommodation block, and use of garage/accommodation block as altered as a leisure complex with roof terrace ancillary to main hotel.

Mr Johnston, Head of Development Management, presented the Committee with an overview of the application and the proposed site layout, location plans and aerial views of the site. Visual images of the proposed development, which included the proposed bridge connecting the first floor of the building to the existing hotel, were also presented to the Committee.

The property had recently been acquired by the Applicant and was located within the defined South Town Centre Main Holiday Accommodation Area. Mr Johnston reported on further planning history dating back to 1987 which had given permission for the parking of four vehicles within the building. The intention was to replace the existing garage doors at ground floor level with opaque glazing for the swimming pool and rest area. The first floor would be used for changing rooms and spa facilities. The roof would be used to provide a sun terrace with a high glazed parapet wall to prevent overlooking of adjacent properties. Mr Johnston acknowledged the loss of parking spaces but in his view this was outweighed on balance by the enhanced facilities that would be on offer from the proposal.

Mr Johnston drew Members' attention to the proposed conditions restricting the playing

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 1 AUGUST 2017

of live music, hours of use of the roof terrace and the requirement for the approval of a lighting scheme.

Mr Morgan spoke in objection to the application, and raised concerns which included an increase in existing parking problems, access to his property particularly during the construction phase of the development, and noise. He also disputed the number of current available parking spaces and reported on unsuccessful attempts to engage the applicant in discussions regarding the proposal. Photographs provided by Mr Morgan to illustrate his concerns were circulated to the Committee and Members noted that the main issues from the photographs appeared to be related to the parking of service delivery vehicles.

Mr White also spoke in objection to the application and endorsed the concerns raised by Mr Morgan and asked the Committee to consider the impact of the proposed development on the neighbourhood. He also reported on objections he had raised in relation to a previous application for development at the premises.

Mr Johnston responded to concerns raised and reported his view that he did not envisage that the proposed development, if approved, would adversely impact the amenities of nearby residents due to the proposed conditions relating to glazing of the roof terrace parapet wall and the restrictions around music and opening hours.

During consideration of the application, the Committee acknowledged the benefits of the proposed development in terms of the significant investment in the holiday accommodation offer. However, it was mindful of the potential impact on the amenity of nearby residents and guests of neighbouring hotels in terms of additional noise emanating from the spa facilities, and access and parking issues as a result of a potential increase in service delivery vehicles to the premises.

The Committee considered that as a result of the potential issues that could adversely impact the amenity of nearby residents and guests of neighbouring hotels, it would be necessary to impose additional appropriate conditions requiring the approval of a servicing management plan and a restriction on the use of the spa facilities to residents of the Ruskin Hotel, should permission be granted.

Resolved: That the application be approved, subject to the conditions, including the additional conditions to restrict the use of the facilities to residents only and the requirement to agree a servicing management plan to include a control of hours of service delivery, and for the reasons set out in the appendix to the minutes.

Background papers: Applications, plans and replies to consultations on the application.

Chairman

(The meeting ended 6.45 pm)

Any queries regarding these minutes, please contact:
Bernadette Jarvis Senior Democratic Governance Adviser
Tel: (01253) 477212
E-mail: bernadette.jarvis@blackpool.gov.uk

Application Number 17/0188 – 65 Harrowside, Blackpool

External alterations including installation of bi-fold doors to front elevation and new door and extraction flue to rear elevation, and use of premises as altered as a restaurant (Use Class A3).

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 stamped as received by the Council on 15th March 2017
Drawings numbered HP/2366 V2 PL/17/05.1, HP/2366 V2 PL/17/05.2

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

3. Prior to the use hereby approved being first brought into use the ventilation system and ducting detailed on the approved plan shall be provided and shall thereafter be retained.

Reason: In order to safeguard the residential amenity of the occupants of neighbouring premises and in the interests of the appearance of the locality in accordance with Policies BH3 and LQ1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. The use of the premises shall not operate outside the hours of 17-00 to 22-00 on any day.

Reason: To safeguard the living conditions of the occupants of nearby residential premises, in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. Before the premises are first occupied, sound and vibration proofing shall be carried out and thereafter be retained in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential

premises, in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. No permanent structures shall be constructed on the forecourt without the prior written approval of the Local Planning Authority.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ14 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Application Number 17/0360 – Ruskin Hotel, 55-61 Albert Road, Blackpool

Erection of bridge at first floor level connecting rear elevation of hotel with existing rear garage/accommodation block, external alterations, erection of glazed balustrade and parapet wall to roof of garage/accommodation block, and use of garage/accommodation block as altered as a leisure complex with roof terrace ancillary to main hotel.

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 stamped as received by the Council on 2nd June 2017
Drawings numbered B/17/54/02, B/17/54/03, B/17/54/05

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

3. Details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ14 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. The roof terrace on the building shall not be open for use outside the hours of 0800 to 2100 on any day.

Reason: To safeguard the living conditions of the occupants of nearby residential premises, in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. No live music or entertainment shall take place in the leisure complex building at any time either inside the building or within its external curtilage including the roof terrace. Amplified sound shall only be used within the leisure complex building and shall not be audible externally.

Reason: To prevent noise and disturbance to adjoining residents and visitors in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. Prior to occupation of the building, details of any external lighting shall have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such.

Reason: To safeguard the amenities of nearby properties and the wider locality in accordance with Policies BH3 and LQ1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

7. Details of the appearance, technical specification and siting of any external ventilation ducting and plant shall be submitted to and agreed in writing by the Local Planning Authority before development commences. The agreed ducting and plant shall then be provided prior to first use and shall thereafter be retained.

Reason: To safeguard the living conditions of the occupants of nearby hotel and residential premises, in accordance with Policies BH3 and LQ14 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. Before the premises are first occupied, sound and vibration proofing shall be carried out and thereafter be retained in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby hotel and residential premises, in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

9. All glazing to the leisure complex building shall be at all times obscure glazed and fixed permanently closed.

Reason: To safeguard the amenities of the occupants of the neighbouring premises, in accordance with Policies BH3 and LQ14 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. Full structural and construction details for the proposed bridge between the hotel and leisure complex building shall be provided to the Local Planning Authority and agreed in writing prior to any work commencing on site.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ4 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

11. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:

- dust mitigation measures during the construction period
- control of noise emanating from the site during the construction period
- hours and days of construction work for the development
- contractors' compounds and other storage arrangements
- provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
- arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways
- the routing of construction traffic.

The construction of the development shall then proceed in accordance with the approved Construction Management Plan.

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

12. The leisure complex building and roof terrace hereby approved shall only be used by guests at the Ruskin Hotel and shall not be used by non-residents of the hotel.

Reason: In the interests of the amenities of surrounding residents/occupiers, to reduce pressure on car parking in the area and to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

13. Before the leisure complex building is brought into use a servicing management plan for the hotel and leisure complex building shall be submitted to and approved by the Local Planning Authority. The servicing shall then take place in accordance with the

approved management plan.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ4 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

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Report to:	PLANNING COMMITTEE
Relevant Officer:	Gary Johnston, Head of Development Management
Date of Meeting:	30 August 2017

PLANNING/ENFORCEMENT APPEALS DETERMINED/LODGED

1.0 Purpose of the report:

1.1 The Committee is requested to note the planning and enforcement appeals lodged and determined.

2.0 Recommendation(s):

2.1 To note the report.

3.0 Reasons for recommendation(s):

3.1 To provide the Committee with a summary of planning appeals for information.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

3.4 None, the report is for information only.

4.0 Council Priority:

4.1 The relevant Council Priority is 'The Economy: maximising growth and opportunity across Blackpool'

5.0 Background Information

5.1 Planning/Enforcement Appeals Lodged

5.2 23 COLWYN AVENUE, BLACKPOOL, FY4 4ET (17/0152)

5.2.1 An appeal has been lodged by Mr M Allen against the refusal of planning permission for the erection of a detached garage to the rear of house.

5.3 LAND TO THE REAR OF 17-23 CARLETON AVENUE, BLACKPOOL, FY3 7JN (16/0499)

5.3.1 An Appeal has been lodged by Mr S Billington against the refusal of planning permission for the erection of a terrace of four two-storey dwellings.

5.4 UNIT 1, 71 MOOR PARK AVENUE, BLACKPOOL, FY2 0LY (16/0253)

5.4.1 An Appeal has been lodged by Mr B Magerson against the refusal of planning permission for the use of the premises as a retail warehouse.

5.5 Planning/Enforcement Appeals Determined

5.5.1 None

5.6 List of Appendices:

5.6.1 None

6.0 Legal considerations:

6.1 None

7.0 Human Resources considerations:

7.1 None

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 None

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 None

13.0 Background papers:

13.1 None

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Report to:	PLANNING COMMITTEE
Relevant Officer:	Tim Coglan (Service Manager, Public Protection)
Date of Meeting	30 August 2017

PLANNING ENFORCEMENT UPDATE

1.0 Purpose of the report:

- 1.1 The Committee is requested to consider the summary of planning enforcement activity within Blackpool during July 2017.

2.0 Recommendation(s):

- 2.1 To note the outcomes of the cases set out below and to support the actions of the Service Manager, Public Protection Department, in authorising the notices set out below.

3.0 Reasons for recommendation(s):

- 3.1 The Committee is provided with a summary of planning enforcement activity for its information.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

- 3.3 Other alternative options to be considered:

Not applicable. The report is for noting only.

4.0 Council Priority:

- 4.1 The relevant Council Priority is 'The Economy: maximising growth and opportunity across Blackpool.'

5.0 Background Information

5.1 Cases

5.1.1 New cases

In total, 71 new cases were registered for investigation, compared to 53 received in July 2016.

5.1.2 Resolved cases

In July 2017, six cases were resolved by negotiation without recourse to formal action, compared with 15 in July 2016.

5.1.3 Closed cases

In total, 49 cases were closed during the month (28 in July 2016). These cases include those where there was no breach of planning control found, no action was appropriate (e.g. due to more effective action by other agencies, such as the police) or where it was considered not expedient to take action, such as due to the insignificant nature of the breach.

5.1.4 Formal enforcement notices / s215 notices / BCNs

- One enforcement notice authorised in July 2017 (two in July 2016);
- One s215 notice authorised in July 2017 (one in July 2016);
- No Breach of Condition notices authorised in July 2017 (none in July 2016);
- Two enforcement notices served in July 2017 (one in July 2016);

- Two s215 notices served in July 2017 (none in July 2016);
- No Breach of Condition notices served in July 2017 (none in July 2016);
- One Community Protection Notice served in July 2017 (three in July 2016).

relating to those cases set out in the table below:

Enforcement notices / S215 notices authorised in July 2017

Reference	Address	Case	Dates
17/8219	238 QUEENS PROMENADE	Unauthorised change of use from a hotel to a mixed use as a hotel, hot food take away and associated delivery services.	Enforcement notice authorised 19/07/2017.
17/8217	28 ASHFIELD ROAD	Poor condition of property.	S215 notice authorised 25/07/2017.

Enforcement notices / S215 / Community Protection Notices served in July 2017

Reference	Address	Case	Dates
16/8442	253 FLEETWOOD ROAD	Unauthorised formation, laying out and construction of a means of access on a classified road, namely the A587, by removal of the front boundary wall and gatepost.	Enforcement notice issued 27/07/2017. Compliance due by 31/10/2017 unless an appeal is made to the Planning Inspectorate by 31/08/2017.
16/8426	565-567 NEW SOUTH PROMENADE	Unauthorised rendering over original brown brickwork of the splay, western and southern elevations.	Enforcement notice issued 27/07/2017. Compliance due by 04/12/2017 unless an appeal is made to the Planning Inspectorate by 04/09/2017.
16/8077	30 COOP STREET	Poor condition of property.	S215 notice issued 26/07/2017. Compliance due by 31/12/2017 unless an appeal is made to the Magistrates Court by 31/08/2017.
16/8078	26 COOP STREET	Poor condition of property.	S215 notice issued 26/07/2017. Compliance due by 31/12/2017 unless an appeal is made to the Magistrates Court by 31/08/2017.
17/8160	FORMER GROSVENOR HOTEL, 63-65 ALBERT ROAD	Poor condition of property.	Community Protection Notice issued 31/07/2017. Compliance due by 31/08/2017 unless an appeal is made to the Magistrates Court by 21/08/2017.

Does the information submitted include any exempt information?

No

5.2 List of Appendices:

5.2.1 None

6.0 Legal considerations:

6.1 None

7.0 Human Resources considerations:

7.1 None

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 None

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 None

13.0 Background papers:

13.1 None

Report to:	PLANNING COMMITTEE
Relevant Officer :	Gary Johnston, Head of Development Management
Date of Meeting:	30 August 2017

PLANNING APPLICATIONS AND APPEALS PERFORMANCE

1.0 Purpose of the report:

- 1.1 To update members of the Planning Committee of the Council's performance in relation to Government targets

2.0 Recommendation(s):

- 2.1 To note the report.

3.0 Reasons for recommendation(s):

- 3.1 To provide the Committee with a summary of current performance

- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

- 3.2b Is the recommendation in accordance with the Council's approved budget? No

- 3.3 Other alternative options to be considered:

None, the report is for information only.

4.0 Council Priority:

- 4.1 The relevant Council Priority is both

- "The economy: Maximising growth and opportunity across Blackpool"
- "Communities: Creating stronger communities and increasing resilience"

5.0 Background Information

5.1 Members of Planning Committee will be aware that the Government has set targets for the determination of major and minor category planning applications and major and minor category appeals. These are speed and quality of decision targets and are currently :

Speed of major development decisions – 60% within 13 weeks or an agreed Extension of Time – for the period October 2015 to September 2017

Speed of minor development decisions – 70% within 8 weeks or an agreed Extension of Time – for the period October 2015 to September 2017

Quality of major development decisions – Loss of more than 10% of appeals – for the period April 2015 – March 2017

Quality of non major development decisions – Loss of more than 10% of appeals – for the period April 2015 – March 2017

5.2 Figures are submitted quarterly to the Department of Communities and Local Government.

5.3 Performance is shown in this case for July 2017 and the previous quarter (April – June).

	Government Target	Performance July 2017	Performance April- June 2017
Major development decisions	>60%	100%	83%
Minor development decisions	>70%	92%	93%
Quality of major development decisions	>10%	n/a	n/a
Quality of non major development decisions	> 10%	No appeals allowed	No appeals allowed

Does the information submitted include any exempt information? No

5.4 List of Appendices

5.4.1 None

6.0 Legal considerations:

6.1 None

7.0 Human Resources considerations:

7.1 Performance is influenced by staffing numbers, sickness and leave.

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 Poor performance puts the Council at risk of designation and the potential for loss of fee income.

10.0 Risk management considerations:

10.1 Under resourcing the service could lead to inability to respond to peaks in workload.

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 Not applicable

13.0 Background Papers

13.1 None

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Report to:	PLANNING COMMITTEE
Relevant Officer:	Carl Carrington, Head of Planning, Quality and Control
Date of Meeting	30 August 2017

CONSERVATION AREA GUIDANCE

1.0 Purpose of the report:

1.1 To seek formal approval for the Conservation Area Guidance.

2.0 Recommendation(s):

2.1 To approve the Conservation Area Guidance.

3.0 Reasons for recommendation(s):

3.1 To assist in the good management of Blackpool's conservation areas and provide additional resources for applicants in making decisions about changes and developments to assets within conservation areas.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

3.3.1 Increase levels of 1-1 support to applicants – This is in fact the ideal, but would be resource intensive, particularly where clear guidance would help applicants 'self-serve' regarding minor matters or understanding when to contact the Conservation Officer.

4.0 Council Priority:

4.1 The relevant Council Priority is: "The economy: Maximising growth and opportunity across Blackpool"

5.0 Background Information

5.1 As the number of conservation areas in Blackpool grows the number of enquiries about what is permitted within them increases. This guidance will reduce the number of general enquiries and allow clients the ability to 'self-serve' in line with the Council's Channel Shift Agenda, reducing general enquiries and making the Council approach to development in conservation areas clearer.

5.2 The document has no policy status, but offers guidance both in principle and covers where certain materials or standards of construction/fitting are required.

5.3 Does the information submitted include any exempt information? No

5.4 List of Appendices:

5.4.1 Appendix 6a: Draft Conservation Area Guidance.

6.0 Legal considerations:

6.1 As the guidance holds no status as policy, and is in line with national guidance and that of comparable local authorities, there are no legal considerations.

7.0 Human Resources considerations:

7.1 The publication of guidance will relieve pressure on the conservation service as it allows applicants to understand the general principles and approach applied to conservation areas in Blackpool. This will allow the Conservation Officer to spend more time with more complex or challenging applications to achieve the best planning outcome.

8.0 Equalities considerations:

8.1 As the national legislation governing conservation areas is deemed to have met the legal tests around equality, there are no equalities considerations.

9.0 Financial considerations:

9.1 There are no financial considerations.

10.0 Risk management considerations:

10.1 Blackpool continues to be a leader in the northwest in the way in which it responds to and manages its historic built environment and has built up a reputation as being pro-active in this field. Not having this type of guidance leaves the Council open to

censure.

11.0 Ethical considerations:

11.1 There are no ethical considerations.

12.0 Internal/ External Consultation undertaken:

12.1 Consultation with Blackpool Civic Trust and Blackpool Winter Gardens Trust is underway, but in line with the Built Heritage Strategy, they have already expressed support for clearer guidance for conservation areas.

13.0 Background papers:

None

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CONSERVATION AREAS GUIDANCE ON REPAIRS AND ALTERATIONS

July 2017



CONSERVATION AREA GUIDANCE

Contents

Introduction	5
Conservation Area Appraisals	5
Restrictions on development	6
Works to buildings in Conservation Areas	7
Windows	7
Doors	10
Stone bay windows	11
Canopies and awnings	11
Balconies and balustrades	12
Roofs	13
Fascias, bargeboards and rainwater goods	14
Roof lifts	15
Roof lights and dormer windows	16
Decorative gables	17
Chimneys	18
Extensions	18
Boundary treatments	18
Brickwork and pointing	20
Aerials, satellite dishes, CCTV and alarm boxes	21

CONSERVATION AREA GUIDANCE

Microgeneration	22
Insulation	22
Demolition	23
New buildings	23
Re-using historic buildings	24
Materials	25
Trees and gardens	25
Shop fronts and signage	26
Development will be refused where ...	27

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CONSERVATION AREA GUIDANCE

Document Control

Document owner:	
Document number:	
Document category:	
Document location:	
Issued by:	
Last edited:	

Record of Amendments:

Date	Version	Amended by	Description of changes

Approved By:

Name	Title	Signature	Date

CONSERVATION AREA GUIDANCE

1. Introduction

- 1.1 A conservation area is an “area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”, as set out in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Under this legislation, local authorities have a duty to designate such areas and to review them from time to time. They should also use their planning powers to safeguard and enhance the special qualities of these areas by ensuring development is managed to create positive change. Designation automatically entails control over the demolition of unlisted buildings, strengthens controls over minor development and gives special protection to trees within the area.
- 1.2 Once designated a conservation area needs everyone’s help to protect its character and keep it special. The Council will protect and enhance it as far as possible by controlling development, and encouraging the care of its own buildings, but it also needs the support of property owners, residents and local businesses if this is to be successfully achieved.

2. Conservation Area Appraisals

- 2.1 Conservation area appraisals are a commonly used technique to identify and assess the character of a conservation area. The more clearly that character or special interest is defined, the easier it is to manage change without damaging that interest. A clear and comprehensive appraisal of the character of a conservation area provides a sound basis for the control of development, and for developing initiatives to improve the area.
- 2.2 The Council has prepared a series of Conservation Area Appraisals, and these documents provide a detailed assessment of the special character of each conservation area. They were subject to a process of internal and public consultation before the conservation areas were formally designated by the Council. The Appraisals are used in the consideration of planning proposals within the conservation areas, and can be viewed on the Council’s Website <https://www.blackpool.gov.uk/Residents/Libraries-arts-and-heritage/Blackpool-heritage/Conservation-areas-and-listed-buildings/Conservation-areas-listed-buildings-and-trees-conservation.aspx>.
- 2.3 A series of Conservation Area Management Plans are being developed which support the Appraisals and set out a number of actions aimed at safeguarding or enhancing the special character of these areas. In addition, design guides for replacement windows and shop fronts will aid development and change within conservation areas.

CONSERVATION AREA GUIDANCE

- 2.4 When considering planning applications affecting conservation areas the Council will give special consideration to the desire to preserve or enhance the character of the area. Planning applications for development affecting conservation areas have to be advertised locally both on site and in a local newspaper, giving members of the public a period of 21 days in which to comment upon them.
3. **Restrictions on development**
- 3.1 In a conservation area, planning permission is required for work that would ordinarily constitute permitted development. This includes:
- exterior cladding
 - side extensions, or the construction of any other building or structure to the side of the house
 - rear extensions to a house of more than one storey
 - enlargement of a house which would include alterations to the roof
 - the installation, alteration or replacement of a chimney, flue or soil and vent pipe visible from the highway
 - erection of an aerial or satellite dish on a house facing the highway
 - erection of solar panels on roofs or walls on a house facing the highway
 - limits on the size of domestic and industrial extensions
 - demolition of all, and in some cases part, of any building or structure
- 3.2 If the conservation area is subject to an article 4 direction development is more restricted, and you should contact the Built Heritage and Conservation Team for advice before undertaking any alterations at builtheritage@blackpool.gov.uk or telephone 01253 476332.
- 3.3 Changes to features which contribute to the character of the conservation area such as original windows may need planning permission. You should contact the Built Heritage and Conservation Team for advice before commencing any works to clarify whether or not planning permission is required. Works carried out without the relevant planning permission will be liable to enforcement action.
- 3.4 If planning permission is required you will need to include a heritage statement with your planning application which sets out the intended development, its impact on the character of the building and the conservation area, and the justification for the work. More detailed advice is available at <https://www.blackpool.gov.uk/Residents/Planning-environment-and-community/Documents/Heritage-Statement-Guidance.pdf>

CONSERVATION AREA GUIDANCE

- 3.5 Where an article 4 direction is in force planning applications are usually free for such works, and you should contact the planning department for confirmation and further advice if required at planning@blackpool.gov.uk

4. Work to buildings in conservation areas

- 4.1 When considering changes to your property it is important to bear in mind the following principles:
- a) Maintenance - regular maintenance is needed to protect original features, but if more extensive work is found to be necessary, repair rather than replacement should be the first option and will often be better value. Generally repairs do not need planning permission unless they include alterations which significantly change the external appearance of the house or building. The essence of repair is that it is carried out on a 'like for like' basis, matching materials and details.
 - b) Materials and design - when considering extensions, alterations or repairs to your property its original materials and design should be respected.
 - c) Enhancement - take the opportunity to enhance the property when considering alterations, by restoring any missing features and improving poorly designed alterations of the past. Sometimes alterations will have been carried out in the past which have had a negative effect on a house or building, and owners are encouraged to reverse these when the opportunity arises.

5. Windows

- 5.1 Original windows make a major contribution to the character of a building and the wider conservation area. If your house or building has original timber or metal framed windows these should be repaired and retained wherever possible, unless it can be demonstrated that they are beyond economic repair, because they are vital for preserving the character of the conservation area. As a rough guide 3/5th of a window should be severely deteriorated before complete replacement will be supported.
- 5.2 Timber windows can be given a new lease of life by overhauling them and installing draught proofing. Secondary glazing is also acceptable if it is unobtrusive. There are several companies which specialize in overhauling timber sliding sashes in order to improve their efficiency including energy efficiency, and their advice should be sought in the first instance. Please see the Council's Window Design Guide for Conservation Areas for further information.

CONSERVATION AREA GUIDANCE

- 5.3 Original windows which are beyond economic repair should be replaced with windows which resemble the originals in design and materials, although slimline timber double glazing may be an acceptable alternative. You should seek the advice of the Conservation and Built Heritage Team before undertaking any changes to windows.



Guest house with original sliding sashes

CONSERVATION AREA GUIDANCE

- 5.4 If you are considering replacing existing upvc double glazing, perhaps because it has reached the end of its life, the Council's Window Design Guide for Conservation Areas has more detailed information about designs which are acceptable. For example, upvc double glazing with top hung opening windows may have been installed previously to replace timber sliding sashes, which is an inappropriate design. Modern double glazing also usually has a bulky frame to accommodate the two panes of glass and wide spacer bars, rather than the slim profile of original timber windows. Top hung opening windows which overlap the frame add to the width of the frames. Replacement frames should always be white; planning permission will be required if you propose to install windows with frames which are not white.



Upvc window frame with 'stick on' glazing bars and top hung upper window

- 5.5 Mock Georgian multi-pane windows will not be permitted unless this was a prevalent original design in the conservation area, or there is evidence that this is the original design for the property in question. If this design is approved for upvc windows the glazing bars would need to be applied to the interior and exterior of the window, with duplex bars within the unit to recreate the effect of separate panes of glass. The spacer bars should be silver or white.

N.B upvc windows are not appropriate in listed buildings and will not be permitted

CONSERVATION AREA GUIDANCE

6. Doors

- 6.1 Original doors should be repaired and retained. If your door is beyond economic repair, or you wish to replace a modern door with one which is more appropriate, this should be carried out in timber to an appropriate design. Your neighbouring properties may have original doors which you can use as a guide, or examples of acceptable designs are given in the Conservation Area Management Plan for each Conservation Area. Please contact the Conservation and Built Heritage Team for advice if required.



Original late Victorian panelled front door



Original 1930s front door with leaded and stained glass

CONSERVATION AREA GUIDANCE

7. Stone bay windows

Stone bay windows should be repaired and retained. They should not be painted because this can damage the stonework through the action of rainwater penetration and frost damage.



Modern paint traps water which freezes in the stone causing it to crack and flake away

8. Canopies and awnings

Traditional retractable awnings are the appropriate design solution for shopfronts in conservation areas.

In the past curved canopies or fixed blinds have been installed above the windows and doors of some hotels and boarding houses. It is appreciated that these have been fitted to decorate the exterior of the buildings, but these are not a traditional feature and in future will not be permitted in conservation areas. Existing blinds should be removed when the opportunity arises and the brickwork or render should be repaired.

CONSERVATION AREA GUIDANCE



Modern fixed blinds on historic buildings

9. Balconies and balustrades

Original balconies and balustrades are important features and should be repaired and retained. Where they are missing they should be reinstated in appropriate materials whenever the opportunity arises.



Wrought iron balcony railings

CONSERVATION AREA GUIDANCE

10. Roofs

- 10.1 The roof is one of the most important parts of a building as it keeps it wind and water tight, and its appearance can also bring harmony to a townscape. The original roof material, such as natural grey or green slate or clay tiles, plus decorative ridge cresting, ridge and hip-tiles should be retained and repaired, or replaced on a like-for-like basis. Imitation slates and clay tiles are a poor substitute in quality and appearance and detract from the character of a house or building. Where individual homeowners replace roof coverings in different materials from their neighbours this undermines the uniformity of the roofscape and harms the character and appearance of the conservation area. Planning permission will usually be required for replacing the roof covering, and you should contact the Built Heritage and Conservation Team for advice.



Red clay tile roof covering to the left and modern roof tile to the right of this pair of semi-detached villas

CONSERVATION AREA GUIDANCE

11. Fascias, bargeboards and rainwater goods

Decorative timber fascias and bargeboards, and features such as finials, can also contribute significantly to the character and appearance of the roof and should be retained and maintained where they exist. Where these features are missing or have been replaced with modern materials they should be replaced when the opportunity arises. This is particularly important in relation to terraced or semi-detached houses where individual approaches to these features can undermine the character and appearance of the whole block.

Rainwater gutters and downpipes would originally have been cast iron on historic houses and buildings. If you have original cast iron rainwater goods these should be repaired and retained, or replaced with cast aluminium. If you are replacing existing upvc rainwater goods you may replace them with black upvc as a minimum.



Decorative eaves brackets

CONSERVATION AREA GUIDANCE



Terracotta finial and ridge cresting

12. **Roof lifts**

Many existing and former hotels and boarding houses have had roof lifts installed in the past. These have had a particularly detrimental effect in conservation areas where historic rooflines have been disrupted. Where modern roof lifts exist outside designated holiday areas, owners are encouraged to remove them if the opportunity arises and reinstate the original roof covering together with any decorative detailing if this is apparent on neighbouring properties.

CONSERVATION AREA GUIDANCE



Differently designed roof lifts on a single terrace

13. Rooflights and dormer windows

The conversion of loft space often requires the installation of dormer windows or rooflights, which can have a negative impact on the appearance of a building and detract from the wider street scene or roofscape. In some streets dormer windows may be acceptable, but they must be designed to sit sensitively within the roofscape and street scene: often this will mean a small, pitched roof dormer of a traditional design and materials. Rooflights should be in the 'conservation style' to sit flush with the roof slates or tiles, taking care that they are limited in size and number, and carefully located so as not to affect the character of the property, preferably restricted to the rear elevation wherever possible. In addition, where possible rooflights should be aligned with existing windows and should have a vertical emphasis.

CONSERVATION AREA GUIDANCE



Roof lights which are higher than the front roof slope

14. **Decorative gables**

Original decorative gables, for example with elaborate barge boards and painted render with applied timber, should be repaired and retained. Where gables have been altered in the past they should be reinstated to resemble the original design where this can be determined from neighbouring properties.



Original half-timbered gables to the right, upvc clad gables to the left

CONSERVATION AREA GUIDANCE

15. Chimneys

Chimneys often make a major contribution to the character of a conservation area and should be repaired and retained. Planning permission will be required for their removal, and will require strong justification.



Chimneys in Stanley Park Conservation Area



Chimneys in Raikes Hall Conservation Area

CONSERVATION AREA GUIDANCE

16. Extensions

New extensions should always be subservient in scale and height to the main building, and should be built in materials that respect and complement the host building and its surroundings. This may involve the use of matching traditional materials or contrasting modern materials. As a general rule, side extensions should be no more than single storey and set back from the front elevation. Garages attached to the host building will be treated as extensions, and should be built to a similar design and in matching materials.

Extensions to the rear of properties where there is a back street should be carefully designed to avoid piecemeal and disjointed rear street scenes. Rear extensions should generally not exceed two storeys in height, should sit below the existing eaves level where possible, and should seek to maintain or re-establish a continuous building line where this is visible from a main highway. New outbuildings which are visible from the highway will be expected to complement the design and materials of the host building.

17. Boundary treatments

Original boundary treatments, such as walls, railings and hedges, play an important part in the character and appearance of a conservation area and should be retained. Where they have been removed in the past they should be reinstated wherever possible and should be replicated in terms of material, proportions and design in order to enhance the character of the conservation area. Planning permission may be required for the total or partial removal of a boundary wall. Always contact the Built Heritage and Conservation Team for advice.



Wrought iron railings on Adelaide Street

CONSERVATION AREA GUIDANCE

Modern decorative boundary wall treatments such as concrete block walling are not appropriate in a conservation area and will not be permitted in future. Existing concrete block walling should be removed if the opportunity arises.



Modern decorative concrete block walling

18. Brickwork and pointing

Repointing of masonry is sometimes necessary; on a traditional house or building this should generally be carried out in a lime mortar, rather than cement, in order to protect the bricks from frost damage.

Masonry which has traditionally not been rendered and/or painted should remain undecorated as painting masonry can be very damaging, and will undermine the character of the house or building and the wider conservation area. Where buildings have already been cladded, rendered and/or painted, advice should be sought from the Built Heritage and Conservation Team before repainting or other works are undertaken. Besides having a negative impact on character, rendering or painting historic masonry can cause damp issues internally.

CONSERVATION AREA GUIDANCE



Late Victorian building repointed with cement mortar which has led to frost damage

19. **Aerials, satellite dishes, CCTV and alarm boxes**

Aerials, satellite dishes, CCTV equipment and alarm boxes can have a detrimental impact on the appearance of a house or building. Where possible they should be situated inside or to the rear of the property or carefully located to minimise the impact on the character of the house or building. Care must be taken when installing such features to avoid cable runs on the surface of brickwork, which can detract from the appearance of a house or building.

CONSERVATION AREA GUIDANCE



Insensitively positioned satellite dishes in Foxhall Conservation Area

20. Microgeneration

Planning permission is usually required for the installation of microgeneration equipment (such as solar panels, photovoltaic cells, solar thermal water heaters and domestic wind turbines) in conservation areas. In order to be acceptable, the visual impact of the equipment must be minimised and should not be located on main elevations. It is worth noting that cutting demand for energy is as important as finding alternative means of generating it. Before deciding whether to install a renewable energy technology in a building, all available energy-saving measures, including low-energy light bulbs, heating controls and improved insulation, should already have been taken, and this information will be required as part of a planning application.

Detailed guidance on this subject can be found on Historic England's website:

<https://www.historicengland.org.uk/advice/planning/infrastructure/renewable-energy/microgeneration/>

21. Insulation

Retrospective measures such as cavity wall insulation can have a very harmful impact on the external face of a house or building and are therefore not recommended for historic buildings. The drilling associated with cavity wall insulation in particular can be extremely disfiguring to brick and stone masonry and is difficult to make good to appropriate standards.

CONSERVATION AREA GUIDANCE

There are numerous alternative methods of improving insulation in historic buildings including loft insulation, upgrading of historic windows with draught seals, hanging heavy curtains, or internally lining walls, which do not have a detrimental effect on the property.

For further information on energy efficiency measures for historic buildings see Historic England's website <https://www.historicengland.org.uk/advice/technical-advice/energy-efficiency-and-historic-buildings/>

22. Demolition

You will need to obtain planning permission for demolition works which amount to the total or substantial destruction of any house or building with a volume in excess of 115 m³. You will also need planning permission to demolish gates, fences, walls or railings over 1m high fronting a highway or public open space, or over 2m high elsewhere in the area. In addition, in conservation areas covered by an article 4 direction, permitted development rights may be removed for total or partial demolition of any boundary wall.

Planning applications which involve the substantial or total demolition of any house or building in a conservation area will be refused unless it can be demonstrated that its individual loss, and the subsequent harm caused to the character of the conservation area, is outweighed by the significant public benefit of the development. In such a case only high quality buildings in terms of design and materials will be considered.

23. New buildings

New development in conservation areas can be very positive, provided that it is not at the expense of existing houses or buildings of architectural or historic interest or townscape value. In addition it should not compromise green spaces that contribute positively to the character or appearance of the area.

There is no 'one size fits all' approach to designing new houses or buildings in conservation areas, as the individual site context should always be the starting point that informs the scheme. All development should preserve and enhance the character and appearance of the conservation area. In some cases a traditional design might be appropriate; in others a contemporary approach might be more successful.

CONSERVATION AREA GUIDANCE

24. Re-using historic buildings

When historic buildings are being redeveloped for a new purpose, past unsympathetic and inappropriate alterations should be reversed wherever possible in order to restore the character of the building.



Burton's building 2014



Burton's building 2017

CONSERVATION AREA GUIDANCE

25. **Materials**

In most circumstances a grant of planning permission will include conditions to ensure that appropriate, high quality materials are used in all developments in conservation areas; these will normally need to be approved on site by the Built Heritage and Conservation Team before you start any building work.

26. **Trees and gardens**

Conservation Area status gives trees within the area special protection. Trees are defined with reference to a minimum diameter of the trunk of 75mm at a point 1.5m above the ground. You will have to give six weeks' notice, in writing, to the Council of any proposed removal or pruning works to trees in a conservation area even if they are not specifically protected by a tree preservation order (TPO). In giving notice you should specify precisely what works you wish to carry out. During those six weeks the Council must decide whether or not to make the trees the subject of a Tree Preservation Order.

The original pattern of gardens and grounds and the presence of trees can contribute greatly to the character of a conservation area, and should be retained. It is a common trend to convert front gardens into hardstandings for car parking, resulting in the loss of attractive and valuable green space, and often also the loss of historic boundary walls. This can be very damaging to the appearance of both the property and the wider street scene, and advice should always be sought in the first instance. Planning permission will usually be required.



CONSERVATION AREA GUIDANCE

27. Shopfronts and signage

Replacement shopfronts and signage should comply with SPG 6: Shopfronts and Signs. <https://www.blackpool.gov.uk/Residents/Planning-environment-and-community/Planning/Planning-policy/Blackpool-local-plan/Supplementary-planning-documents-and-guidance/Supplementary-planning-documents-and-guidance.aspx>. This SPG is supplemented policies CS7, LQ 11 and LQ13, and by further guidance which is available on the Council website.



Traditional shop front on Cedar Square

CONSERVATION AREA GUIDANCE

28. Development will be refused where

- a) It would harm the character or appearance of the conservation area, including historic plan form, the relationship between buildings, the arrangement of open areas and their enclosure, grain, or significant natural or heritage features;
- b) The height, siting, form, massing, proportions, design or materials would not preserve or enhance the character of the area;
- c) Development outside a conservation area which would cause harm to its setting and surroundings, or harm the inward or outward views;
- d) The proposed land use would not preserve or enhance the function and character of a conservation area; or
- e) It would involve the demolition of a building or structure which positively contributes to the character or appearance of the area.

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COMMITTEE DATE: 30/08/2017

Application Reference: 17/0060

WARD: Anchorsholme
DATE REGISTERED: 02/02/17
LOCAL PLAN ALLOCATION: Protection of Public Open Space
Other site of nature conservation value
Coast and foreshore

APPLICATION TYPE: Full Planning Permission
APPLICANT: United Utilities Water PLC

PROPOSAL: Re-development of Anchorsholme Park to include new pumping station and associated buildings, storage tank control building, six vent stacks, erection of cafe and bowling club/maintenance building, re-contouring and landscaping of Park, new amphitheatre feature, new footpaths, provision of MUGA (multi-use games area), trim trail, and children's playground, new access from Princes Way, new walls and fencing. (Re-submission of 15/0820)

LOCATION: ANCHORSHOLME PARK , ANCHORSHOLME LANE WEST, BLACKPOOL
FY5 1ND

Summary of Recommendation: Grant Permission

CASE OFFICER

Mr M Shaw

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority two of the Plan** - Communities: Creating stronger communities and increasing resilience.

SUMMARY OF RECOMMENDATION

The application is a revision of the previously approved scheme reference: 15/0820 and has generated significant local concern regarding the proposed changes and suggested additional impact including the water pumps now being proposed partially above ground rather being positioned totally underground.

However, the proposal, as amended, is recommended for approval. The proposal will store water from the combined surface and foul water drainage system at times of heavy rainfall beneath the Park, water that would otherwise be pumped into the Irish Sea adversely affecting bathing water quality and the cleanliness of the beaches. Following the completion

of the subject works the Park will be re-developed into a much improved public open space. The new Park will also have direct and level access onto the new Promenade.

INTRODUCTION

Members will recall that this application was deferred at the Planning Committee meeting on 11 April 2017 due to concerns expressed at the meeting including the lack of some of the boundary treatment and landscaping details, the extent of the changes from the previously approved scheme, potential noise issues and lighting and CCTV provision.

The application involves revisions to planning permission 15/0820. As part of this work the existing 1.5km outfall pipe is being replaced with a new 3.7km outfall pipe projecting out into the Irish Sea. This matter has been the subject of a separate application to the Marine Management Organisation. At present a 1.5km outfall pipe is licensed to pump water into the Irish Sea up to three times a season and thus these discharges affect the quality of the bathing water and the local beaches. It is expected that the new storage tank will reduce the amount of water discharging into the sea and water that has to be pumped out to sea will in future be further out to sea reducing the possibility of it being washed back in with the tide. Following the completion of these works a new Anchorsholme Park will be provided.

SITE DESCRIPTION

Anchorsholme Park provides approximately 10 hectares of public open space and is protected under Policy BH5 of the Local Plan. The Park is adjacent to Cleveleys and next to Princes Way and the Promenade. The adjacent Promenade has now been renewed up-grading the sea defences forming a continuation of the recent sea defence and Promenade works in Cleveleys. The land level of the Park was previously 2 metres higher than Princes Way with a stone retaining wall forming the boundary between the two and thus preventing direct access between the two. The recently re-opened Princes Way has however now been built up to be level with the Park so that the new Park will open out onto the Promenade. A strip of land at the southern end of the Park adjacent to Princes Way is designated as a Biological Heritage Site being the remnants of a former sand dune system.

DETAILS OF PROPOSAL

The revised proposal involves the erection of a new pumping station building and screening facility, and six sculptured vent stacks at the northern end of the Park close to Anchorsholme Lane West to replace the existing pumping station located on the headland. The works will be accompanied by associated hardsurfacing, landscaping and boundary treatment. A new pedestrian and maintenance vehicular access would be provided from Princes Way into the Park which will be re-profiled with a number of new features and facilities. One of the two existing bowling greens will be replaced by a bowling clubhouse/maintenance building and landscaping. Within the centre of the Park a cafe and water tank control building and new children's playground will be provided and at the southern end of the Park a Multi- Use Games Area will be constructed. One of the aims of the scheme is to provide three hubs spread across the Park rather than all the facilities concentrated close to Anchorsholme Lane West.

The application is accompanied by an Environment Statement including a section on noise, a Flood Risk Assessment, a Statement of Community Involvement, a Planning Statement, a Ground Investigation Report, a Land Quality Risk Assessment and a Groundwater report.

The main revisions to the scheme previously approved by the Planning Committee on 5 April 2016 under reference: 15/0820 are summarised as follows:

- a) Pumping equipment to now be positioned partially i.e. 2 metres above ground level and housed within a larger building but within a smaller compound area.
- b) Café building has more simplified design.
- c) 1.5 metre high timber boundary fencing to pumping station to be replaced with 1.5 metre steel railings.
- d) Gabion wall boundary features replaced.
- e) Overall height of the Park raised by 500mm.
- f) Specialist road and path finishes removed and replaced with finish to match the new Promenade.
- g) a footpath link across the Biological Heritage Site onto Princes Way .

The main revisions to the scheme deferred by the Planning Committee on 11 April 2017 are summarised as follows:

- a) additional hardsurfaced areas to match the new Promenade which will include path areas and a large area adjacent the pump station compound.
- b) the retaining walls adjacent to the pump station will be patterned to match the Promenade and enclosed with 1.8m high fencing (see Police comments).
- c) additional landscaping to the Anchorsholme Lane West boundary to screen the pump station.
- d) further boundary treatment and hardsurfacing details provided including rubble effect boundary wall to Anchorsholme Lane West and use of Promenade topping and rubble effect wall on the Amphitheatre seating.
- e) clarification on the layout of the MUGA.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Need for the Proposed Development
- Differences of the Amended Proposal from the Approved Scheme and Deferred Scheme
- Design of Buildings
- Impact on Residential and Visual Amenity
- Improvements to Anchorsholme Park
- Other Matters

CONSULTATIONS

Environment Agency: Land Quality- agree with the following statement from the submitted Environmental Statement (ES):

For Water Quality and Hydrology the significance of the environmental effects remains consistent with the ES from November 2015. The updated Land Quality assessment identified impacts to human health during construction and operation of the scheme resulting from the presence of isolated areas of made ground on site. In addition, the potential for deterioration of soil quality could occur during the construction. The overall residual significance of these remains as 'slight' and 'neutral or slight' as originally assessed in the November 2015 ES. Overall, no change would occur to landscape effects, as the alterations to the design are in keeping with the original design and the change in effect is not considered significant.

We have no further comment other than to refer the developer to the CL:AIRE Definition of Waste Code of Practice for the re-use of materials on site, and to refer to our previous comments in respect of the infill materials to the original chamber. The latter comments were made as part of our service to United Utilities and are reproduced below:

The chemical assessment of the materials within the shaft previously constructed on the site shows that there has been decomposition of materials resulting in the generation of Methane and Carbon Dioxide within the shaft. The construction of the shaft has isolated materials from within so that the water quality has not impacted outside of the shaft, in the Blown Sand near surface aquifer, although the report suggests that the compromise of the base of this shaft may have generated a poor hydraulic connectivity between the two. The development of the site suggests that the shaft will be accessed to connect to the main Fylde Coast Tunnel from the discharge pipes of the works to be developed on site. As such if the materials within the shaft are to be reused on the site we would ask that a more detailed chemical analysis of these soils is undertaken to ensure that they appropriately risk assessed for their final end use.

Head of Highways and Traffic Management: Some points below which may require discussion.

1. The footpath within the Park which leads to the southern edge of the site (towards Bispham Tram Loop) to tie-in with the existing path. This is required to maintain pedestrian connectivity to Princess Way/Parade/Beach.
2. The scope of works for the vehicle access point onto Princes Way to be discussed and agreed with Traffic and Highways.
3. The footpath into the Park from Anchorsholme Lane West is shown to be wider than existing. The existing vehicle crossing must be modified to take this change into account.
4. The vehicle access into the main facility building is remaining in-situ. Currently visibility is good and this should remain as existing.
5. A Construction Management Plan was conditioned as part of planning permission reference 15/0280. This condition has been discharged and the work is being managed effectively. Any change or variation during construction to how the work is

being delivered (which may affect the operation of the highway network) to be discussed and agreed with Traffic and Highways

Service Manager Public Protection: no comments or objections regarding the initial consultation. Further comments have been provided following concerns expressed regarding the pumps now being proposed partially above ground level.

United Utilities submitted a further noise assessment once they knew the exact noise levels of equipment to be installed. Environmental acousticians measured the existing average background noise levels at the site during the day and at night. They then compared this against expected noise from the pumps. They have used the correct methodology (BS4142) and results have indicated the site will have low impact in terms of noise. I therefore am satisfied that things have been done properly, regardless of where the pumps are positioned. There are also enforcement powers in the unlikely event of a miscalculation.

Head of Parks and Green Environmental Services: With regard to this planning application we have no objections and fully support the proposals.

Contaminated Land Officer: no comments

Sustainability Manager: I think the access from the road would be better a little further north closer to the centre of the roadside car parking area and the facilities in the Park itself. The rough tarmac path currently existing and to be upgraded should be removed at the red lines and left to revegetate naturally. If any spoil is needed to cover it and bring up levels then this could be had from any material from the replacement path. Would it be possible for United Utilities to mark the perimeter of the Biological Heritage Site (BHS) with boundary posts – it does not need fencing – and provide some interpretive signs explaining that it is a BHS, what BHS's are and what the species are that are present on this one?

County Archaeology: The Environmental Statement that accompanies this application outlines changes that: "It is considered that the proposed revisions to the scheme will not result in any additional impacts to Cultural Heritage assets and therefore is not likely to result in any changes to impact significance in relation to Cultural Heritage. As such, the assessment remains valid". On the basis that the mitigation proposed in the November 2015 Environmental Statement remains valid, Lancashire Archaeological Advisory Service (LAAS) would suggest that the recommendations are implemented. This accords with National Planning Policy Framework paragraph 141: "Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible".

Sport England: The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. This application falls within the scope of the above guidance as it relates to development which creates opportunities for sport.

Sport England assesses this type of application in line with its planning objectives and with

the National Planning Policy Framework (NPPF). Sport England's planning objectives are to protect existing facilities, enhance the quality, accessibility and management of existing facilities, and to provide new facilities to meet demand. The proposal includes the provision of a Multi-Use Games Area, trim trail and pavilion for the bowling club. Each of these facilities will help increase physical activity in the area by providing well located and accessible facilities. This being the case, Sport England offers its support for this application, as it is considered to meet Sport England's policy objectives to enhance and provide sports facilities.

Lancashire Wildlife Trust: note that the documents submitted express the view that the proposed revisions will not impact on the ecological findings for the original application. I am advised that the Extended Phase 1 Habitat Survey Report from that original application includes recommendations aimed at protecting extant biodiversity; but that there is no apparent mention of enhancement of biodiversity recommended in the National Planning Policy Framework (paragraph 117).

That said, there is a commitment in the current application to create habitat adjacent to the adjoining Local Wildlife Site ('Lancashire Biological Heritage Site') 34SW01: Queen's Promenade Coastal Grassland - Blackpool North Shore Boating Pool to Little Bispham. However, I cannot locate any detail on that proposal beyond the following statement. "An area of wildflower planting is proposed to the north of the Park, adjacent parallel to Princes Way. By putting the wildflower planting in this location it is intended to create a relationship with the adjacent Biological Heritage Site that will enhance biodiversity interest, whilst at the same time leaving the large majority of the restored Park as amenity grassland for recreational use"

It would be essential that the composition and provenance of any introduced flora as propagules or whole plants would complement and not compete with the native coastal grassland vegetation community for which the Local Wildlife Site has been identified, and that subsequent management would be effective, and monitored to assess it for that effectiveness.

The Local Wildlife Site description states that: 'The relict dune habitat to the north of the site is one of only three known localities in the county for sea bindweed, a species included under the category of 'Endangered' in the Provisional Lancashire Red Data List of Vascular Plants. The striped snail *Cerithium virgata*, a species of restricted distribution in the county, occurs on the site.' Delivery of any effective proposal to expand and sustain the expansion of the local populations of one or both of these species would be welcome.

The documents mention the need for a management plan to prevent harm during construction and, in the Extended Phase 1 Habitat Survey Report, there are several references to 'Precautionary Methods of Working' being required to protect specific species and habitats. You should consult with your ecological adviser as to whether those are adequate. The assessment of impacts on Natura 2000 sites appears adequate, however, you should also consult Natural England as the Government's statutory adviser on such international designations. We also recommend that, before further work takes place, any planning permission should require that full details of how biodiversity and local ecological

networks will be enhanced by the proposed development be submitted to and approved by the local planning authority.

Natural England: Natural England has previously commented on this proposal. The advice provided in our previous response applies equally to this resubmission although we made no objection to the original proposal. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Lancashire Constabulary: The Crime Impact Statement is formed based on local crime figures and trends, incidents reported and community knowledge gathered from local policing teams. It is with this policing knowledge that recommendations are made which are site specific, appropriate and realistic to the potential threat posed from crime and anti-social behaviour in the immediate area of the development.

Crime Risks In the last 12 month period there have been very few incidents/crimes reported in the Park. It is clear from the design and layout that the reduction of crime and disorder risks has been considered and implemented. In order to keep the crime figures low and avoid costly repairs after the redevelopment, I ask that the following advice is considered within the design:

Natural surveillance is considered within the landscaping plan to ensure that no areas are concealed from view as planting gets established, to deter crime and anti-social behaviour. Rainwater pipes should be flush to the wall so that they cannot be used to aid climbing onto the roof of the buildings. The glazing in the sunpipes located on the roof of the café must be toughened or laminated to reduce the risk of damage.

The proposed 1.5m high railings and gates securing the access to the main building are an insufficient height to keep intruders out, this includes youths looking for somewhere to hang out even if there is no criminal intent. If the purpose of the railings is to deter intruders then it should be a sufficient height to do this effectively otherwise it is not adequate or cost effective. A minimum height of 1.8m is advised. Where the railings are located on top of the existing wall, the railings should sit on the outer edge of the wall to reduce the foothold provided by the wall. If the main building houses valuable/desirable equipment I would advise that this building has a remotely monitored intruder alarm linked to an alarm receiving centre in order to ensure a police deployment on a confirmed activation.

Blackpool Local Plan Part 1 : Core Strategy (2012-2027) Policy CS7: Quality of Design New development in Blackpool is required to be:

- a. well designed, and enhance the character and appearance of the local area and should:
- b. Ensure that amenities of nearby residents and potential occupiers are not adversely affected.
- c. Provide public and private spaces that are well-designed, safe, attractive, and complement the built form.
- e. Maximise natural surveillance and active frontages, minimising opportunities for anti-social and criminal behaviour.

It is important that new development is well designed in order to prevent crime and antisocial behaviour. The Council will therefore promote 'Secured by Design' principles in new developments in order to create safer and secure environments. National Planning Policy Framework, Paragraph 58 "Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion".

Section 17 Crime and Disorder Act 1998 - Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Wyre Borough Council: No comments received.

PUBLICITY AND REPRESENTATIONS

Press notice published: 16 February 2017

Five site notices displayed: 16 February 2017

Neighbours notified: 3 February 2017 and 20 July 2017

32 letters of objection in total have been received to the initial submission and the amended details.

Where reference is made after the address to two letters, residents have objected to both the initial and revised submission.

2 Gresham Road- I should like to raise an objection and receive your comments in relation to the following.

Chapter 13 of the Environmental Statement "air quality and odour" states that the existing louvred pumping station building is to be "decommissioned" and that the two existing vent stacks on the promenade will be "disused." However, I can find no undertaking to remove these structures and I believe that a planning condition should be imposed to ensure their removal. Without such a condition, the "industrial" views from Anchorsholme Lane West will comprise eight vent stacks, the large "main facility" building, compound and the redundant louvred building.

Moreover, submitted plans show the site of the decommissioned louvred building and surrounding concrete apron to be held by United Utilities (UU). If this building is to be decommissioned this site should be landscaped (following demolition) and transferred to the Council as "exchange land" , thereby mitigating the loss of public open space (following the significant loss of existing open space through UU enclosing its "main facility" building and service areas). The Council should be resisting the loss of public open space where possible and this would be one way of achieving it. Funds could also be provided by UU to bring the unkempt and disused area of land to the south and west of the tram turning circle into managed, formally designated public open space. I understand that land to the north is to be given over to car parking and this could clearly not form "exchange land" for the Park.

Frankly, the less "private" land held by UU in Anchorsholme Park the better. I perceive UU to be unsatisfactory estate managers. Correspondence demonstrates that it took over a year to achieve the removal and the clean up of an eyesore at the existing pumping station building, namely rusting sheet metal, other rubbish and graffiti. Unbelievably, this was only achieved after the intervention by the Consumer Council for Water. I cannot help but see history repeating itself given the number of structures, enclosures, fences, walls and vent stacks proposed by UU. I realise that the scheme needs to be accommodated but I would ask that any loss of open space be resisted where possible and real measures taken to reduce the risk of part of the Park simply becoming an operational eyesore. In summary, I am objecting to this application on the grounds of the loss of public open space (in the absence of exchange land) and the failure of UU to give undertakings as regards the removal of decommissioned building.

11 Blandford Avenue (2 letters) - Cost should not be the reason for the change. We have put up with the disruption for months and we deserve the best.

I wish to make representations against United Utilities (UU) proposals for aspects of the work currently being carried out in Anchorsholme Park.

1. The proposal that the pump is to be housed partly above ground is unacceptable. The size of the housing, pipeline etc. dictate that this will be a very large pump used to pump vast amounts of liquid some considerable distance. I am astonished that UU should even contemplate housing such a pump partly above ground. I believe there would be discernible noise and vibration and have no confidence in UU's to soundproof it. If the pump cannot be housed in the current proposed location I suggest they dig another hole! Whatever their difficulties they were foreseeable. Residents in this area have shown remarkable forbearance over a long period of time, with more to come, and I, and many others in the area, have no stomach for a proposal that will adversely impact our lives on a permanent basis.

From a personal perspective I suffer from tinnitus and noise and vibration can be very distressing for me.

2. UU promised to make the Park a better place but they are now proposing to leave us with an eyesore. Unacceptable. They should honour their earlier commitments which after all are a drop in the ocean (no pun intended) when looked at against their overall budget.

11 College Avenue - As a resident I am unhappy with the plans! I don't think the plans have been thought about it is just the cheapest and easiest option!

4 Melton Place (2 letters) - I am concerned that the re-landscaping of the Park is an excuse to raise the level of the current Park blocking the beautiful views of the sea and the Lake District residents overlooking the Park have enjoyed for decades. I consider it is a cheap way not to remove the spoil they have created. In my own case I am concerned about the height of the proposed amphitheatre blocking the views which I have enjoyed for over 30 years.

I also consider that the amphitheatre will be a focus for anti-social behaviour similar to what occurred at the old 'blue shelter' now demolished. This led to one local resident who tried to intervene being beaten up. I have raised these concerns with United Utilities at every public meeting possible but I do not consider I have been taken seriously.

305 Fleetwood Road - Re contouring is an excuse for not removing subsoil to cut costs. This was not in original plans. It will facilitate anti-social behaviour by reducing visibility from surrounding roads etc. Original plans stated pumps were to be underground (as they are now and have been for 30+ years). Plan to have them above ground is again a cost-cutting exercise and should be rejected - the reason stated is negated by the fact that they have not suffered from flooding in the past.

Most of what United Utilities have proposed latterly is contrary to the originally agreed plans and I suspect was always their true intention. The Park has been out of action for years and will be for some time yet. We want it to be a Park again, not a spoil heap topped with grass. You prosecute fly-tippers, do not allow unauthorised tipping of waste subsoil just because it is a big company.

25 College Avenue (2 letters) -Though I understand that United Utilities (UU) has to carry out the work improving their systems I consider that the following proposed changes to existing approved plans will be detrimental to the appearance of the Park.

A. Fencing and walls previously approved - Bespoke 1.5m timber fencing and decorative gabion walls - with materials chosen to soften the transition between hard and soft landscaping and to allow views into the area to reduce the likelihood of anti-social behaviour and to create attractive route to centre of the Park. The design character of decorative gabions would be implemented across the Park for continuity.

The new application will replace bespoke timber fencing replaced with Steel railings and handrails - detrimental to the appearance of the Park.

I also note the Police Comments "The proposed 1.5m high railings and gates securing the access to the main building are an insufficient height to keep intruders out. A minimum height of 1.8m is advised. Will UU be submitting a further application to raise the height of the steel fencing? 1.8m steel fencing will not be an attractive feature. This is meant to be a Park to attract locals and tourists - this change from bespoke timber to steel will have a negative impact on the physical environment of the Park. This contrasts to the claim in the approved proposal that "master planning and redevelopment of the Park would lead to a positive impact".

Decorative Gabion walls replaced with crib walls - gravity retaining walls, constructed from interlocking, precast, concrete components. The reason given for this change is "in recognition of the potential for gabion walls to be vandalised resulting in increased maintenance requirements" - but surely if this was a problem it would be known before the submission of the original plans. Crib walls appear more prone to vandalism as they will provide footholds for climbing. I also note with interest that crib walls are advertised as low cost retaining walls - Is this the underlying reason for the change?

B. Footpaths and standing area previously approved exposed aggregate concrete and decorative exposed aggregate concrete to be replaced with all in tarmac finished to identified widths. Again the approved footpaths and standing areas were an attractive feature - tarmac is not.

In respect of the above two objections - Local Plan Policy LQ1 states the quality of design in the built environment requires that "All new developments will be expected to be of a high standard of design and to make a positive contribution to the quality of its surrounding environment" I hope that the Planning Committee takes note of this Policy as the proposed changes to the plans will result in a lower standard of design than the plans originally approved. UU have made many statements about improving the appearance of the Park, producing a Landscape Masterplan with the original features included. Their original planning application gave sound reasons for these features. They should not now be given planning approval to substitute these with alternatives of an inferior design and quality.

Further objections: C. Landscaping in new application - Overall height raised by up to 500mm - this will leave the Park less secure for the landscaping will create too many places for youths to gather unobserved, leading to the possibility of vandalism and anti-social behaviour. Also the landscaping could lead to future problems in maintaining the appearance of the Park.

D. Park Maintenance and Bowling Buildings - I am disappointed that with the reduction in the size of the UU compound there has been no consideration given to moving the above buildings further away from Parkland Close thus resulting in less disturbance and loss of privacy for residents. Thus I object to the proposals for the above reasons.

The Park is a leisure amenity to be enjoyed by both residents and holiday makers. I hope that when UU have finished they leave a Park fit for purpose. However I continue to have the following concerns:

Smell from ventilation stacks - It took UU years to control the smell from the Manchester Square Pumping station - why should we now believe that the proposed ventilation system will work.

Landscaping and Anti-social behaviour - The proposed increase in the height of the landscaping will create hidden areas for people to gather unobserved, leading to the possibility of vandalism and anti-social behaviour. Activities cannot be monitored, or reported as residents will not be able to see what is going on. Raising the height of the landscaping is an excuse for not removing subsoil to cut costs.

The UU Building - We will be left with an unsightly industrial building on the sea front unless care is taken over the finish: for example the south elevation will consist of a huge roller shutter door.

Decommissioning of existing buildings - A planning condition should be imposed to ensure their 'speedy' removal. Without such a condition, the "industrial" view from Anchorsholme

Lane West will comprise six vent stacks, the large "main facility" building, the compound and the redundant louvred building.

Blackpool Council Core Strategy - I hope the finished Park fulfils the criteria you have set in your Core Strategy: Core Strategy (2012-2027) Policy CS7: Quality of Design New development in Blackpool is required to be well designed, and enhance the character and appearance of the local area and should ensure that amenities of nearby residents and potential occupiers are not adversely affected; provide public and private spaces that are well-designed, safe, attractive, and complement the built form and maximise natural surveillance and active frontages, minimising opportunities for anti-social and criminal behaviour. It is important that new development is well designed in order to prevent crime and anti-social behaviour.

1 Parkland Close (2 letters) we all know these works need to be done for good reason, my objections are the aftermath when completed, could be so much improved, and not carried out at minimum costs. The Park maintenance building and bowling club building should be reconstructed on existing footprints, the initial approved application showed the land was needed for the development, this is no longer the case. The siting of these buildings will increase nuisance and disturbance to local residents. The new compound is to be permanently closed, for anti-vandalism reasons, fully understandable unfortunately UU has reduced the compound, and feel it could be further reduced, leaving as much open park space as possible. Also noted enclosed for potential vandalism and misbehaviour, what protection is there for the rest of the Park?

Pumps above ground - reasons given risk of flooding. The existing have been underground since 1930. This is another cost cutting exercise, that will increase noise levels. Mounding and build up of ground level- suggested reduction in traffic with the removal of earth from site, reducing disturbance to residents. Not the case this reduces costs, creates hidden areas to the Park, where anti-social behaviour cannot be monitored, or reported as residents will not be able to see what is going on. There will be no protection to the Café or Park area due to earth build up.

Pathways- reduction of pattern pathways for tarmac. Cost cutting, reducing the attraction of the Park.

Walling to Anchorsholme Lane West and proposed Works enclosure. Pre cast pattern concrete, cheap alternative to gabion walling, unsightly and not in keeping with surrounding walling area. such walling is available, at greater cost!

New raised path levels, are not disabled or elderly friendly, and questions part M of the building regulations, leaving the Council possibly liable, if anyone should fall.

Pumps above ground level will create more noise and nuisance, along with increased building size. This is cost cutting. Pumps should be kept below ground, reducing the size of the unsightly building. The building should be put back on original footprint, not closer to residential properties, causing nuisance and raised noise levels.

Raised ground levels, creating amphitheatre area, will attract unsocial behaviour. Again UU are cost cutting by not having to remove the excavated earth.

Swale drainage (dykes) to various areas will flood. These areas need piped drainage to remove surface water, again cost cutting. Suggested CCTV and lighting to pathways, needs to include play areas, as these areas will be unseen from residents, and be subject to anti-social behaviour and vandalism

12 Cherrywood Avenue (2 letters) -At no time did United Utilities indicate the facility would be anything other than underground. If this proposal is approved the residents will be faced with an ugly industrial building on the Promenade that can only be described as a sewage works. Do they have the legal right to confiscate this area of parkland without compensation and to erect a building of this size and nature? If it cannot be rejected at least it should be an iconic structure to enhance its prime location on the sea front. The negative impact on nearby residents must be considered. United Utilities should produce a building which is acceptable to the residents whatever the cost.

Flat 1, 13 Anchorholme Lane West (on behalf of Flats 1, 3, 4, 5, 6)-strongly object to this scheme. These plans bear little or no resemblance to the original plans. Pumps above ground, no bespoke timber fencing, mounds of earth blocking the view and encouraging anti-social behaviour. These are merely a few of the modifications. After years of discomfort and lack of leisure facilities we deserve a first class Park not a cheap scaled down version.

7 Cherrywood Avenue (2 letters)-local residents have had to endure months of noise disruption and loss of amenities. It is disturbing to find that United Utilities has submitted plans that show little regard for the residents they promised to engage with. Originally the pumping system was to be sited underground having minimal visual impact and also allowing the Park to revert to full public use. The proposal involves a large potentially unsightly industrial building surrounding by industrial fencing.

We assume the raising of the land levels is due to the amount of soil so far dumped around the Park as a result of excavations. There also appears to be no provision for lighting or CCTV. This is likely to attract vandalism and anti-social behaviour. What is the purpose of the amphitheatre? If it is for concerts have the noise impacts been considered? There are numerous other reasons why these plans should be rejected and the whole matter re-visited by the Council. Trust in United Utilities fulfilling their obligations have been severely diminished as cost cutting seems far more important than delivering the wider community.

2 Parkland Close (2 letters) -once again a change of plans. I honestly believe United Utilities have made false promises and misled residents and have hoodwinked the Council. There are two main objections:-

- 1) The siting of the bowling club. Last year I objected to the siting of the clubhouse positioned directly in front of our house and that other alternative sites were not available as land was needed for new pipes. This is now not the case so the clubhouse can be put on its original footprint.
- 2) It is stated that the new pump building needs to be above ground to avoid flooding. But surely a more suitable solution can be found than a huge 35 metre long x 7

metre high construction which is not in keep with the Park. The builders of the original pump had the vision, willpower and social conscience to construct a structure which is more pleasing on the eye. Do not let profit come before people. Jubilee Park Gardens was once a vibrant, family orientated Park full of facilities. Now after United Utilities involvement it is a drab, soulless wasteland.

1 Chatteris Close- My concerns regarding the re-development of Anchorsholme Park are in relation to the amended plans and design of the pumping station which shows the pumps to be above ground and will likely emit noise and air pollution. This is of real concern due to the close proximity to my house on Chatteris Place, my house being closest property to the building. I have already endured serious disruption to my standard of living due to noise and 8 feet high fencing directly in front of my property and months of pile driving which has shaken the foundations over this period of time. I am now informed that where there was not going to be any building above ground that there will be a significant structure which not only emits noise and air pollution but will also block my views of both the Park and the sea.

This not only impacts on my standard of living but will most definitely affect the future value of my property.

574 Queens Promenade- each and every concern raised has its own merits and should be addressed. Agree CCTV should be a priority given the expenditure.

3 Cherrywood Avenue- with the exception of the pumping station, vent stacks and associated buildings no issues but who will pay the bill for maintenance? As this is the Council tax payer then ease of maintenance should be a priority so why include an amphitheatre? This could also encourage vandalism and require costly CCTV. Princes Way and the Promenade will be spoilt with the highly visible sewage facility.

4 Elvaston Road, Poulton le Fylde- The plans differ too greatly from those originally submitted.

21 Anchorsholme Lane West

- 1) Walling to Anchorsholme Lane West and proposed works enclosure. Pre cast pattern concrete, cheap alternative to gabion walling, unsightly and not in keeping with surrounding walling area. Such walling is available, at greater cost!
- 2) New raised path levels are not disabled or elderly friendly and questions part M of the building regulations leaving the Council possibly liable, if anyone should fall.
- 3) Pumps above ground level, will create more noise and nuisance, along with increased building size. This is cost cutting and pumps should be kept below ground reducing the size of the unsightly building.
- 4) The approved plan 15/0820 showed the ground the park maintenance building and bowling club was sited on, was needed, this new plan shows the ground they were on is no longer required. The building should be put back on original footprint, not closer to residential properties, causing nuisance and raised noise levels.
- 5) Raised ground levels, creating amphitheatre area, will attract unsocial behaviour. Again UU are cost cutting by not having to remove the excavated earth.

- 6) Swale drainage (dykes) to various areas will flood. These areas need piped drainage to remove surface water.
- 7) Suggested CCTV and lighting to pathways, needs to include play areas, as these areas will be unseen from residents, and be subject to anti-social behaviour and vandalism. United Utilities, to date have conned both the Council and residents, they are cutting costs where ever possible, and certainly not providing what was promised, at all the meeting prior, to the start of works.

22 Brookdale Avenue-

- 1) Walling to Anchorsholme Lane West and proposed Works enclosure. Pre cast pattern concrete, cheap alternative to gabion walling, unsightly and not in keeping with surrounding walling area. such walling is available, at greater cost!
- 2) New raised path levels, are not disabled or elderly friendly, and questions part M of the building regulations leaving the Council possibly liable, if anyone should fall.
- 3) Pumps above ground level, will create more noise and nuisance, along with increased building size. This is cost cutting. pumps should be kept below ground reducing the size of the unsightly building.
- 4) The approved plan 15/0820 showed the ground the Park maintenance building and bowling club was sited on, was needed, this new plan shows the ground they were on is no longer required. The building should be put back on original footprint, not closer to residential properties, causing nuisance and raised noise levels
- 5) Raised ground levels, creating amphitheatre area, will attract unsocial behaviour. Again UU is cost cutting by not having to remove the excavated earth.
- 6) Swale drainage (dykes) to various areas will flood. These areas need piped drainage to remove surface water. Again cost cutting.
- 7) Suggested CCTV and lighting to pathways, needs to include play areas, as these areas will be unseen from residents, and be subject to anti-social behaviour and vandalism. United Utilities are cutting costs where ever possible, and certainly not providing what was promised, at all the meeting prior, to the start of works.

4 Buckden Close object strongly to the pumps being partly above ground and not underground as originally promised. We want the Park as documented and promised in United Utilities' first application. After all the years of disruption - traffic wise, noise, earth tremors - the residents deserve the original promises made by United Utilities.

19 College Avenue- Pumps above ground level will create more noise and nuisance, along with increased building size. The pumps should be kept below ground, reducing the noise and the size of the unsightly building. Why have United Utilities continued their development putting in infrastructure to house these pump units above ground when they do not have planning permission to do so. They have shown a total disregard to the Planning Committee by already committing to this as yet unapproved revised plan.

Smell already bad from existing pumping station is bad enough, more vents, more smells!

Raised ground levels, creating amphitheatre area, will attract unsocial behaviour. Who is going to police this area in the evening and night time?

Swale drainage (dykes) to various areas will flood, these areas need to have piped drainage to remove surface water.

11 Chatteris Place-I have strong concerns regarding the re-development of Anchorsholme Park in relation to the amended plans and design of the pumping station which shows the pumps to be above ground and will likely emit noise and air pollution. This is of real concern due to the close proximity to my house on Chatteris Place, which is very close to the building in question. I have already endured serious disruption to my standard of living due to daily noise, and months of pile driving which has shaken the foundations of my home over a period of time.

Previous plans showed there was not going to be any building above ground. The new plans now show that there will be a part of the structure above ground level, this will I am sure will cause considerable constant noise. I feel that UU should be made to abide by their original plans put forward for the pumping station.

This not only impacts on my standard of living but will most definitely affect the future value of my property

7 Blandford Avenue-

1. The proposal that the pump is to be housed partly above ground is unacceptable. The size of the housing, pipeline etc dictate that this will be a very large pump used to pump vast amounts of liquid some considerable distance. I am astonished that UU should even contemplate housing such a pump partly above ground. I believe there would be discernible noise and vibration and have no confidence in UU to soundproof it. If the pump cannot be housed in the current proposed location I suggest they dig another hole! Whatever their difficulties they were foreseeable. Residents in this area have shown remarkable forbearance over a long period of time, with more to come, and I, and many others in the area, have no stomach for a proposal that will adversely impact our lives on a permanent basis. From a personal perspective I suffer from tinnitus and noise and vibration can be very distressing for me.
2. UU promised to make the Park a better place but they are now proposing to leave us with an eyesore. Unacceptable. They should honour their earlier commitments which after all are a drop in the ocean (no pun intended) when looked at against their overall budget,

Cllr Tony Williams (2 letters) As one of the Ward Councillors for Anchorsholme I respectfully submit a list of concerns and objections to the amended scheme in Anchorsholme Park proposed by United Utilities.

- 1) The UU Pumping Station area should have the same specialist coloured topping area as the road feeding it that runs from the Promenade to the Park, black tarmac will make this area look very industrial and not fitting for a park setting.
- 2) The crib walls which have replaced the gabion fencing in the first application must be an

eco-crib wall to include some greenery otherwise it will look too concrete in appearance and again look too industrial.

- 3) The steel railings and handrails including in this application instead of the proposed timber boundary must be of an ornate nature and colour otherwise it will look again too industrial and not in keeping with a Park.
- 4) With the pump motors being relocated from the deep basement location to above ground level, we have major concerns about noise pollution from the pumps with residents living so close to the pumps.
- 5) With both of the clusters of 3 vent stacks to be operational emission points, what mitigation is in place to reduce odours from these increased numbers of stacks?
- 6) The cafe and MUGA areas should include CCTV. It's noted by UU's own report on gabion fencing that they are at risk of vandalism. CCTV has been installed in the neighbouring Eastpines Park and has greatly reduced anti-social behaviour in the area.
- 7) I ask the Planning Committee to seek assurance that the new slopes in the Park will drain properly and if so how will this assurance be guaranteed.
- 8) I ask the Planning Committee to confirm the MUGA area proposed contains four actual MUGAs to include spaces for tennis, football, basketball / netball etc.
- 9) I ask the Planning Committee to confirm the Trim Trail area contains the Zip Wire that Ward Councillor and forum money paid for.
- 10) I ask the Planning Committee to seek qualification on what the sandstone coloured corner areas will look like, will they contain noticeboards etc.
- 11) The amphitheatre area should have electricity points for performer's sound equipment.
- 12) The existing noticeboard that was paid for by Councillor Ward budget at Anchorsholme Lane West entrance which contains a map of Anchorsholme Park should be updated to include a new map of the Park.
- 13) The short access road from the Promenade to the cafe should contain lighting, so that the cafe can be used at night by the Scouts and Guides, without lighting it will undermine a key social role for the cafe and the park.
- 14) I ask the Planning Committee to seek assurance as to make sure what is promised is delivered and what guarantees are in place to make sure that is what happens as we have already seen a number of changes to the scheme?

Whilst United Utilities will no doubt protest at the addition of costs to pay for the installation of CCTV in the Park and lighting on the road leading to the cafe, the costs saved by not removing the soil from the Park and increasing the slopes by 500 mm will pay for the cost and ensure the Park is not only safe but guaranteed to be used all year round.

As one of the ward Councillors I submit a list of concerns and objections to the amended scheme in Anchorsholme Park as proposed by United Utilities.

1) It is noted that there are no plans to include any drainage in the area south of the MUGA, as it is anticipated by United Utilities that water in this area will drain naturally. The area of the Park has always suffered with flooding and original plans had a swale in this area. There was even a bridge in the original scheme and no reason has been given as to why the swale in this section including the bridge has been removed. This is a flood risk area and water does not drain naturally.

2) Concerning the UU control building and the pumps, we are told the pumps will operate 12 times a year, that's once a month, the likelihood is the times of operation will be in the middle of the night. However there is no guarantees that these times and frequency will not be exceeded.

The BS 4142: 2014 methodology that has been used to determine that the noise levels from the pumps indicates a "Low Impact", as part of this assessment the methodology requires the distance be measured from the source of the noise to the nearest property, what distance was used in the tests used by United Utilities and were strong south westerly winds taken into account as the methodology requires that all tests are representative? What was the decibel level produced during the BS 4142 audit of these proposed pumps?

3) We have no information on what sound resisting measures will be used on the control building, until that information exists and has been examined by all interested parties, no planning permission should be granted on this proposed building for there is no guarantee it will ensure there is zero impact on residents and not the disputed "low impact." If there was no noise risk or possibility of disruption to residents then why did United Utilities plan to have these pumps underground in the first place? Their own consultation document approves having them underground.

4) Why has United Utilities continued their development putting in infrastructure to house these pump units above ground when they do not have planning permission to do so. They have shown a total disregard to the town's planners and the Planning Committee by already committing to this as yet unapproved revised plan.

5) On more than one occasion United Utilities has informed the residents that the pumps would be underground. This fact was confirmed by United Utilities spokesperson Mr. Steve Wong. Yet in a recent feature in The Blackpool Gazette Mr. Wong stated *'But the pumping station was always going to be above ground to make sure it is more accessible for maintenance. All we have done is change it to an L-shaped building and there will be more green areas for the Park'* This is not what he said in previous meetings or what UU told residents.

Cllr Paul Galley (2 letters) As one of the Ward Councillors for Anchorsholme I respectfully submit a list of concerns and objections to the amended scheme in Anchorsholme Park proposed by United Utilities:

- 1) The UU Pumping Station area should have the same specialist coloured topping area as the road feeding it that runs from the Promenade to the Park, black tarmac will make this area look very industrial and not fitting for a park setting.
- 2) The crib walls which have replaced the gabion fencing in the first application must be an eco-crib wall to include some greenery otherwise it will look too concrete in appearance and again look too industrial.
- 3) The steel railings and handrails including in this application instead of the proposed timber boundary must be of an ornate nature and colour otherwise it will look again too industrial and not in keeping with a Park.
- 4) With the pump motors being relocated from the deep basement location to above

ground level, we have major concerns about noise pollution from the pumps with residents living so close to the pumps.

- 5) With both of the clusters of 3 vent stacks to be operational emission points, what mitigation is in place to reduce odours from these increased numbers of stacks?
- 6) The cafe and MUGA areas should include CCTV, it's noted by UU's own report on gabion fencing that they are at risk of vandalism. CCTV has been installed in the neighbouring Eastpines Park and has greatly reduced anti-social behaviour in the area.
- 7) I ask the Planning Committee to seek assurance that the new slopes in the Park will drain properly and if so how will this assurance be guaranteed.
- 8) I ask the Planning Committee to confirm the MUGA area proposed contains four actual MUGAs to include spaces for tennis, football, basketball / netball etc.
- 9) I ask the Planning Committee to confirm the Trim Trail area contains the Zip Wire that Ward Councillor and forum money paid for.
- 10) I ask the Planning Committee to seek qualification on what the sandstone coloured corner areas will look like, will they contain noticeboards etc.
- 11) The amphitheatre area should have electricity points for performer's sound equipment.
- 12) The existing noticeboard that was paid for by Councillor Ward budget at Anchorsholme Lane West entrance which contains a map of Anchorsholme Park should be updated to include a new map of the Park.
- 13) The short access road from the Promenade to the cafe should contain lighting, so that the cafe can be used at night by the Scouts and Guides, without lighting it will undermine a key social role for the cafe and the Park.
- 14) I ask the Planning Committee to seek assurance as to make sure what is promised is delivered and what guarantees are in place to make sure that is what happens as we have already seen a number of changes to the scheme?

Whilst United Utilities will no doubt protest at the addition of costs to pay for the installation of CCTV in the Park and lighting on the road leading to the cafe, the costs saved by not removing the soil from the Park and increasing the slopes by 500 mm will pay for the cost and ensure the Park is not only safe but guaranteed to be used all year round.

As one of the ward Councillors I submit a list of concerns and objections to the amended scheme in Anchorsholme Park as proposed by United Utilities.

- 1) It is noted that there are no plans to include any drainage in the area south of the MUGA, as it is anticipated that water in this area will drain naturally. The area of the Park has always suffered with flooding and original plans had a swale in this area. There was even a bridge in the original planning application, no reason has ever been stated as to why the swale in this section including the bridge has been removed and we are not convinced that the water will "drain naturally" as it has done previously rather it pooled badly in this area and that was when it was a flat area with no hills.
- 2) Who will maintain the swale and how will it be maintained, if they are not maintained they will not work?
- 3) Concerning the UU control building and the pumps, we are told the pumps will operate 12 times a year, that's once a month, the likelihood is the times of operation will be in the middle of the night and will disturb local residents who live right next to the building and beyond. The BS 4142: 2014 methodology that has been used to determine that the noise

levels from the pumps indicates a "Low Impact", as part of this assessment the methodology requires the distance be measured from the source of the noise to the nearest property, what distance was used in the tests used by United Utilities and were strong south westerly winds taken into account as the methodology requires that all tests are representative? What was the decibel level produced during the tests undertaken during the BS 4142 audit of these proposed pumps? No information currently exists on what sound resisting measures will be used on the control building, until that information exists and has been examined by all interested parties, no planning permission should be granted on this proposed building for there is no guarantee it will ensure there is zero impact on residents and not the disputed "low impact" assured by United Utilities.

4) In our previous objection, we asked what mitigation is in place to reduce odours by the number of increased number of stacks, this question has not been answered.

5) Whilst it is noted that CCTV and lighting ducting is now included in the plan, we urge the Planning Committee to ensure through planning condition that CCTV and lighting are actually installed on the path linking the promenade to the cafe, without the CCTV the Park with all the new hills and slopes will not be a safe place in the evenings and without the lighting it will undermine a key social role for the cafe as no group would be able to safely reach the cafe facility as it will be too dark and the cafe would only ever be used during day light hours with no evening use. I request permission to speak at the Planning Committee meeting.

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute towards sustainable development. There are three strands to sustainable development namely economic, social and environmental, which are mutually dependent. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

Paragraph 6 of the NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment. Amongst other things, this includes replacing poor design with better design.

Paragraph 14 makes clear that at the heart of the NPPF there is a presumption in favour of sustainable development, which is the 'golden thread' running through both plan-making and decision-taking. This means:

- (i) local planning authorities (LPAs) should positively seek opportunities to meet the development needs of their area;
- (ii) Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change;
- (iii) approving development proposals that accord with the development plan without delay; and
- (iv) where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Paragraph 17 of the NPPF sets out 12 core planning principles, stating that amongst other things planning should:

- proactively drive and support sustainable economic development to deliver the infrastructure and thriving local places that the country needs;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- promote healthy communities;
- encourage the effective use of land by reusing land that has been previously developed;
- meeting the challenge of climate change, flooding and coastal change.

The NPPF also aims to ensure that development seeks to achieve good design (paragraph 60). Decisions should address the connections between people and places and the integration into the natural and built environment. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change taking full account of flood risk, coastal change and water supply and demand considerations. With regard to the environmental strand, pursuing sustainable development involves seeking positive improvements in the quality of the natural environment. Paragraph 61 states that planning decisions should address the integration of new development into the natural environment; paragraph 109 requires the planning system to contribute to and enhance the natural environment by minimising impacts on biodiversity and providing net gains in biodiversity; and encourages opportunities to incorporate biodiversity in and around developments.

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 –

- CS1- Strategic Location of Development
- CS5- Connectivity
- CS6- Green Infrastructure
- CS7- Quality of Design
- CS9- Water Management
- CS10- Sustainable Design and Low Carbon and Renewable Energy
- CS12- Sustainable Neighbourhoods
- CS15 - Health Facilities and School Places

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.

BH3- Residential and Visitor Amenity
BH4- Public Health and Safety
BH5- Protection of Public Open Space
BH21- Protection of Community Facilities
LQ1- Lifting the Quality of Design
LQ2- Site Context
LQ3- Layout of Streets and Spaces
LQ4- Building Design
LQ5- Public Realm Design
LQ6- Landscape Design and Biodiversity
NE5- Other Sites of Nature Conservation Value
NE9- The Coast and Foreshore
RR12- Other Promenade Areas
AS1- General Development Requirements

ASSESSMENT

Need for the proposed development - In 2015 new water bathing quality standards were introduced and under these new higher standards seven out of eight of the Fylde Coast bathing waters and beaches are classified as 'poor'. Consequently, the existing pumping station and outfall pipe is not considered fit for purpose to meet current standards and is in need of replacement. The lack of water storage facilities to accommodate storm water peaks is also an issue meaning that more polluted water is being pumped into the Irish Sea than is allowed under the new standards.

The position of the new pumping station and associated maintenance buildings within the Park are largely fixed due to their connection to the new outfall pipe which is currently being laid. Therefore, the need for the development previously approved under application reference 15/0820 in April 2016 and is still accepted as this work is essential and has a much wider benefit in reducing flood risk and providing cleaner sea water and beaches as a result of fewer and smaller discharges of the combined surface and foul water into the Irish Sea when the combined drainage system becomes overloaded. What is in question are some of the details included within this revised application including the partial location of the water pumps above ground instead of underground, any consequent noise issues, proposed changes to some of the details of the scheme approved under planning reference 15/0820 including boundary treatment, surfacing materials and the further raising of land levels. This project is one of a number of on-going schemes on the Fylde Coast in order to address the issue of the required higher water bathing quality standards.

Differences of the Amended Proposal from the Approved Scheme and Deferred Scheme- whilst the previously approved scheme also raised a number of concerns and representations, this current revised proposal has been the subject of numerous objections from local residents and the two ward Councillors. Concerns have been raised that these revisions are simply a cost saving exercise that reduces some of the quality of the existing

approval and will as a result unacceptably increase the visual and residential amenity impact on local residents and within the wider area. The main change to the previously approved scheme is the larger pump station building which is now 950 sqm and includes a small portion of the pumps within the building (2m of a total height of 14m) above ground level. By way of comparison the previously approved pump station building was 806 sqm. This increased size of the building is compensated with a smaller hardstanding area around the pump station building, 5235 sqm as opposed to 7390 sqm, which allows more of the Park to be retained. A number of the other differences relate to design and appearance of buildings, landscaping, the swales (natural drainage feature), boundary treatments, retaining walls and surfacing materials.

It was considered that the deferred scheme lacked some of the necessary detail, which in order to prevent a delay to the application, was to be dealt with by conditions. Some of the details also reduced some of the previously approved quality of planning permission 15/0820. Negotiations and discussions have been on-going with the applicants, Parks colleagues and the two ward Councillors regarding further revisions and providing further details which are set out in the Details of Proposal Section above and include introducing the surfacing material on the Promenade into the Park and reducing the amount of tarmac. The retaining walls and the amphitheatre will also include the patterned concrete used on the new Promenade. Additional landscaping will also be included to screen the pump station from Anchorsholme Lane West and the height of the fencing around the pump station compound has been increased to 1.8m as requested by the Police. The amended and additional details are considered to be of the quality expected and warranted for the new Park and in a number of respects e.g. less hardsurfacing, is an improvement on planning permission reference 15/0820.

Design of Buildings- the main building within the Park is the pumping station and the proposal seeks approval for the installation of the replacement pump partially above ground rather than underground. This proposed building is now 'L' shaped measuring a maximum of 36.5 metres x 35 metres and a height of 7.3 metres to the ridge height of the roof. The previously approved pumping station building measured a maximum of 41.8 metres x 21 metres with a similar height. Whilst the pump station building is larger (see above figures) it will sit on a significantly smaller area of hardsurfacing. The applicants have confirmed that previously approved slate type facing materials will still be used in construction giving the pump station, cafe and maintenance building a quality, distinctive, contemporary and uniform appearance which is considered acceptable in design terms.

Impact on Residential and Visual Amenity- a number and variety of amenity issues have been raised by local residents and local Councillors. With regards to noise the proposal has been examined and re-examined by Public Protection colleagues and there are not expected to be any noise issues arising from the pump station even with a small section of the pumps now 2m above ground level. The pump station will only operate when the combined 2m diameter sewage pipe taking water up to Treatment Works in Fleetwood and the new large water storage tank are full and water needs pumping out to sea to prevent flooding. At present the pump operates around 12 times a year so its use is fairly infrequent and this is the expected future usage level. Odours arising from the ventilation of the development should not exceed existing levels given that the proposal merely replaces an existing

pumping station and the ventilation is required for safety reasons. A Construction Management Plan has previously been approved and it is expected that the existing working arrangements will be continued.

Visual amenity issues have largely been dealt with earlier in this report however the improvements now included are of good quality and will integrate the new Park well into the Promenade. The raising of the level of the park by 500mm is not considered significant given the distances to nearby houses and the size of the Park. The revised proposal will provide additional screening of the pump station compound providing a greener, less harsh appearance when viewed from Anchorsholme Lane West.

Improvements to Anchorsholme Park - the new Park will include new indoor and outdoor facilities and will have an open aspect onto the Promenade and beach making it unique on the Fylde Coast. All new facilities are purpose built and include a multi-sport MUGA, trim trail, much up-graded formal children's' play area adjacent the cafe, an amphitheatre with opportunities for outside performance, a bowling green and associated social/ park maintenance building, improved access points, a wildflower area and improvements to landscaping and boundary treatment which will make the new Park a valuable and considerable facility for the local area and for the town as a whole. It is hoped and expected that the new Park will be better used and the layout makes much better use of the space available.

Other Issues- The Police have expressed satisfaction with the submitted scheme and the height of the fencing has been adjusted to meet the Police comments.

In terms of ecological matters the comments made by the relevant consultees are noted and the comments from the Council's Sustainability Manager have been passed onto the applicants and any response will be reported via the update notes. However, in terms of the impact on the adjacent Biological Heritage Site there are not thought to be any additional impacts and the previously approved scheme was considered satisfactory in this respect.

Archaeology- County Archaeology has confirmed they are satisfied with the submitted details. The proposal includes a swale albeit smaller than shown under 15/0820. The swale will act as a natural drainage feature so that surface water drains away naturally rather than adding to pressure on the combined drainage system with an occasional pond forming at the north end of the Park close to the Fleetwood Road entrance. The applicants have agreed to lay ducting which could be used at some future date to provide lighting and CCTV to the paths and area around the cafe should they be required, although it is understood that lighting and CCTV are not a feature of Blackpool's parks

CONCLUSION

As well as delivering a new Park the proposal will improve water bathing quality and the cleanliness of the beaches as a result of less foul and surface water being discharged into the Irish Sea as water will be stored and only discharged into the sea as a last resort. As amended the proposal is considered acceptable and constitutes sustainable development which is in accordance with relevant local and national planning policies. The amended

proposal is also considered to be an improvement on the approved scheme granted under planning permission 15/0820 in that it reduces the land take in the Park.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

None

FINANCIAL BENEFITS

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. 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) 15/0820 and 17/0060 which can be accessed via the link below:

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

Recommended Decision: Grant Permission

Conditions and Reasons

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 stamped as received by the Council on 30/01/2017

Drawings numbered:-

B2707017/01/000/004 Proposed Site Plan

B2707017/01/000/005 Proposed Site Elevations

B2707017/01/100/001 Proposed Main Facility Building – Floor Layout

B2707017/01/100/002 Proposed Main Facility Building – East and West

Elevations

B2707017/01/100/003 Proposed Main Facility Building – North and South Elevations

B2707017/01/100/004 Proposed Main Facility Building – Sections

B2707017/01/100/005 Proposed Main Facility Building – Roof Plan

B2707017/01/200/001 Proposed Bowling Club and BBC Maintenance Building – Floor Layout

B2707017/01/200/002 Proposed Bowling Club and BBC Maintenance Building – North and South Elevations

B2707017/01/200/003 Proposed Bowling Club and BBC Maintenance Building – East and West Elevations

B2707017/01/200/004 Proposed Bowling Club and BBC Maintenance Building Sections

B2707017/01/200/005 Proposed Bowling Club and BBC Maintenance Building Roof Plan

B2707017/01/300/001 Proposed Café – Floor Layout

B2707017/01/300/002 Proposed Café – North and South Elevations

B2707017/01/300/003 Proposed Café – West and East Elevations

B2707017/01/300/004 Proposed Café – Sections

B2707017/01/300/005 Proposed Café – Roof Plan

B2707017/01/400/001 Proposed Storage Tank Control Building – Floor Layout

B2707017/01/400/002 Proposed Storage Tank Control Building – East and South Elevations

B2707017/01/400/003 Proposed Storage Tank Control Building – West and North Elevations

B2707017/01/400/004 Proposed Storage Tank Control Building – Sections

B2707017/01/400/005 Proposed Storage Tank Control Building – Roof Plan

M315/80040279/00/96/9408 Rev. F Landscape Masterplan Proposals

M315/80040279/00/96/9414 Rev. D Landscape Masterplan Proposals – Sections (Page 1 of 2)

M315/80040279/00/96/9415 Rev. D Landscape Masterplan Proposals – Sections (Page 2 of 2)

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

3. A Construction Management Plan shall be submitted to the Local Planning Authority within one month of the date of this approval. The Construction Management Plan shall include and specify the provision to be made for the following:
 - dust mitigation measures during the construction period
 - control of noise emanating from the site during the construction period
 - hours and days of construction work for the development
 - contractors' compounds and other storage arrangements
 - provision for all site operatives, visitors and construction loading, off-loading,

- parking and turning within the site during the construction period
- arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways
- the routing of construction traffic.

The construction of the development shall then proceed in accordance with the approved Construction Management Plan.

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. a) Notwithstanding the submitted plans full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority within one month of the date of this approval. These details shall include any proposed changes to existing ground levels, means of enclosure and boundary treatment, areas of soft landscaping, hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.
- b) The landscaping works shall be carried out in accordance with the approved details within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner.)
- c) Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

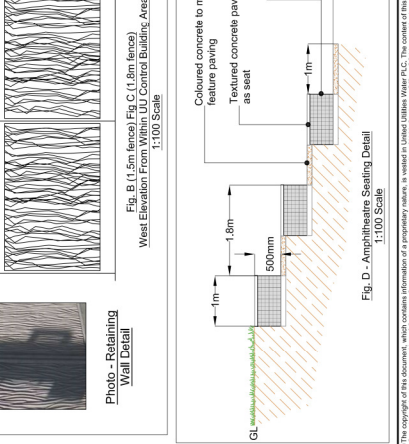
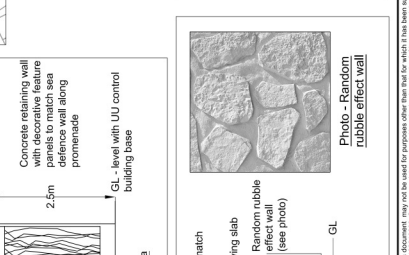
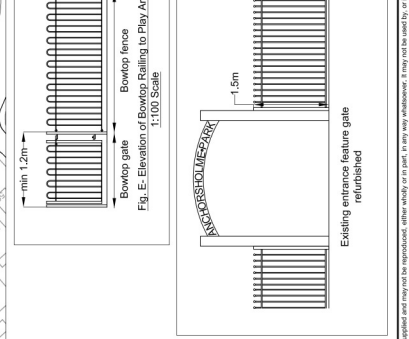
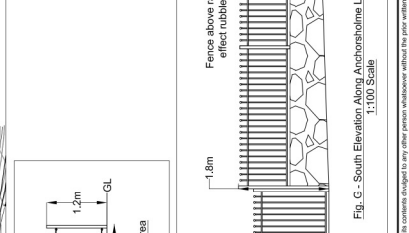
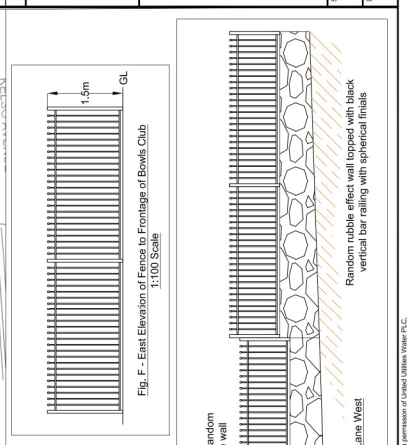
Reason. To ensure the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall with regards to Policy LQ6 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Advice Notes to Developer

Not applicable

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	<p>Existing Biological Heritage Site</p> <p>Existing Planting Retained or Replaced</p> <p>Existing Boundary Retained</p> <p>Proposed Buildings Indicative Position (Detail to be agreed)</p> <p>Proposed Block Paving</p> <p>Proposed Tarmac</p> <p>Proposed Play Area - Indicative Position (To be implemented by Blackpool Borough Council)</p> <p>Proposed retaining wall as per Photo 4 M315/800/04279/00/96/9416</p> <p>Random rubble effect wall as per Detail 1 M315/800/04279/00/96/9416</p> <p>Existing Random Rubble Wall</p> <p>Proposed 1.8m high fence as per Detail 6 M315/800/04279/00/96/9416</p> <p>Proposed 1.5m high fence as per Detail 6 M315/800/04279/00/96/9416</p> <p>Proposed MUGA fence</p> <p>Proposed 8m High Duplex Stainless Steel Ventilation Slacks</p> <p>Proposed Ornamental Planting</p> <p>Proposed Grass</p> <p>Proposed Wildflower</p> <p>Proposed Land Modelling</p> <p>Proposed Swale / Ditch & Pond</p> <p>Proposed coloured surfacing to access road - to complement promenade (Detail to be agreed)</p>
<p>CURRENT ISSUE INFORMATION</p> <p>B - Amendments to drawing layout and addition of details</p>	
<p>VERSION: 0001 (CAD) (R02) DATE: 19 Jul 17</p> <p>NO: 001 FOR PLANNING</p>	
<p>UNITED UTILITIES PLC ANCHORSHOLME OUTFALL EXTENSION LANDSCAPE MASTERPLAN PROPOSALS</p>	
<p>NOT TO BE USED FOR CONSTRUCTION</p>	
<p>SCALE: As Shown</p>	<p>SHEET NO: A1</p>
<p>PROJ NUMBER: M315/800/04279/00/96/9422</p>	<p>REVISION: B</p>



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COMMITTEE DATE: [30/08/2017](#)

Application Reference: 17/0301

WARD: Stanley
DATE REGISTERED: 05/05/17
LOCAL PLAN ALLOCATION: Countryside Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: Denmack Holdings

PROPOSAL: Erection of four detached dwellinghouses, two with integral garages and two with detached garages, with associated landscaping and access from Stockydale Road.

LOCATION: LAND ADJACENT TO 27 STOCKYDALE ROAD, BLACKPOOL, FY4 5HP

Summary of Recommendation: Grant Permission

CASE OFFICER

Mr G Johnston

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority one of the Plan** - The economy: Maximising growth and opportunity across Blackpool and **Priority two of the Plan** - Communities: Creating stronger communities and increasing resilience.

SUMMARY OF RECOMMENDATION

The principle of developing the site for housing was established through outline planning permission reference 12/0896 albeit with access from Midgeland Road. Members have previously refused six houses fronting Stockydale Road with individual access points and no turning facilities (vehicles would have had to reverse onto Stockydale Road and delivery vehicles/bin lorries alight in Stockydale Road to load/unload). This proposal is for a less intensive development - four houses with one point of access, on site turning, room for delivery and bin lorries to alight clear of Stockydale Road, a widening of the road and a pavement along the site frontage and part of the eastern side of Stockydale Road. These are seen as benefits of the proposal relative to the previous refusal. Whilst the character of the lane would be temporarily affected by the removal of the hedgerow, a replacement hedgerow would be planted either side of the access and clear of the visibility splay to help integrate the development into its setting. On balance the application is recommended for approval.

INTRODUCTION

Members may recall that outline planning permission was granted for the former Baguleys Garden Centre site in November 2013 and subsequently a reserved matters application was approved on 27 September 2016.

The site has a history as outlined below:

The first application submitted in 2008 (reference 08/1181 which included six houses fronting Stockydale Road each with its own access to Stockydale Road) was refused by the Committee on the 23 February 2009 on the following grounds:

- the impact of the proposal on the character and function of the Countryside Area;
- the potential for the proposal to compromise a comprehensive and co-ordinated approach to the future development of the area;
- the potential for the proposal to prevent the appropriate planning of supporting infrastructure, services and facilities;
- the impact of the development on highway safety.

The second application submitted in 2010 (reference 10/0220 which included six houses fronting Stockydale Road with no direct access to Stockydale Road) was refused by Committee on the following eight grounds:

- insufficient information submitted;
- the impact of the proposal on the character and function of the Countryside Area;
- the potential for the proposal to compromise a comprehensive and co-ordinated approach to the future development of the area;
- the potential for the proposal to prevent the appropriate planning of supporting infrastructure, services and facilities;
- the applicant's failure to demonstrate that the development would not increase flooding;
- the applicant's failure to demonstrate that an appropriate level of affordable housing would be provided;
- the applicant's failure to demonstrate that an appropriate level of public open space would be provided;
- the detrimental impact that the development would have on residential amenity as a result of over-looking and over-shadowing.

A third outline application with all matters reserved was submitted in 2012 (reference 12/0894 which showed six houses fronting Stockydale Road with no direct access to Stockydale Road). The outline application for the erection of 36 dwellings was approved on 13th November 2013, subject to a number of conditions.

The approval of reserved matters application (reference 16/0196) was for 22 dwellings with five detached dwellings facing Stockydale Road but with no direct vehicular or pedestrian access to Stockydale Road and was approved on 28 September 2016.

The site is in two ownerships and the applicant owns that part of the site which fronts onto Stockydale Road. He wishes to develop this part of the site first and hence has applied for permission to erect four houses facing Stockydale Road but served by one access point.

SITE DESCRIPTION

The application site is roughly rectangular and has a frontage of some 75 metres to Stockydale Road and a depth of some 60 metres. The site frontage comprises a hedgerow with a few trees in it. The land is primarily grassland and did not have any of the structures associated with Baguleys Garden Centre on it. There are three houses to the south of the site, one to the north and one opposite (which is also the base for a cat sanctuary).

DETAILS OF PROPOSAL

This is a full application for four five bedroom detached houses. The middle two houses would have integral garages and the end two houses would have a detached double garage each. The houses would be served by one access point from Stockydale Road and then a service road serving all four houses. The houses would therefore be set back between 25 and 30 metres from Stockydale Road. Stockydale Road would be widened along the site frontage and a pavement would be provided. Unfortunately this would necessitate the removal of the existing hedgerow and trees. However, a new hedgerow would be planted behind the pavement/visibility splay. The houses would be of brick and render construction with grey tile roofs and would incorporate gable features to the front elevation. The rear gardens would be in the region of 20 metres in length. The house at the southern end of the site would be approximately 5 metres from the rear garden boundary of the three houses to the south and the house at the northern end would be set away from the boundary approximately by 1 metre.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- principle of the development
- design of the development
- impact on residential amenity
- impact on highway safety
- other issues

These issues will be discussed in the assessment section of this report.

CONSULTATIONS

Head of Highways and Traffic Management: Comments on original application -The layout and geometry of Stockydale Road does not lend itself to additional development due to its narrow width. Stockydale Road is not wide enough for two-way traffic with poor provision for pedestrians and other road users. This currently creates issues and conflict between different road users, who include pedestrians, motorists, horse riders etc. Visibility

is also poor along this road due to high hedges and trees. Given the size of units proposed (five bedrooms), I expect future occupiers to have access to more than two cars resulting in additional vehicle trips to and from the site. On average, a domestic property creates eight vehicle trips per day meaning that this site will create 36 additional trips per day compounding existing problems in the area.

New footpaths shown on Stockydale Road which do not lead anywhere. I am concerned with where the bin store(s) are shown, immediately off Stockydale Road. On collection days, refuse vehicles will be stationary at this point for short periods leading to highway safety concerns - drivers may not expect stationary vehicles at this point. The application form states 24 car parking spaces? is this correct?

On this basis, I wish to object to this proposal.

Comments on the revised application

Comments will be reported in the Update Note.

Service Manager Public Protection: Due to the historic land use of the property a Phase 1 Desk Study is required. If the Desk Study shows there to be a likelihood of contamination being present then this needs to be followed by a Phase 2 Investigation. If the Phase 2 shows that there are increased levels in contaminants then a remediation study is to be produced and approved by the Local Authority prior to any works commencing.

United Utilities: United Utilities has no objections to the proposed development.

Electricity North West Ltd: We have considered the planning application and find it could have an impact on our infrastructure.

The development is shown to be adjacent to or affect Electricity North West operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West, Estates and Wayleaves, Frederick Road, Salford, Manchester M6 6QH.

The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity.

The applicant should also be referred to two relevant documents produced by the Health and Safety Executive, which are available from The Stationery Office Publications Centre and The Stationery Office Bookshops, and advised to follow the guidance given.

The documents are as follows:-

HS(G)47 - Avoiding danger from underground services.

GS6 - Avoidance of danger from overhead electric lines.

Other points, specific to this particular application are:-

There are LV AND 6.6kV cables along Stockydale Road. There is an LV service point and associated cable west of the proposed development boundary (near the side parallel to Midgeland Road).

The applicant should also be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant. The applicant should be aware of our requirements for access to inspect, maintain, adjust, repair, or alter any of our distribution equipment. This includes carrying out works incidental to any of these purposes and this could require works at any time of day or night. Our Electricity Services Desk (Tel No. 0800 195 4141) will advise on any issues regarding diversions or modifications.

It is recommended that the applicant give early consideration in project design as it is better value than traditional methods of data gathering. It is, however, the applicant's responsibility to demonstrate the exact relationship on site between any assets that may cross the site and any proposed development.

Waste Services Manager: The applicant has given consideration to refuse collection and storage for the new dwellings with the plans showing space for bin storage.

The space provided needs to be sufficient for the storage of potentially twelve 240 litre wheeled bins which will also be required to be purchased at £30 per bin upon completion.

PUBLICITY AND REPRESENTATIONS

Press notice published: Not applicable in this case

Site notice displayed: 16 May 2017

Neighbours notified: 9 May 2017 and 31 July 2017

Mrs Julie Birkett 46 Stockydale Road, Blackpool, FY4 5HR (Objects)

Original comments

I object to the proposed development of four large detached properties opening onto Stockydale Road.

This development was approved only as part of a larger development opening onto Midgeland Road. Midgeland Road is infinitely better for vehicular access. The proposed development of the very large residential dwellings will attract owners with two/three cars each plus visitors, deliveries etc. As Stockydale Road is an unsuitable narrow lane for extra traffic and will be spoiled by this development please address the following points:

1. Why is Stockydale Road considered a suitable access point for 10-15 additional vehicles daily?
2. What measures are being put in place to alleviate the risk of accidents at the blind corner by No.30 Stockydale Road where vehicles/horse riders/cyclists already meet head on

because of congested parking issues on that stretch of Stockydale Road?

3. Is the proposed access and parking provision within the site adequate to ensure that no cars/vehicles will have to park on Stockydale Road? It does not look sufficient. Modern housing developments always have parking problems but in this case there is nowhere else for the traffic to go.

I note there are garages but inevitably these are often used for storage not parking vehicles.

4. Please consider better parking provision or a reduction in the number of approved dwellings. If you do not propose any change to the proposed development please explain why.

5. The scale of the development and entrance onto the lane will adversely affect the street scene and whilst the plan shows that a hedge will remain abutting the boundary of Stockydale Road, the plan indicates this will be a maximum of 1m. I appreciate that this may be part of a visibility splay for access however please can the Council consider a minimum height of hedge, say 1m, to ensure the impact on the street scene and locality is best managed. If you do not propose to make any change please explain why.

Comment submitted 11 August 2017

I have reviewed the Design and Access Statement dated July 2017. I still object to the proposed development.

I note that the revised plan contains a new hedge 1.8m in height. Whilst this new hedge would be much smaller than the current hedge it's better than the 'less than 1m' originally planned at first glance. However it does absolutely nothing to retain the 'rural character of the lane' given that it will abut a new 1.8m pavement for the full length of the site. The only way to retain the rural character of the lane is to access the proposed development from Midgeland Road which was how the site was given permission in the first place, albeit as part of the adjacent 'Baguleys' development.

I strongly request that the Council considers insisting that the development on this site can only be approved via an access from Midgeland Road as per the original approval. I note that L. Patel, Head of Transportation, Blackpool Council, supports this view and objects to the development on the basis of the traffic concerns. He suggests 36 additional trips to the site per day. More traffic, more people. I hope the planning department consider this professional objection with some weight as it reflects the 17 objections from neighbours who live on and use this road. I note that no-one has supported this application.

No amendment to the plan or in the statement resolves these issues. There is no reduction in number of dwellinghouses or alternative access point proposed. This application should be refused in its present form. I am also concerned that the statement refers to other imminent development on the lane. I am not aware of this planning application(s) and would like details of this or pre-application enquires. The applicant appears to be relying on this to support his application.

The proposed changes to the lane do not fit in with the 'Marton Moss Countryside Area' plans created by the Council. I would also point out that the footpaths outside properties such as mine were part of previous Council planning conditions not a desire by owners to create an urban environment.

I reiterate, please refuse this development unless access is provided from Midgeland Road.

Mr Garry Collins The Barn, 40 Stockydale Road, Blackpool, FY4 5HR (Objects)

Original comments

I object to the proposed development with access on to Stockydale Road.

The size of houses on the proposed application 17/0301 is totally inappropriate and not in keeping with others on the application given permission 16/0196, and as such will lead to car parking issues on Stockydale Road creating road safety and access problems both in to the new development and to existing properties.

The original application with access on to Stockydale Road was refused and permission was only granted with access on to Midgeland Road which is better suited to take the extra traffic. Midgeland Road is the only safe access point for this development.

The proposed footpath on the east side of Stockydale Road will narrow the road significantly forcing traffic into the centre of a blind bend, surely this is not practical or acceptable?

Stockydale is a narrow lane frequently used by dog walkers, children and horse riders, any extra traffic would make the lane dangerous. The plan shows the existing hedgerows adjacent to the road to be cut down to a maximum of 1 metre, this would be detrimental to the rural character and appearance of the lane.

Comment submitted 10 August 2017

I object to the amended plans for this application.

The proposed widened footpath will inevitably be used for parking on as is the case further down on Stockydale Road, this will make it difficult for vehicles to pass and create a blind entrance into the new development. The wide entrance and pavements are not in keeping with a rural lane.

I also note that due to the huge size of the proposed houses and the fact this is now a separate application to the original development on Baguleys that circa six houses will be lost compared to the original application, surely with the current housing shortage the site is better utilized with the Midgeland Road development.

Mr David Buckley 15 Stockydale Rd, Marton, Blackpool, FY4 5HW (Objects)

Original comments

In previous planning applications to build on this site, it was made quite clear that no right of way would be given off Stockydale Road. Through what is probably one of the oldest hedge rows on the Fylde.

Not only would it spoil what is a quite country lane, but the addition traffic to four ...five bedroom houses well the road just could not cope. Having lived on Stockydale Road for more than forty years I feel very strongly that this would completely spoil the area. As for the builders access to this with all those deliveries, down the lane and past where I live is too much to bear.

Previous applications across the site of the former garden centre, made no real impact on the traffic situation in the area. But this surely would, there are very few leafy lanes left on the Fylde. Please save this one.

Comment submitted 10 August 2017

I do object very strongly with the application to build four dwellings with direct access to Stockydale Road. The road is very narrow to say the least, with tall hedges and a very sharp 90 degree bend on the approach. The idea of removing hedges and building pavements to nowhere is ridiculous. Faced with cars parking to access the Fury tails cats home and on street parking on Stockydale Road, at times it's almost impossible to pass down the lane. But the biggest threat to us residents is now the development of the surrounding area, with people using Stockydale Road as a short cut to the motorway avoiding the traffic lights on Progress Way. As for the very heavy lorries, misguided by sat nav and poor signs on the approaches they all too often block the road. We all feel as residents that this extra burden on the traffic situation would be too much.

Mrs Linda Collins 40 Stockydale Road, Blackpool, FY4 5HR (Objects)

Original comments

I object to the above development opening onto Stockydale Road.

The original development on this land had vehicular access from Midgeland Road which is much better able to take the additional traffic. An increase in traffic on Stockydale Road will be dangerous. Stockydale Road is a narrow road with two dangerous bends already.

Please address my concerns:

1. I can see on the plan there appears to be a pavement at the narrow bend. Does this mean that the existing hedges are being removed?
2. Is the opening onto Stockydale Road wide enough for the traffic proposed?
3. How high are the hedges on Stockydale Road going to be? The plan says 1m maximum which indicates this could be much less. This would ruin the existing lane.
4. The very large properties proposed will inevitably have 2/3 cars each and visitors. Is the Council intending to reduce the speed limit on Stockydale Road?
5. Is the Council proposing to keep Stockydale Road as a through road or is there an

intention to make it a cul-de-sac with the increased traffic?

Comment submitted 10 August 2017

I strongly object to the latest amended plan.

I am concerned the proposed new wide footpath opposite my property will be used for parking cars on creating more problems for large delivery vehicles e.g. heating oil tanker

As before, I ask is Stockydale Road going to be a through Road or a cul-de-sac? and a slower speed limit put in place.

Mr John Rose 38 Stockydale Road, Blackpool, FY4 5HR (Objects)

Original comments

I object to this proposed planning application with access onto Stockydale Road. The dangerous corners, width and condition of the road are not suitable for any more traffic. It is common sense that should any dwellings be built on this land access should be via Midgeland Road. It should be noted no access at all has been granted onto Stockydale Road with the development of Magnolia Point.

Regarding our recent telephone conversations. From what you say you are still waiting for a reply from United Utilities confirming that they have found another sewer pipe under Stockydale Road and you might not have to demolish our buildings as was required in the earlier planning application. You also say the Highways department have not yet been to assess the dangerous bend on the corner of Stockydale Road. I look forward to an updated reply.

Comment submitted 10 August 2017

I have asked a friend who is a Chartered Engineer, with considerable highways and traffic management experience and local knowledge, for his views on the proposed development and my comments, below, reflect the advice that I have been given.

At the time of writing, your highways consultee's position on the original application has not been made public although I believe that I understand his view. An amended plan (ostensibly agreed with him) has now been submitted - so we have no way of knowing the Council's present position.

First of all, my friend is of the view that Stockydale Road is unsuitable for the construction traffic - in either direction from the site. Neither part of Stockydale Road has footways. Both directions present very significant difficulties with forward visibility. The northern route is already and quite clearly structurally compromised. The southern route involves a 90 degree bend and a significant length fully parked up with the cars of residents who have no alternative space.

Significant lengths of Stockydale Road are too narrow for HGVs to pass other vehicles without damaging verges, hedges and, potentially, utilities including lighting. In some lengths it is too narrow for cars to pass.

Our interpretation of the original Design and Access Statement is that the site would be accessed from Stockydale Road for construction purposes - although it is not explicit. The amended version is no more clear. However, if permission is given for this proposal it becomes a separate entity to the "Baguleys" site (16/0196) and may have no access from that side of course.

I am aware that objectors believe that the existing hedge fronting the site should be retained intact and I share that view. It is interesting that the planning authority also share the view - having conditioned application 16/0196 to prevent the loss or penetration of the hedge.

I do not need to argue the value of the hedge at this point, since others have done that. The hedge was proposed to be retained, in a somewhat tongue in cheek proposal, cut down to a metre high. Regardless of the stopping sight distance adopted for the evaluation of the entrance the visibility requirement is for a driver, with eyes at one metre above ground (actually 1.050 metres) to be able to see an object at the stopping sight distance some 600 millimetres above ground on the line of the nearside kerb. If the hedge was retained at one metre high this is clearly impossible. It is, of course, possible if the hedge were to have been maintained at a height never greater than 600 millimetres. To achieve this it would be necessary to cut it down to about 400-500 millimetres or less every few weeks. I doubt very much if it is acceptable, in terms of the effect on nesting birds, to cut it often enough to achieve a maximum of 600 millimetres. It was preposterous and demonstrates that it was never a serious proposition.

So - the proposal to cut it down to a metre high was clearly not practical or practicable. I doubt if it was ever serious. I believe that it was intended simply as a patronising gesture to get over the first hurdle by making a concession. If this was not the case it would have been exceedingly naive. We did not see, then, that there was any prospect of the present hedge being retained if the application was to be approved. Nevertheless it was represented as agreed with the Council's officers.

It is now proposed that the existing hedge be removed and somehow replaced further back at a height of 1.8 metres – less than its present height. I cannot imagine that the replacement hedge would be allowed to mature to the standard of the existing. It would not, therefore, go anywhere near retaining a rural character.

The Council's usual condition on landscaping is to retain it for five years, as I understand. It will not even have reached maturity in that time and then could be taken away. Let's be honest, the objective is to sell big houses at a premium in a semi-rural location and the new owners would not want to be concealed behind a hedge. A new hedge is not, then, a long term or even serious proposition - just a means of trying to offset objections.

In the amended Design and Access Statement the developer refers to various houses with widening of the road and substantial brick walls, suggesting that the comparison makes their proposal somehow more acceptable. This is not a precedent of any kind. It derived from the early 20th century Blackpool Improvement Acts which required highway

"Improvement Lines" to be observed. These requirements disappeared with the enactment of the County of Lancashire Act (in the 1980's I think) and the widenings and oversize brick walls ceased at that point.

Returning to the stopping sight distance: my understanding is that the frontage is about 78 metres long - sufficient for an SSD for traffic with an 85%ile speed of 28 mph and no more. We have seen no evidence of vehicle speed measurements and recent traffic diversions have led to an increased use of Stockydale Road as a short cut. Whilst my evidence is anecdotal I can advise that there have been four cats run over outside our property in the last six months - whereas my experience over many years is that the number would typically be no more than one a year - if any. I believe that this is indicative of vehicle speeds and flows increasing. I also believe that the loss of the perceived narrowing caused by the hedge would increase vehicle speeds further. I understand this to be the conventional wisdom deriving from experience of traffic calming.

We now understand that the developer has discovered a degree of encroachment of the verge into the carriageway, leaving a slightly greater width available at the proposed entrance. I am not sure what significance this has at all. The visibility requirements are what they are, the turning width requirement can be met by adjusting the design of the entrance. Widening the carriageway simply invites a further increase in vehicle speed before it narrows in either direction. If this were in some way beneficial would the developer undertake to maintain it at that width? Of course not. Interestingly we appear to be trying to increase vehicle speeds and encourage pedestrians to cross at the same point. If it were in some way beneficial we would expect that the Council, as highway authority would be doing this right across the Moss.

The apparently inevitable loss of the hedge exposes, as I assume was always really intended, the proposed grand entrance to view. I take this to be a major selling point. It is difficult to comment on the entrance given the sketchy nature of the drawing that we have seen. It really does the developer no credit that he has assumed that no-one would work it out. I expect that the agent will put something together in more detail when it is too late for anyone to comment further.

I have to say that we find it absolutely staggering that the original access arrangement had already been "agreed in principle" with Mr Johnston and Miss Johnson, at least according to the application documentation.

We now find, in the amended Design and Access Statement, that the amendments are put forward "Following further consultation with the planning department and agreements reached with advisory highways and United Utilities agencies, and in consideration of the letters of objection the following measures have been introduced." So the amendments are agreed with the Council's highways people already and somehow purport to deal with the objections. We must conclude this because there is no advisory highways agency of which we are aware.

We had seen the presently approved development (16/0196) as establishing Stockydale Road as a natural and, in development control terms, defensible boundary to the Moss.

The developer obviously knows more than we do. The amended Design and Access Statement says that "The impending redevelopment of the site to the south east and opposite the site is imminent." I find this particularly interesting because, of course, I own the site across the road. For the redevelopment of my land, or that of Mr Hill next door, to be impending or imminent would require planning permission, as I understand the rules. I am not aware of any such permission. I assume that any such redevelopment is simply an aspiration of the developer – or someone he knows. The curious reference to the impending redevelopments across the road continue in: "That, in conjunction with the proposal, will include the provision of a 1.5m footpath to the section of Stockdale Road that connects the proposal site to the pedestrian footpath system at the tight bend in Stockydale Road." Why in heaven's name would anyone suggest that they put in a substandard unconnected footway next to a substandard carriageway? Why would anyone think that crossing a road twice at a point with very limited visibility is a selling point? Surely the Council has not agreed?

On the issue of pedestrians and footways the picture is very strange. We have a footway proposed along the frontage of the site, originally actually behind a hedge. The ends of this token footway abut the fences of private gardens of other properties - so obscuring all pedestrians from the driver's view as the vehicles approach the site. These boundaries are outwith the red edge and not within the highway. They are, then, not controllable. The existing boundary treatments are high enough to hide adults - let alone child pedestrians. Yet we are expected to believe that getting people to cross there is a good idea. I have been told to avoid using phrases like "before someone gets killed" but, let's be honest, this is not a good idea at all.

The footway proposed southward, toward the right angle bend where pedestrians must cross back, must require the removal of more hedge or a narrowing of the carriageway. The former is clearly most undesirable and the latter, frankly, ridiculous. When they "land" on the inside of the 90 degree bend, there is no footway to speak of anyway. There is no purpose served by introducing a footway to the south on the opposite side of the road. The connection of the site to the rest of the area, for pedestrians, would be far more readily and effectively achieved by a footway west to Midgeland Road, within the "Baguleys" site. This is achievable so far as we are aware, with a minor modification to 16/0196 if necessary. It is our impression that the Runnell Farm site was set out in that way.

The original Design and Access Statement indicated that "The revised [from 16/0196] proposal is to convert the site to provide a high standard residential development that is in keeping with the area and most importantly maintain a usage to the site that prevents the general trend of dereliction that is prevalent in many proximate locations within the Marton Moss area, in two stages". The word "proximate" quite clearly means next; nearest; immediately before or after in order, place, occurrence, etc. So there are not that many proximate locations. The applicant is saying, then, that the adjacent properties contribute to an air of dereliction. My property is across the road and neither derelict nor approaching dereliction. Of the two houses abutting the site on the same side I believe that one was actually built by Mr Mackay and the other has had the benefit of considerable investment.

Neither appear to be part of a trend of dereliction. I find the idea of "maintaining a usage" somewhat strange - given that this is a change from the existing use.

Supporting documentation also indicates that "It is certainly our intention to retain as much of the character of the lane as possible ..." Let's be honest - no it is not their intention to do any such thing. They just want to get an approval that means they need to take out the hedge to, then, open up a grand entrance - as apparently already agreed in principle. They also wish to rip out another hedge to introduce a second token and substandard footway – that will serve no purpose.

We note that the proposed kerb radii at the access are somewhat generous compared to the more modest radii that might normally be required for what is little more than a shared drive. This invites higher entry and exits speeds than are necessary or desirable. I assume that the construction of the access and the construction of the footway on the east side would be the subject of agreements under the Highways Act. I trust that the detailed design (if it does go ahead) will not be agreed behind closed doors but will, first, be the subject of a condition to be formally discharged.

There are drainage matters on which I would comment, were there anything to see – although it all appears to be agreed with UU.

To summarise:

- It is wholly inappropriate to use Stockydale Road as an access simply to increase the value of the proposed houses.
- It is wholly inappropriate to use Stockydale Road as an access for any construction traffic.
- It was probably always known to be impossible to retain any part of the frontage hedge and achieve visibility standards and it is equally impossible to retain any part of the hedge where the footway is proposed on the east side – so much for rural character.
- The proposal actually introduces risks to pedestrians as well as vehicle occupants.
- We believe that the originally supposed retention of the hedge is a red herring that the developer knows is ridiculous - but understand from the documentation that the Planning Authority had apparently been persuaded to agree in principle.
- We now understand that highways officers have agreed to the amended design of the access – again from the documentation.
- The apparently agreed principle of an access at this point is entirely unacceptable and potentially dangerous.
- There is no scope within the applicant's control to mitigate the dangers arising from the proposed access.
- The proposal is a very significant and very sad precedent if approved.
- The application documentation is grossly misleading and deliberately so unless extensive and unreasonable agreements have already been reached with Council officers.

My wife and myself have found reading about the application and its predecessor most stressful. We are still not aware of what is happening with the proposed sewer requisition for 16/0196. It seems to me, then, that it is reasonable to ask what progress has been made on that. You may take that as a request under the Freedom of Information Act. I have to say that I find it most disturbing to have to write in these terms. The proposal is nothing more than an opportunistic attempt to squeeze a bit more money out of a site by pushing the

Council's policies out of the way. I sincerely hope that what is represented as being agreed with Council officers has not been so agreed and that the proposal is found to be unacceptable and is refused. It seems to me, in this context, that it is also reasonable to ask what has actually been agreed with the developer on 17/0301 – whether formally or informally documented. You may take that as a request under the Freedom of Information Act too.

Mr Michael Denness 27 Stockydale Road, Blackpool, FY4 5HP (Objects)

Original Comments

I would like to object to the proposed development plan number 17/0301 Land adjacent to 27 Stockydale Road.

Below are my reasons and concerns

1. The land that this application applies to has previously applied for planning permission with access onto Stockydale Road and been turned down by the Planning Committee on two separate planning applications...
Application 08/1181 paragraph 4 (please see your records).
Application 10/0220 refused (please see your records).

After these two refusals a further application 12/0894 for this site was submitted and granted but with only vehicular access from Midgeland Road . Another further application 16/0196 for this site was again submitted and granted, and once again with no access onto Stockydale Road, paragraph 5 (please see your records)

What are the circumstances that have changed that would now allow this development to be accessed from Stockydale Road?

2. The entrance of the proposed site is to be gained via an agricultural entrance, thus changing it into a domestic entrance, which I understand to be classed as three times busier. Due to the size of the proposed properties I can only surmise the amount of added traffic and cars will impact greatly on this entrance and lane.

Access to the first 200 yards of Stockydale Road from Midgeland Road has a mix of terraced, semi and detached housing, with parking on both sides of the road. Stockydale Road then turns sharp left via a blind corner. The proposed development does not provide any details of the safety features they intend to provide for the safety of pedestrian's, horse riders etc.

3. The position of the proposed new footpath on the opposite side of the road from the development the will require the hedgerow to be removed or the lane narrowed. There are no details within the proposal describing how this will impact on the existing users of this road. Will traffic calming features be introduced?

4. The existing trees and fence line which abut my property on the southern boundary have been maintained by myself for the past 13 years but are not shown on the plan that has been submitted. The trees to the rear of my garage appear to be on the other side of a new

fence, and the trees at the front of my garage and the road no longer appear on the plan. This has been done without discussion or consultation with myself. According to the proposed plan the detached garage at house number 4 appears to be on my property.

Comment submitted 09 August 2017

In response to the amendments submitted by the applicant, I still wish to object to the proposed development.

Stockydale Road is not wide enough to allow all modes of vehicles to pass each other safely. The council/highways have had their own signage in place at both ends of Stockydale Road for some time now stating that the road is unsuitable for heavy vehicles. What has changed? The proposed footpath could cause more problems on this section of road as it may encourage street parking.

The construction of this site will require machinery, equipment and materials to be delivered. How does the council see this being done in a safe manner with the evidence of two blind corners, one at the south end and one at the north end of Stockydale Road. Will the Planning Committee visit this site to view the road and recognise and acknowledge the road safety issues this build will have on vehicles, pedestrians, horse riders etc.

There have been measurements submitted which appear to have been taken in only a small section of the road. Who conducted these measurements? Did an independent party carry them out? Will the whole length of Stockydale road be measured even at its narrowest width? Will the planning department or highways undertake this step? The land that this application applies to has on two previous occasions had planning permission turned down 08/1181 and 10/0220 please see your comments and findings as to your reasons in both cases. What has changed?

A detached garage on the amended plans has been resited. The boundary between my property still appears incorrect It is clearly shown on an office copy of the Land registry title plan I obtained on and dated 2/8/2017.

Mr Andrew Dickman 30 Stockydale Road, Blackpool, FY4 5HW (Objects)

Original comments

I would like to state my concerns over the application in its present form.

This development was granted permission in an earlier application (160196) with access from Midgeland Road and the relevant houses then to be facing West with rear gardens abutting the hedgerow on Stockydale Road. This would leave the present hedgerow there intact. I believe the access to the proposed development from Stockydale Road has twice been refused in previous applications due to the narrow width of the road and the 90 degree bend at the junction of New Hall Avenue North. I cannot see what has changed since the previous refusals. The proposed new footpath on the Eastern side of the road could not be of adequate width without destroying the tall hedgerow on that side. For these reasons I object to the application in its present form.

Comment submitted 09 August 2017

I would like to voice my concern over the amended layout proposal for the above application.

The widening of access locally at the point of entry to the site does not alleviate or change the fundamental problems which would be caused by this proposed development. The width of Stockydale Road over the majority of its length, from the 90 degree blind corner at its junction with New Hall Avenue North to its junction with Jubilee Lane, does not permit passing two way traffic. In addition there is a further 'blind' bend further down the road near Jubilee Lane. Passing is only made possible by some short wider areas which are mainly at the opening to existing properties. This problem is often compounded by horse riders, pedestrians and heavy traffic, despite signs stating the road is unsuitable for HGVs. As there is no footpath along this length as a whole, the proposed path would not improve safety for road users. Even with the suggested additional parking there would be an incremental rise in the traffic flow throughout the length of the road.

As stated in his objection to this development in June, Mr L. Patel of the Highways Department. "The layout and geometry does not lend itself to additional development due to its narrow width. Stockydale Road is not wide enough for two-way traffic, with poor provision for pedestrians and other road users." Plus " New footpaths shown on Stockydale Road which do not lead anywhere." He also states that the development would "cause additional trips per day which would compound existing problems in this area "This amended application only marginally alleviates the access/road width problem at the site entrance and does not solve the increase in traffic and risks to safety along the length of Stockydale Road. There is also the proposed destruction of long existing hedgerows on both sides of the road. That would greatly detract from the semi-rural aspect of the area.

Mrs E Forshaw 18 Stockydale Road, Blackpool, FY4 5HW (Objects)**Original comments**

I am writing to you, with my concerns, regarding the revised plans for the above area. I reside at 18 Stockydale Road. I own my home and have lived here for more than 20 years .I am a driver and use the lane side of Stockydale Road on a daily basis. What you are proposing would be extremely dangerous, it is a narrow winding country road, it is used by pedestrians, dog walkers, horse riders and of course us residents, it is also used a lot these days as a rat run to the motorway with drivers using speeds unsuitable for a lane , as it is really , we are also getting HGV traffic , whose sat navs are bringing them down, so even now there are problems with vehicles getting stuck, and us all having to put our cars on the pavement one evening to let one through. Your proposed access just fills us with dread it would be: An accident waiting to happen. Hope you will consider all of this very carefully.

Mrs Joan Cherry 6a George Ave, Blackpool, FY4 5JR (Objects)**Original comments**

I am writing to object to the above planning application

As both a pedestrian and a driver along this lane when I visit family, my primary concern with this planning application is to mine and other users safety. This site on two subsequent

applications has been refused permission due to the unsuitable access onto Stockydale Road.

There are no pavements on this lane but I noted one has been suggested on this application. I ask the question what is the point of this footpath if it joins onto no other and would it also narrow the road with its construction? I was under the impression footpaths needed to be a certain width to be fit for purpose. Does this proposed footpath meet with those specifications? Since the development of Magnolia Point with the addition of over 80 new homes I have noticed a rise in pedestrians, dog walkers etc. all now using Stockydale Road. What consideration has been given to their safety.

This project will need and require an awful lot of heavy construction traffic bringing both equipment and materials to site. How is the access to the proposed site from Stockydale Road suitable or safe for this? What safety measures or consideration are being put in place?

Have any studies or inspections taken place to the original construction of this section of Stockydale Road, to accommodate the heavy traffic required to service the site? The road already has in place signs put up by the Council advising unsuitable for heavy vehicles. Is it not therefore better to continue with the plans already granted and in place with access from Midgeland Road to this site?

Once again it is proposed to interfere with a mature and longstanding hedgerow in a rural setting .Even though it is proposed to cut the hedge to 1 metre high this will remove and disrupt sufficient nesting, and once again wildlife in the Marton Moss area will be affected. Have any studies taken place?

Comment submitted 08 August 2017

I am writing to object once again in response to the amendments submitted for the above planning application.

As stated previously I am both a pedestrian and a driver along this lane when I visit family, my primary concern with this planning application is to mine and other users' safety. This site on two subsequent applications has been refused permission due to the unsuitable access onto Stockydale Road.

I do not feel any more confident with submitted revisions to safety issues.

I note a footpath widening has been suggested in front of this site, but this still doesn't answer the question what is the point of this footpath if it joins onto no other and would it also narrow the road with its construction? I am concerned that the mature longstanding hedgerow will be removed to construct this footpath.

I was under the impression footpaths needed to be a certain width to be fit for purpose. I note measurements have been submitted of the road in front of the site. Are these accurate measurements and will the council or highways be undertaking a full survey confirming accurate measurements.

Since the development of Magnolia Point with the addition of over 80 new homes I have noticed a rise in pedestrians, dog walkers etc. all now using Stockydale Road. What consideration has been given to their safety.

As stated previously this project will need and require an awful lot of heavy construction traffic bringing both equipment and materials to site.

How is the access to the proposed site from Stockydale Road suitable or safe for this? What safety measures or consideration are being put in place?

Have any studies or inspections taken place to the original construction of this section of Stockydale Road, to accommodate the heavy traffic required to service the site? The road already has in place signs put up by the council stating road is unsuitable for heavy vehicles. Does the council still agree with its own previous findings which led to the erections of these signs.

Heavy vehicles bringing materials, machinery and equipment will all have to access the site via blind and sharp bends at either end of Stockydale Road.

Has the Council made any considerations to road upgrade or repairs that subsequently could be needed if the site is granted.

This site has had previous applications rejected over the unsuitable access .I therefore ask the question of the Council even with these amendments what has changed?

Mr Andrew Greenwood, 50 Stockydale Road, Blackpool, FY4 5HR (Objects)

Original comments

I am writing to object to the above planning application for the following reasons.

The proposal concerns development of land adjacent to 27 Stockydale Rd. This land lies within the Marton Moss strategic site (Map 04 of the Core Strategy policies maps). The proposal appears to be contrary to the Blackpool Local Plan policy for Marton Moss (CS26), the principle points of which are:-

1. The character of the remaining lands at Marton Moss is integral to the local distinctiveness of Blackpool and as such is valued by the local community. A neighbourhood planning approach will be promoted for this area to develop neighbourhood policy which supports the retention and enhancement of the distinctive character, whilst identifying in what circumstances development including residential may be acceptable.

2. Prior to developing a local policy framework through the neighbourhood planning process development on the remaining lands of the Moss will be limited to:

Conversion or change of use of existing buildings for agricultural or horticultural purposes

Outdoor recreational uses appropriate to a rural area

New homes that meet the requirements of NPPF paragraph 55 Extensions or replacement

dwellings in keeping with the scale and character of the area and not exceeding 35% of the original ground floor footprint of the existing dwelling.

New homes meeting NPPF paragraph 55 should be :-

- Be truly outstanding or innovative, helping to raise the standards of design more generally in rural areas;
- Reflect the highest standards in architecture;
- Significantly enhance the immediate setting;
- Be sensitive to the defining characteristics of the local area.

This proposed development does not appear innovative, is not exciting new architecture, and will destroy rather than enhance the rural setting.

3. Stockydale road has two distinct sections. Where it joins Midgeland Road it is a very typical urban street, however at its eastern end it make a very sharp left turn and transforms into a country lane, a rural survivor from a much older time. It is very narrow and unsuitable for anything other than light vehicle use. A road sign at the access to the road states that it is unsuitable for heavy vehicles.

4. The proposal will double the number of residences on the west side of the rural section of the road. The road is so narrow that vehicles cannot pass except with considerable care, and there is no provision for pedestrians. Has any assessment been made of traffic levels and the expected increase? Has any assessment been made of the impact on pedestrian and equestrian use of the road, which has increased following additional use by residents of Magnolia Point?

5. Both ends of Stockydale Road have very sharp narrow blind corners, with no footpath. The proposal shows a new footpath at the southern end.

Will there be a similar path at the northern sharp corner? The southern path (3 on the plan) will make the road even narrower. According to the Highways Agency the absolute minimum width for a footpath is 1000mm. How wide is the path proposed to be? After constructing the path how much road will remain? When will the path be built? This project will require a lot of construction traffic. The combination of heavy construction traffic, a narrow blind corner and no footpath will at the very least pose a serious and foreseeable danger to life. Will the remaining road (after path construction) be wide enough to carry the heavy construction traffic?

What studies have been made about the strength and stability of Stockydale Road? It is very old - will it disintegrate under the additional construction traffic? If so who will be responsible for reconstruction and restoration of the road?

6. There have been previous applications to develop this site, 08/1181, 10/0220, 12/0894 and 16/0196. These were refused for a number of reasons including but not limited to access. What has changed to enable planning permission to be granted?

7. It is proposed to reduce the height of the hedge to 1.0m in the area of access to the

proposed site. I understand that this is necessary for safety and that the lower hedge height will need to be maintained, however it will completely change the nature of the road.

Comment submitted 08 August 2017

I am writing to object to the above planning application for the following reasons. Same reasons 1-2 outlined above and

3. Whilst the amendment proposes widening the road around the development it does not address the narrow constrictions at the north and south end of the road. Unless the whole road is widened it would remain unsuitable and dangerous for additional development. The application states that the road is 5m wide. It is not. A road sign at the access to the road states that it is unsuitable for heavy vehicles.

4. The amended proposal will double the number of residences on the west side of the rural section of the road. The road is so narrow that vehicles cannot pass except with considerable care, and there is no provision for pedestrians. The amendment does not challenge or satisfy this objection. Has any assessment been made of traffic levels and the expected increase? Has any assessment been made of the impact on pedestrian and equestrian use of the road, which has increased following additional use by residents of Magnolia Point?

5. Both ends of Stockydale road have very sharp narrow blind corners, with no footpath. The proposal shows a new footpath at the southern end.

Will there be a similar path at the northern sharp corner? The amendment does not show one. The road at this point is extremely narrow. The road may have changed following the culvert construction by Kensington however the plans should address the road as it is, not how the developer would like it to be.

The southern path (3 on the plan) will make the road even narrower. The amendment will reduce the width of the road at the bend by 1500mm. After constructing the path how much road will remain? The amendment mentions a further development on Stockydale Road, also within the Marton Moss strategic site. This additional proposal should be treated separately and on its own merits and not used to support 17/0301. When will the path be built? The amendment is not clear. Any additional footpath should be constructed before any development of the site. The combination of heavy construction traffic, a narrow blind corner and no footpath will at the very least pose a serious and foreseeable danger to life. Will the remaining road (after path construction) be wide enough to carry the heavy construction traffic? The amendment does not address possible issues about the strength and stability of Stockydale Road. It is very old - will it disintegrate under the additional construction traffic? If so who will be responsible for reconstruction and restoration of the road?

6. There have been previous applications to develop this site, 08/1181, 10/0220, 12/0894 and 16/0196. These were refused for a number of reasons including but not limited to access. What has changed to enable planning permission to be granted?

7. The amendment to increase the height of the hedge to 1.8m in the area of access to the

proposed site is welcome, however being set back it will completely change the nature of the road.

Mrs C Baron 20 Stockydale Road, Blackpool, FY4 5HW (Objects)

I am concerned about the danger of access on such a small but busy road. This an area for people walking, horses and children and they need less vehicles, not more. Thus area has already too many new houses, meaning more traffic. The council should have borne this in mind when they gave planning permission to these developments. My point has been proved when we, in this area have suffered with all the burst pipes, this system cannot take more dwellings.

Mr A Wiseman 1 New Hall Avenue North, Blackpool, FY4 5GY (Objects)

I object to this application on two counts.

1. Additional traffic / Access. Stockydale Road is a narrow road with a blind bend and existing parking congestion. Even a modest increase to the traffic flow would create a noticeable problem. The proposals to further narrow the road to create pavements is nonsensical. Add to that the building site traffic required for construction and it sounds like a disaster area. The only logical access would be from Midgeland Road.

2. Character of the area. As someone who has recently had planning permission turned down on my own property (which is in close proximity) for an extremely modest extension due to the fact that it would make my property "conspicuous in this rural setting". If we are working to the same rules then this application has to be refused also. (Although given the overall number of sizeable housing developments in this area I doubt this will remain a rural setting for much longer.) Removing / reducing hedgerows and turning greenfield site into housing certainly is not my idea of looking after the Moss area, especially when there is a perfectly acceptable brownfield site right next door to this with proper access arrangements.

Ms Lorraine Gregson 19 Stockydale Road, Blackpool, FY4 5HW (Objects)

Road too narrow to support additional vehicle access.

Mr Chris Guerin 3 Ecclesgate Road, Blackpool, FY4 5DW (Objects)

I would object to the proposed changes within this application. The initial plan to create access through Midgeland Road was acceptable and should not be amended because Stockydale Road is regularly used by the equestrian community and narrowing the road and increasing any traffic will cause unnecessary risks for horses and riders.

Mrs D Threlfall 22 Stockydale Road, Blackpool, FY4 5HW (Objects)

There is just simply too many heavy goods vehicles and plant machinery in and around this immediate area including other construction sites and this is for at least the next 12 months,

The Midgeland Road North bound Closure has already forced part of Midgeland Road and Moss House Road, and all of Lime Chase, New Hall Lane and Stockydale Road residents that need to travel this way to either walk or drive past the proposed entrance. Immediate safety issues are children walking to and from schools.

There is no footpath on this road. This is also an established horse riding and cycling route. Historically, further dwelling applications have been refused on Stockydale Road, so why should this one be approved now? The entrances for these dwellings should stay as Midgeland Road and keep Stockydale Road the way it is.

This part of Marton has already lost a lot of rural surrounding my view is to finish the projects in the immediate area first. This year has already seen major disruption to Stockydale Road and Midgeland Road due to the United Utilities mandatory water pipe project, which we all appreciate, has had to be carried out...

Mrs C Threlfall 31 Stockydale Road, Blackpool, FY4 5HP (Objects)

This year has already seen major disruption to Stockydale Road and Midgeland Road due to the United Utilities mandatory water pipe project, which we all appreciate has had to be carried out... Right now, there is just simply too many heavy goods vehicles and plant machinery in and around this immediate area including other construction sites and this is for at least the next 12 months.

The Midgeland Road North bound Closure has already forced part of Midgeland Road and Moss House Road, and all of Lime Chase, New Hall Lane and Stockydale Road residents that need to travel this way to either walk or drive past the proposed entrance. Immediate safety issues are children walking to and from schools.

There is no footpath on this road. This is also an established horse riding and cycling route. Historically, further dwelling applications have been refused on Stockydale Road, so why should this one be approved now? The entrances for these dwellings should stay as Midgeland Road and keep Stockydale Road the way it is.

This part of Marton has already lost a lot of rural surrounding my view is to finish the projects in the immediate area first. This year has already seen major disruption to Stockydale Road and Midgeland Road due to the United Utilities mandatory water pipe project, which we all appreciate has had to be carried out...

Mrs P Hawkins 14 Dunes Ave, Blackpool, FY4 1PY (Objects)

Once again four five bedroom houses are being built on a narrow lane filling in yet more local green space. These properties will generate at least two cars owing to lack of public transport in the area. The site is close to a blind angled bend in the lane. This presents a serious hazard to the many cyclists, riders and dog walkers who use this lane. It is also too narrow for the many wagons who will be delivering materials to this site. The style of houses proposed as with others under construction are totally inappropriate for this rural area,

NATIONAL PLANNING POLICY FRAMEWORK

General and core planning principles in paragraphs 2, 7, 8, 14 and 17;
Design issues in paragraphs 9, 17, 56 and 73;
Housing issues in paragraphs 47, 49 and 55;
Highways issues in paragraphs 34 and 35;

Flooding and environmental issues in paragraphs 94, 99, 103, 109 and 111.

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 -

Policy CS1: Strategic Location of Development
Policy CS2: Housing Provision
Policy CS6: Green Infrastructure
Policy CS7: Quality of Design
Policy CS9: Water Management
Policy CS13: Housing Mix, Density and Standards
Policy CS26: Marton Moss
Policy 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:

Policy LQ1: Lifting the Quality of Design
Policy LQ2: Site Context
Policy LQ3: Layout of Streets and Spaces
Policy LQ4: Building Design
Policy LQ5: Public Realm Design
Policy LQ6: Landscape Design and Biodiversity
Policy HN4: Windfall Sites
Policy BH3: Residential and Visitor Amenity
Policy BH4: Public Health and Safety
Policy BH10: Open Space in New Housing Developments
Policy NE6: Protected Species
Policy NE7: Sites and Features of Landscape, Nature Conservation and Environmental Value
Policy AS1: General Development Requirements

ASSESSMENT

Principle - the principle of developing the land for housing has been established through the outline planning permission granted in 2013. That permission envisaged six detached houses occupying the site frontage to Stockydale Road but with no direct pedestrian or vehicular access to Stockydale Road. This number was reduced to five as part of the application for the approval of reserved matters in 2016. So in terms of the loss of this open gap between existing development on Stockydale Road this has been previously approved and hence is not an issue in this case. What was not approved previously was the removal of

the existing hedgerow and the creation of a vehicular access onto Stockydale Road. These issues were part of application 08/1181 which envisaged six detached houses fronting Stockydale Road with individual access points and no on site turning facilities. One of the reasons for the refusal of this application was -

The proposal would have an unacceptable impact on highway safety by virtue of the inadequate access to Midgeland Road and the inability of Stockydale Road to accommodate additional traffic generation by virtue of its width, alignment and lack of pavements. As such, the proposal would be contrary to Policy AS1 of the Blackpool Local Plan 2001-2016.

The application seeks to address this reason for refusal by -

- proposing fewer dwellings - four compared with six
- providing one point of access
- providing on site turning facilities to allow vehicles to enter and leave the development in forward gear
- providing space for a bin lorry or delivery vehicle to pull clear of the road
- widening the carriageway along the site frontage
- the provision of a pavement along the site frontage
- the provision of an additional section of pavement on the eastern side of Stockydale Road
- the planting of a new hedgerow behind the visibility splay

Whilst it is acknowledged that the development would increase traffic on Stockydale Road the reduction in the number of dwellings and other matters detailed above are material changes to the previously refused proposal to access properties off Stockydale Road and on balance are considered acceptable in this case.

Design - the properties would be designed to appear double fronted but the main elevation would face Stockydale Road. There is a mixture of house styles on Stockydale Road and building lines. The proposed houses although having a larger footprint than others in the locality would not look out of place as they would be set back from the road and the materials would match the range of materials in the area. The replacement hedgerow and landscaping to the frontage of the site would help to integrate the site into the streetscape and would hide car parking from view. Each property would have a garage capable of accommodating two cars and the driveways could accommodate three cars. This should mean that there would be unlikely to be on street car parking on Stockydale Road which would be of benefit from a visual and highway safety perspective. As the site has permission for housing paragraph 55 of the NPPF and Policy CS26 are not relevant in this case.

Amenity - Given the proposed siting and orientation of the dwellings it is not considered that they would adversely affect the amenities of surrounding residents and the length of the back gardens means that they would not prejudice the development of the land to the west

Highway Safety - It is acknowledged that Stockydale Road is a narrow lane with only short sections of pavement and it has awkward bends to the south and north of the application site. The road is also deemed unsuitable for heavy vehicles. Members will be aware of the

strength of local feeling regarding the road and the issues regarding rat runs and temporary closure of other roads. Members have previously resisted six properties fronting Stockydale Road with individual access points and no on site turning facilities. This proposal offers a number of elements to seek to overcome those concerns:

- proposing fewer dwellings - four compared with six
- providing one point of access
- providing on site turning facilities to allow vehicles to enter and leave the development in forward gear
- providing space for a bin lorry or delivery vehicle to pull clear of the road
- widening the carriageway along the site frontage
- the provision of a pavement along the site frontage
- the provision of an additional section of pavement on the eastern side of Stockydale Road
- the planting of a new hedgerow behind the visibility splay

Whilst it is recognised that the proposed development would generate additional traffic on Stockydale Road the benefits outlined above are material changes compared to the previous refusal and on balance outweigh the previous concerns.

Parking and Servicing Arrangements - each property would have space for five cars to park - two in a garage and three on the drive. It is possible to condition that the garages remain available for that purpose. The standards require three spaces for houses with four or more bedrooms. Whilst this could be considered to be an over provision it does offer the potential to reduce on street car parking which is a benefit in this instance. Parking would be concealed by the hedgerow and landscaping on the site frontage. The site access would allow for a bin lorry or delivery vehicle to reverse clear of the highway to allow for loading and unloading without impeding access to/egress from the site by private cars. Bin storage areas would be provided either side of the site access.

Other Issues - On a site of this size it is not considered that a mix of house types and sizes is required. The site would provide four large houses which would help to diversify the housing stock. The applicant has attempted to demonstrate how the remainder of the site could be developed and whilst it would deliver a lesser number - 17 compared to 22 this is not considered material in this case. United Utilities has no objection to the drainage proposals for the site. The hedgerow and trees would need to be removed outside the bird breeding season (March -August). The remainder of the site has little ecological value.

CONCLUSION

The principle of developing the site for housing was established through outline planning permission reference 12/0896 albeit with access from Midgeland Road. Members have previously refused six houses fronting Stockydale Road with individual access points and no turning facilities (vehicles would have had to reverse onto Stockydale Road and delivery vehicles/bin lorries alight in Stockydale Road to load/unload). This proposal is for a less intensive development - four houses with one point of access, on site turning, room for delivery and bin lorries to alight clear of Stockydale Road, a widening of the road and a

pavement along the site frontage and part of the eastern side of Stockydale Road. These are seen as benefits of the proposal relative to the previous refusal. Whilst the character of the lane would be temporarily affected by the removal of the hedgerow a replacement hedgerow would be planted either side of the access and clear of the visibility splay to help integrate the development into its setting. On balance the application is recommended for approval.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

In the absence of on-site open space the application would attract a sum of 4 x £1,376 (£5,504) which would be secured by a condition.

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) 17/0301 which can be accessed via the link below:

<http://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 stamped as received by the Council on 25th April 2017

Drawings numbered 1701/02/01A, 1701/02/02, 1701/02/03, 1701/02/04

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

3. Details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ4 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. Details of the surfacing materials to be used for the access road and drives of the properties shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. a) No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed changes to existing ground levels, means of enclosure and boundary treatment, areas of soft landscaping, hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

b) The landscaping works shall be carried out in accordance with the approved details within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner.)

c) Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any

variation.

Reason. To ensure the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall with regards to Policy LQ6 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. The development authorised by this permission shall not begin until the Local Planning Authority has approved a scheme to secure the provision of or improvements to off-site open space together with a mechanism for delivery, in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development"(SPG11).

Reason: To ensure sufficient provision of or to provide sufficient improvements to open space to serve the dwellings in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development"(SPG11).

NOTE – The development is of a scale to warrant a contribution of £5,504 towards the provision of or improvement to off-site open space and management of the open space provision, in accordance with Policy BH10 of the Blackpool Local Plan 2001-2016 and SPG 11. The Applicant(s) should contact the Council to arrange payment of the contribution.

7. Prior to the development hereby approved being first brought into use the refuse storage provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants and neighbours, in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) the garage shall not be used for any purpose which would preclude its use for the parking of a motor car.

Reason: In the opinion of the Local Planning Authority the retention of parking space within the site is of importance in safeguarding the appearance of the locality and highway safety, in accordance with Policies AS1 and LQ1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1:

Core Strategy 2012-2027.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no change of use from Use Class C3 (the subject of this permission) to Use Class C4 shall take place without the written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and to prevent the further establishment of Houses in Multiple Occupation which would further increase the stock of poor quality accommodation in the town and further undermine the aim of creating balanced and healthy communities, in accordance with Policies BH3 and HN5 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. Details of the slab levels of the proposed dwellings and the levels of the service road and pavements shall be submitted to and approved by the Local Planning Authority within 6 months of the date of this approval. The development shall then be constructed in accordance with the approved levels.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants and neighbours, in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

11. Each house shall be provided with a 200 litre water butt which shall collect surface water from the main roof

Reason: In order to minimise flood risk from surface water run off both on and off site in accordance with Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

12. Prior to the occupation of any part of the development, a lighting strategy to include details of the appearance of any fixtures, illuminance levels and light spillage shall be submitted to and agreed in writing by the Local Planning Authority. The agreed lighting strategy shall be implemented in full before any property first occupied.

Reason: In the interests of the appearance of the locality, the safety and security of local residents, the biodiversity of the site and highway safety in accordance with Policies LQ1, LQ3, LQ6, BH3 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

13. The replacement hedgerow on the site frontage shall be retained at all times. Any part of the hedgerow which is removed, uprooted, destroyed, which dies, or becomes severely damaged or seriously diseased within 5 years of planting shall be replaced within the next planting season by hedgerow of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason. To ensure the site is satisfactorily screened in the interests of visual amenity, to ensure it integrates with the urban fringe landscape and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall with regards to Policy LQ6 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

14. No development shall be commenced until details of the pavement numbered 3. on drawing No. 1701/02/01 A has been submitted to and approved by the Local Planning Authority.

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

15. No house shall be occupied until the site access works, road widening, pavement across the site frontage and pavement 3 (referred to in condition 14) have been constructed in accordance with drawing No. 1701/02/01 A.

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

Advice Notes to Developer

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.

2. Policy BH10 of the Blackpool Local Plan states that new residential developments will need to provide sufficient open space to meet the needs of its residents in accordance with the Council's approved standards. The policy goes on to say that where it is not possible to provide the full requirement of public open space on site, developers may pay a commuted sum to cover the provision or improvement of public open space off site. Details of the Council's standards and calculated commuted sum rates are set out in Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development". In accordance with this document, and given that no public open space can be provided on site, the commuted sum required in respect of this development would be £5,504.
3. The grant of planning permission will require the developer to enter into an appropriate Legal Agreement with Blackpool Borough Council acting as Highway Authority. The Highway Authority may also wish to implement their right to design all works within the highway relating to this proposal. The applicant is advised to contact the Council's Highways Department, Layton Depot, Depot Road, Blackpool, FY3 7HW (Tel 01253 477477) in the first instance to ascertain the details of such an agreement and the information provided.
4. Please note that any address changes or new addresses needed as a result of this development must be agreed by the Council. Please contact Council's Highways Department, Layton Depot, Depot Road, Blackpool, FY3 7HW (Tel 01253 477477).

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BLACKPOOL COUNCIL
PLANNING DEPARTMENT
RECEIVED 26 APR 2017
PLANNING APPLICATION REF:
17/0301



BAGULEYS GARDEN
CENTRE
MIDGELAND ROAD
STANLEY
BLACKPOOL
FY4 5HE

OS Mastermap
07 November 2012, ID: BW1-00188329
www.blackwellmapping.co.uk
1:1250 scale print at A4, Centre: 333412 E, 432795 N
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TEL: 0114 268 7658
maps.sheffield@blackwell.co.uk

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COMMITTEE DATE: [30/08/2017](#)

Application Reference: 17/0340

WARD: Squires Gate
DATE REGISTERED: 15/05/17
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission
APPLICANT: Ms Kyle

PROPOSAL: Erection of part single / part two storey side/rear extension following demolition of existing conservatory.

LOCATION: 44 STONY HILL AVENUE, BLACKPOOL, FY4 1PR

Summary of Recommendation: Grant Permission

CASE OFFICER

Mr M Davies

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority one of the Plan** - The economy: Maximising growth and opportunity across Blackpool **and/or Priority two of the Plan** - Communities: Creating stronger communities and increasing resilience.

SUMMARY OF RECOMMENDATION

There are some side windows in the adjoining property at No.42 Stony Hill Avenue which will be impacted by the proposal. The extension has been set off the boundary to mitigate its impact on the amenities of the occupiers of No.42 and it would be rendered and would have a lower ridge line to reduce its impact. As only one window impacted would be the primary window to a habitable room (kitchen window) it is considered that subject to the imposition of appropriate conditions to protect the amenities of the occupiers of the adjoining property (No.42) that planning permission should be granted.

SITE DESCRIPTION

The property is the northern one of a pair of semi-detached two storey dwellings. A conservatory has been added on the boundary with No.46 Stony Hill Avenue, the adjoining semi, at some point in the past although there is no record to indicate when this happened. The conservatory projects 3.3 metres out from the rear of the original dwelling and is joined to a single storey rear wing of

5 metres on the opposite side from the boundary with No.46. The single storey projection appears to have been an original feature of the house as similar projections exist on both No.s 42 and 46 which adjoin either side of the subject property.

DETAILS OF PROPOSAL

The application is for the erection of part single / part two storey side/rear extension following demolition of the existing conservatory. The single storey extension will replace the existing conservatory and will have the same footprint projecting 3.3 metres out from the rear of the original property. The existing single storey element will also be replaced with a two-storey rear/ side extension which will project the same distance from the rear elevation (5 metres) as the existing structure. However, the width of the structure would be increased on the side facing No.42 and would project 1.45m out from the northern elevation of the existing dwelling. The extension would be rendered and would have a lower ridge line than the original house.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle
- Design
- Amenity
- Parking and Servicing Requirements
- Other Issues

These issues will be discussed in the assessment section of this report.

PUBLICITY AND REPRESENTATIONS

Press notice published: Not Applicable

Site notice displayed: Not Applicable

Neighbours notified: 17 May 2017

One letter of objection has been received from the owners of No.42 Stony Hill Avenue which raises the following concerns:

- The proposal would have an enclosing and oppressive effect, and a diminution of our amenity, with a negative effect on our side windows, in terms of sunshine and light.
- The intention of these properties when they were designed was to leave space between them, and as such we feel the proposed additional extensions are of a disproportionate scale, and not in keeping with the surrounding neighbourhood.
- We request that a Party Wall Award is in place prior to any works commencing.

NATIONAL PLANNING POLICY FRAMEWORK

Core Principle 7 “Requiring Good Design and Amenity” and Paragraphs 56 – 66.

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 -

CS7 – Design Quality

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

LQ4 – Building Design

LQ14 – Extensions and Alterations

Extending Your Home Supplementary Planning Document (SPD).

ASSESSMENT

Principle - The “Extending your Home SPD” states that extensions should be subservient to the original property and incorporate similar design features. In this case the extension would be subservient with a lower ridge line and would have windows of a similar style. It would be rendered and would have similar roofing materials.

The SPD also states that on the boundary between two properties a two storey extension should not exceed a projection of 1.5 metres. It should then be pulled back 1 metre from the boundary for every 0.5 metres of additional projection over 1.5 metres. In this particular case the two-storey extension would be set 4 metres in from the boundary with the adjoining semi (No.46) which would permit a 3.5 metre projection. The proposal envisages a 5 metre two storey projection, however, it is important to bear in mind the relationship of the subject property to the adjoining house as it is situated due north which means there would be no impact from the extension in term of loss of daylight. In terms of the relationship with No. 42 to the north there would be a similar separation distance (about 3.8 metres) and hence the guidance would permit a 3.5 metre projection here as well. The actual projection would be 5 metres. In mitigation the extension would have a lower roof line that the original house and would be rendered to reflect light.

Design - The proposal is subservient to the main dwelling and accords with the guidance contained in the "Extending Your Home" Supplementary Planning Document. There are therefore no significant design issues in relation to the proposal.

Amenity - The subject property is situated on the northern side of No.46 the adjoining semi. Therefore the proposal will not impact on sunlight and daylight to this property due to its orientation. The nearest window on the rear elevation of No.42 is a bathroom window with opaque glazing and two of the windows on the side elevation of this property are small secondary openers and a decorative feature window to the staircase. There is however a kitchen window on this side elevation. Therefore there is one main habitable room window which would be impacted by the proposal. In mitigation the extension would have a lower roof line than the original house and would be rendered to reflect light. To ensure that the extension does not prejudice the future prospects of an extension to No.42 a condition is recommended in relation to the glazing in the north elevation of the extension being opaque.

Parking and Servicing Arrangements - The front garden area of the subject property is fully paved over and provides off street car parking for a minimum of three vehicles so the extension would not prejudice parking provision at the property.

Other Issues - The Party Wall Act is a separate piece of legislation which relates to agreeing works on a shared wall between the two property owners. This is not a planning consideration and in this particular case as no work is taking place on the actual boundary a party wall agreement will not be necessary. The applicant was approached about changes to the application but wishes the application to be determined as submitted.

CONCLUSION

Concern has been expressed in relation to the impact of the extension on the side windows at No.42. The proposed extension has been set 0.75metres in from the side boundary with No.42 and it is proposed to impose a condition requiring opaque glazing in windows on the side elevation to protect the amenities of the adjoining neighbours. Whilst No.42 does have a side window to a kitchen which overlooks the subject property, the extension would be rendered and would have a lower ridge line to reduce its impact. Having regard to all these factors it is considered that on balance the proposal is acceptable subject to the imposition of appropriate conditions.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

Not Applicable

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 17/0340 which can be accessed via the link below:

<http://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 received by the Council on 15/05/2017

Drawing numbered B/17/50/01 - Rev A received by the Council on 01/06/2017

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

3. The render and roof tiles to be used on the extension hereby approved shall be the same colour, texture and design as those on the existing dwelling, unless otherwise agreed in writing by the Council as Local Planning Authority before the development commences.

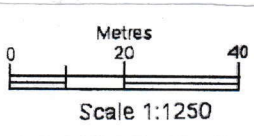
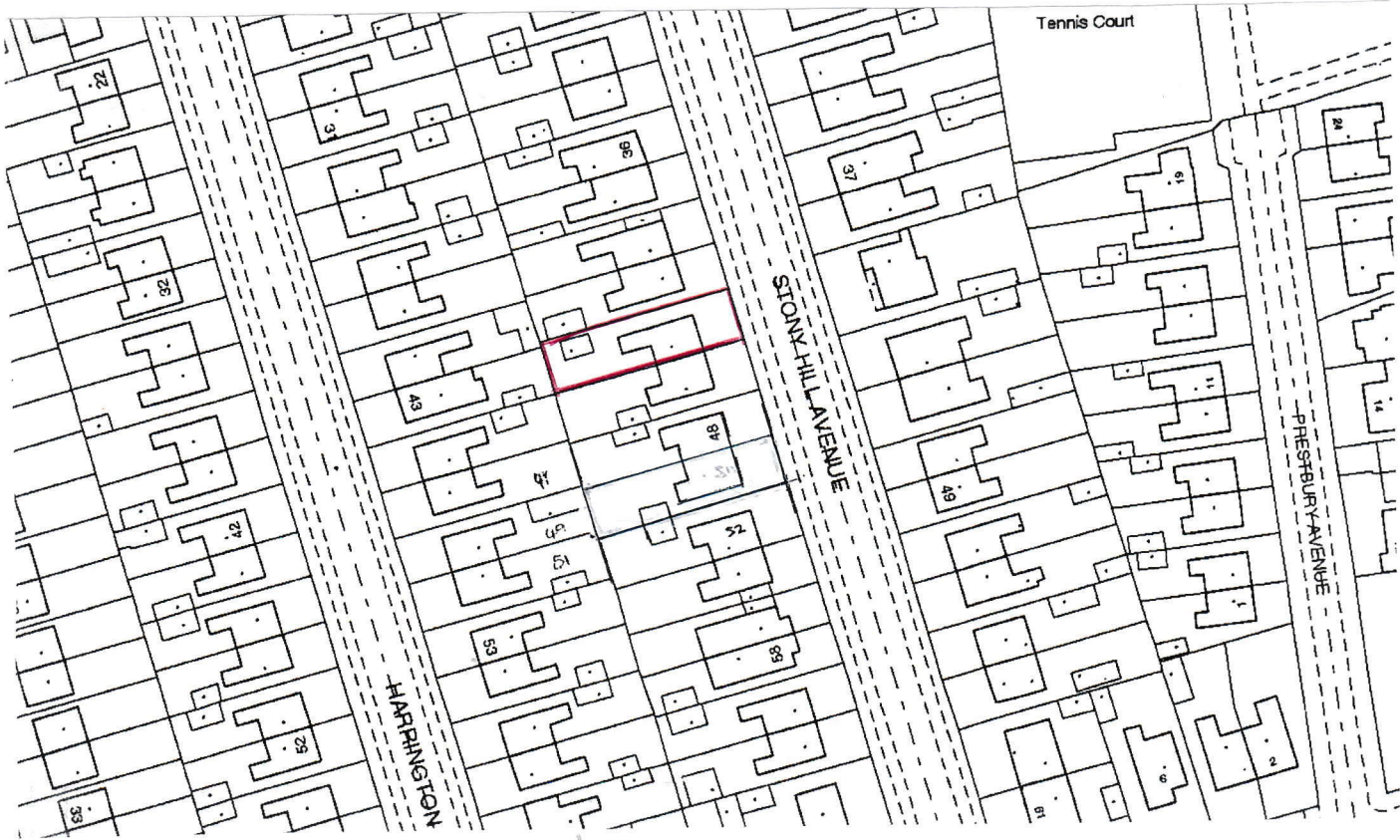
Reason: In the interests of appearance of the locality, in accordance with Policies LQ1 and LQ14 of the Blackpool Local Plan 2001 - 2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. All glazing to the north elevation of the extension adjacent to the boundary with 42 Stony Hill Avenue shall be at all times obscure glazed and fixed permanently closed.

Reason: To safeguard the living conditions of the occupants of the neighbouring premises, in accordance with Policies BH3 and LQ14 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Advice Notes to Developer

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.
2. Advice about the Building Regulations can be obtained from the Planning Department's Building Control Division, either by writing to the address shown above or by telephoning (01253) 476219.



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COMMITTEE DATE: [30/08/2017](#)

Application Reference: 17/0439

WARD: Greenlands
DATE REGISTERED: 23/06/17
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission
APPLICANT: Haboth Properties Limited

PROPOSAL: Erection of part three storey, part four storey building to form 12 self-contained permanent flats, with associated parking for eight cars, access from Bispham Road, bin and cycle stores, landscaping and boundary treatment.

LOCATION: 50 BISPHAM ROAD, BLACKPOOL, FY2 0SX

Summary of Recommendation: Grant Permission

CASE OFFICER

Mr M Shaw

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority two of the Plan** - Communities: Creating stronger communities and increasing resilience.

SUMMARY OF RECOMMENDATION

The application site has been vacant for a number of years and is considered appropriate for residential development. There have been a number of planning permissions granted for both housing and flat re-developments at densities of between six and 14 dwellings. The current application is considered to be an appropriate form of development of the application site and the recommendation is therefore for an approval.

SITE DESCRIPTION

The application site is a triangular plot and formerly contained a two-storey detached house. The now vacant and overgrown site is located on the east side of Bispham Road close to Layton railway station and immediately south of the traffic light controlled junction of Bispham Road/ Warbreck Hill Road/ Holyoake Avenue and Plymouth Road and partially overlooked by Crossleys Bridge. The character of the area is residential with three storey apartment blocks to the side and across the road from the application site. There are also

two storey terraced houses on Bispham Road and bungalows on Chelsea Road close to the application site.

There are several mature trees within the garden at the northern end of the site although none of the eight poplars formerly abutting the southern boundary, and the subject of a 1974 Tree Preservation Order, are remaining.

DETAILS OF PROPOSAL

The application is a detailed planning application for the erection of a part three/ part four storey block of 12 x two bedroom flats and eight car parking spaces accessed via an undercroft leading to the rear of the proposed building. The proposed building has a modern contemporary design and incorporates a flat roof with the four storey element positioned at the north end of the site closest to the Warbreck Hill Road boundary. The proposed external facing materials include a dark grey and buff brick, metal cladding, glazing and juliet balconies on the front elevation. The application is accompanied by a design and access statement, proposed drainage details and 3D colour perspectives of the proposed development within its surroundings.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle of Development/ Planning History
- Design and Scale of the Development
- Quality of the Proposed Development
- Impact on Residential Amenity
- Highway Safety and Car Parking

These issues will be discussed in the assessment section of this report.

CONSULTATIONS

Head of Highways and Traffic Management: No representations have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the Update Note.

Service Manager Public Protection: With regard to environmental noise that may affect the development, a noise impact assessment shall be carried out. The assessment shall demonstrate that the following standards are met in each dwelling.

L_{Aeq} 50-55 dB 16 hours garden and outside living space.

L_{Aeq} 35dB 16 hours - indoors daytime.

L_{Aeq} 30dB 8hours indoors night time 23.00-07.00

L_{Afmax} 45dB indoor night time 23.00-07.00

L_{Afmax} 45dBmax indoors evening 19.00-23.00

The evening standard will be applied where the existing LAfmax significantly exceeds the LAeq in regular occurrence for example several times per hour. Where these guidelines are to be met via enhanced glazing it will be necessary to demonstrate the building regulation standards for ventilation will be met.

United Utilities: No objections subject to the imposition of conditions relating to foul and surface water drainage.

Waste Services Manager: No representations have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the Update Note.

Contaminated Land Officer: The land has been vacant for a number of years and has been subject to a number of fly-tipping incidences in past years of a number of different materials. In addition to this the land is within close proximity to the railway line and previous railway works. A Phase 1 study is requested to ensure that there is no risk of contamination from historical land uses within the nearby vicinity, as well as ensuring that previous fly-tipping incidences have not posed a risk to ground conditions. If the Phase 1 shows that there is a likelihood of contamination within the ground conditions then this needs to be followed up with a Phase 2 desk study.

Park Services Manager: has made comments in relation to the 1974 Tree Preservation Order although these trees are no longer on the site.

PUBLICITY AND REPRESENTATIONS

Press notice: 6 July 2017

2 x site notices displayed: 29 June 2017

Neighbours notified: 27 June 2017- two letters of objection have been received

77 Bispham Road, Blackpool - I just have one concern about the fact there are 12 flats yet only eight parking spaces when this road is a nightmare to park due to staff at Warbreck Hill Civil Service offices using it Mondays to Fridays and I am unable to park outside my own house most days and I have two young children I have to carry.

34 Chelsea Avenue, Blackpool-

- the building would be significantly further forward than the demolished dwelling
- a four storey building would be out of keeping within the area containing single, two and some three storey buildings
- the proposal is contrary to Policy CS13 regarding housing mix
- the proposal does not adequately consider the scale of neighbouring buildings
- the proposal would be overpowering and seriously affect the amount of light received into the adjoining property
- the proposal would cause overlooking of the single storey bungalow across Bispham Road into the bedroom and lounge and all 12 juliet balconies will face the bungalow

- there would be additional noise and disturbance in this quiet residential area, including traffic noise
- there would be up to 36 additional vehicles in the area which already suffers from insufficient parking and congestion.
- the provision of eight parking spaces is completely inadequate
- there has been no precedent set to permit a four storey building on the site
- the development should be restricted to two storey to comply with current policy

NATIONAL PLANNING POLICY FRAMEWORK

There is a presumption in favour of sustainable development; which has three strands - economic, social and environmental, which are mutually dependent. Paragraph 6 of the National Planning Policy Framework (NPPF) confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment. Amongst other things, this includes replacing poor design with better design, and widening the choice of high quality homes.

Paragraph 14 makes clear that at the heart of the NPPF there is a presumption in favour of sustainable development, which is the ‘golden thread’ running through both plan-making and decision-taking. This means:

- (i) local planning authorities (LPAs) should positively seek opportunities to meet the development needs of their area;
- (ii) local plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change;
- (iii) approving development proposals that accord with the development plan without delay; and
- (iv) where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Paragraph 17 of the NPPF sets out 12 core planning principles, stating that amongst other things planning should:

- proactively drive and support sustainable economic development to deliver the homes...and thriving local places that the country needs;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- encourage the effective use of land by reusing land that has been previously developed; and
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

Paragraph 49 of the NPPF makes clear that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 50 goes on to

state that LPAs should deliver a wide choice of high quality homes, widen opportunities for home ownership, and create sustainable, inclusive and mixed communities.

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 -

- CS1: Strategic Location of Development
- CS2: Housing Provision
- CS7: Quality of Design
- CS10: Sustainable Design and Renewable and Low Carbon Energy
- CS12: Sustainable Neighbourhoods
- CS13: Housing Mix, Density and Standards

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
- LQ4 Building Design
- LQ6 Landscape Design and Biodiversity
- AS1 General Development Requirements
- BH3 Residential and Visitor Amenity
- BH4 Public Health and Safety
- BH10 Open Space
- HN4 Windfall sites

Also relevant are the National Technical Housing Standards.

ASSESSMENT

Principle of Development/ Planning History- the principle of re-developing this brownfield site has been established over the last 10 years with a variety of planning permissions granted under refereces; 07/0829, 10/0341, 10/1430 and 15/0088 for 12 flats within a four storey building, 14 flats within a four storey building and most recently six houses within a part two/ part three storey building respectively. Given the prominence and longstanding vacant and overgrown appearance of the site adjacent a busy road junction and given the number of planning permissions granted it was hoped that the site would have been re-developed before now. The principle of re-developing the site continues to be acceptable and is in accordance with the relevant local and national planning policy and guidance.

Design and Scale of the Development- the proposal involves the erection of a part three/ part four block of 12 x two bedroom flats with the three storey section positioned between 900mm and 1.5 metres from the southern boundary close to Chelsea Mews, which is a three storey block of 12 flats and between 2m and 2.5m back from the pavement edge. The four storey element of the building is situated at the northern end of the site and faces Chelsea Avenue. There is also a three storey block of flats across the road from the application site.

The proposed flat roof apartment block measures between 8.7m and 11.5m high and is positioned one metre further forward of Chelsea Mews towards the front boundary. Previously approved flat developments on the site were between 11.2m and 12.5m in height. It is considered that the application site, given its size, shape and location lends itself more readily to flats rather than houses and the proposal benefits the area by being of some substance and scale given its position adjacent a busy junction and also given the scale of development adjoining and across from the application site. The architects have tried to introduce visual interest into the proposal by using different building heights and a variety of materials and to further break up the appearance of the building with recessed and partially glazed entrance and staircase features on both front and rear elevations. The design and scale of the proposed apartment block is considered to be of an appropriate quality, visual interest and scale for this prominent site and in accordance with Local Plan Policies including LQ2 and LQ4.

Quality of the Proposed Development- each of the 12 flats has two bedrooms and a floor area of 60 sqm. The National Housing Standards sets a figure of 61sqm for a 2 bed 3 person flat. Each flat also has an open plan layout with a combined lounge, kitchen and dining room of 23.7 sqm with juliet balcony and the main bedroom is 12.3 sqm and a separate utility room and store. The quality of accommodation proposed is considered acceptable and will add to the towns stock of quality, modern, purpose built residential accommodation. The small size and triangular shape of the site does not readily lend itself to achieving a mix of accommodation and therefore 12 x two bedroom flats are considered appropriate in this instance.

Impact on Residential Amenity- whilst there are a number of three storey flat developments along this section of Bispham Road including Chelsea Mews, next door, and a three storey block of flats directly across the street, there are also two storey terraced houses on Bispham Road and bungalows across from the site fronting Chelsea Avenue. The side elevation of 34 Chelsea Avenue faces the application site and would be between 24m and 25m from the three storey section of proposed development. This is considered an adequate separation distance between the front elevation of the three storey section of the building and the side elevation of 34 Chelsea Avenue. The side elevation of 34 Chelsea Avenue contains second lounge and bedroom windows. This relationship was considered in detail by a Planning Inspector in November 2010 in assessing a proposed four storey building of 14 flats, application ref: 10/0341 which he subsequently approved. **See attached Appeal decision letter attached as Appendix 10b to this report.** There is nothing to suggest that noise from future residents of the apartment block will be an amenity problem for existing residents

Highway Safety and Car Parking- the proposal indicates a total of 8 car parking spaces located both underneath and to the rear of the building. This car parking ratio has previously been accepted by the Planning Committee and a ratio of nine spaces for 14 flats was accepted by the Planning Inspector in 2010. It is not considered that congestion and traffic levels in the area have changed significantly and therefore a parking ratio of 66% i.e. two spaces for every three flats is still acceptable. This is a highly sustainable site given the nearby bus services, railway station and nearby shops, including within Layton District Centre, and other facilities whereby lower car parking ratios can be accepted, and higher density developments are encouraged under the NPPF, and hence the proposal is considered to be in accordance with AS1 of the Local Plan.

Other Issues-there are other matters to be dealt with to ensure a satisfactory form of development taking place on the site including landscaping, boundary treatment, drainage and contaminated land matters which will be dealt with by appropriate conditions imposed on any approval if these matters are not agreed prior to any planning permission being issued.

CONCLUSION

The application represents a further opportunity to bring the application site back into beneficial use ridding the area of an eyesore and the proposal will contribute towards meeting the town's housing need. This is a highly sustainable location and a re-development comprising 12 x two bed flats would fit in with the existing character of the area. The proposal accords with the relevant local and national planning policy and guidance and is therefore supported. Members will note the appeal decision in 2010 and that there has not been a material change in circumstances since that time. The site will contribute to the Council's five year housing land supply.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

Policy BH10 - since the proposal is for residential development of 12 x two houses, a commuted sum is required to offset the Public Open Space requirement as none is provided on site. Calculated in accordance with Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development", the amount is £8,256 to be secured by condition.

FINANCIAL BENEFITS

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. 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

APPENDICES

Appendix 10a Location Plan

Appendix 10b: Letter from the Planning Inspectorate.

BACKGROUND PAPERS

Planning Application File(s) 07/0829, 10/0341, 10/1430 and 15/0088 which can be accessed via the link below:

<http://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 stamped as received by the Council on 23rd June 2017

Drawings numbered

16-2237-PN001

16-2237-PN101

16-2237-PN102

16-2237-PN201

16-2237-PN301

7162/02

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

3. Details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ4 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. No development shall be commenced until a desk study has been undertaken and agreed in writing with the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been agreed in writing with the Local Planning Authority. If remediation methods are then considered necessary, a scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented and completed prior to the commencement of the development. Any changes to the approved scheme shall be agreed in writing with the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. a) No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed changes to existing ground levels, means of enclosure and boundary treatment, areas of soft landscaping, hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

b) The landscaping works shall be carried out in accordance with the approved details within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner.)

c) Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within five years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to

be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason. To ensure the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall with regards to Policy LQ6 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. The development authorised by this permission shall not begin until the Local Planning Authority has approved a scheme to secure the provision of or improvements to off-site open space together with a mechanism for delivery, in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development"(SPG11).

Reason: To ensure sufficient provision of or to provide sufficient improvements to open space to serve the dwellings in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development"(SPG11).

NOTE – The development is of a scale to warrant a contribution of £8,256 towards the provision of or improvement to off-site open space and management of the open space provision, in accordance with Policy BH10 of the Blackpool Local Plan 2001-2016 and SPG 11. The Applicant(s) should contact the Council to arrange payment of the contribution.

7. Prior to the development hereby approved being first brought into use the car parking provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no change of use from Use Class C3 (the subject of this permission) to Use Class C4 shall take place without the written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and to prevent the further establishment of Houses in Multiple Occupation which would further increase the stock of poor quality

accommodation in the town and further undermine the aim of creating balanced and healthy communities, in accordance with Policies BH3 and HN5 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

9. Prior to the development hereby approved being first brought into use the refuse storage provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants and neighbours, in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. Before the building is first occupied, a separate foul and surface water drainage scheme shall be submitted to and agreed in writing by the Local Planning Authority and implemented as agreed. The scheme shall thereafter be retained.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016 and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

11. No development shall take place until an assessment of noise levels received on the site has been undertaken and a report submitted to the Local Planning Authority. None of the flats shall be occupied until any mitigation measures recommended in the report have been carried out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Any such measures shall be retained thereafter.

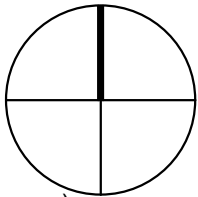
Reason To protect the residential amenity of future residents of the accommodation in accordance with Policies BH3 and BH4 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Advice Notes to Developer

Not applicable

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Appendix 10a



--- Site boundary

Site area = 0.09 hectares (0.22 acres)

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rev	description	date	drawn	check



client

Haboth Properties Ltd.

project

Apartment Development
50 Bispham Road
Blackpool

drawing

Existing Site Location Plan

file name 16-2237-EX001 Existing Site Location Plan	drawn 12-May-17
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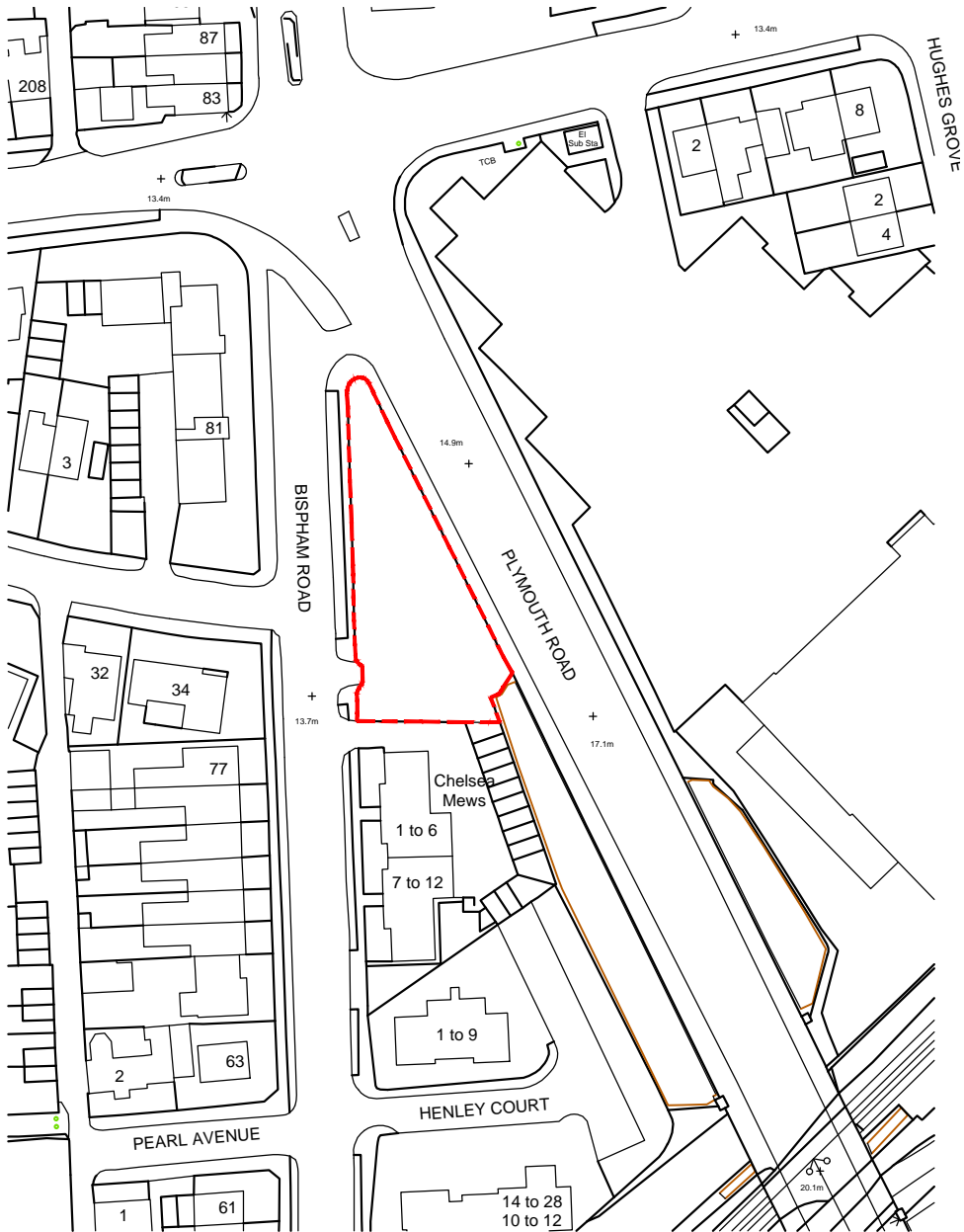
drawing reference 16-2237-EX001	rev -	scale 1:1250 @ A4
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issue status Planning	original by RJE	checked by NJM
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Appeal Decision

Hearing held on 23 November 2010

Site visit made on 23 November 2010

by Richard Clegg BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 December 2010

Appeal Ref: APP/J2373/A/10/2131764

50 Bispham Road, Blackpool, Lancashire, FY2 0SX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Liberate Homes against the decision of Blackpool Borough Council.
 - The application Ref 10/0341, dated 11 March 2010, was refused by notice dated 7 June 2010.
 - The development proposed is described as 'to demolish the existing house and out-building and to build a block of flats containing 14 two-bedroom flats'.
-

Decision

1. I allow the appeal, and grant planning permission for the demolition of the existing house and out-building and the erection of a four-storey building comprising 14 two-bedroom flats at 50 Bispham Road, Blackpool, Lancashire, FY2 0SX, in accordance with the terms of the application, Ref 10/0341, dated 11 March 2010, as modified by the submission of revised elevations on drawing ref A009/074/P/02F, subject to the conditions in the attached schedule.

Procedural matters

2. At the hearing, the main parties agreed that the proposed development is more clearly described as the demolition of the existing house and out-building and the erection of a four storey building comprising 14 two-bedroom flats. I have considered the appeal on this basis.
3. The appellant submitted a drawing showing revised elevations at the hearing (Document 7). On this drawing the eaves and ridge levels have been lowered. The ridge line on the elevations which were considered by the Council has a height of about 12.6m, whereas it is about 11.9m on the revised drawing. The eaves height is lowered from about 8.7m by a similar amount. These amendments are not substantial and would reduce rather than increase the effect of the building. I am satisfied that consideration of the revised elevations would not cause prejudice to the interests of any parties, and I have, therefore, taken them into account in determining the appeal.

4. A planning obligation in the form of a unilateral undertaking was submitted at the hearing (Document 1). The obligation concerns the payment of a financial contribution towards the provision of public open space. In the light of the obligation, the Council advised that it would not be pursuing its fourth reason for refusal concerning the provision of open space.

Main Issues

5. I consider that the main issues in this appeal are:
 - (i) The effect of the proposed development on the character and appearance of this part of Blackpool.
 - (ii) The effect of the proposed development on the living conditions of future occupiers and nearby residents.
 - (iii) Whether the level of parking provision would be appropriate, having regard to traffic movement and highway safety.

Background

6. Planning permission was granted in December 2007 for the erection of a four storey building containing 12 flats on the appeal site. The approved plans show a wider and shallower building than that now proposed. It would also have a slightly lower ridge line than that on the revised elevations for the appeal proposal. Eight parking spaces were included in the previous scheme.

Reasons

Character and appearance

7. The appeal site is situated on the stretch of Bispham Road between the traffic light junction with Warbreck Hill Road, Plymouth Road and Holyoake Avenue to the north and Layton rail station to the south. There is a variety of residential development along this part of the road including both flats and houses. Immediately to the south of No 50 at Chelsea Mews is a three-storey block of flats with a flat roof and beyond this the flats at Henley Court are in three storey buildings with pitched roofs. The appeal proposal would provide four floors of accommodation, but the upper floor would be above eaves level. This design approach was used in the 2007 scheme, and the position of the eaves above the third storey would reflect the appearance of Henley Court. As a result of the amended elevations, the overall height of the building would be only slightly greater than that of the 2007 block. In any event, I do not consider that the original height of about 12.6m would have represented a material increase above the 11.7m-11.8m ridge height of that building.
8. The proposed building would be positioned about 2m back from the footway: this is over 1m closer than the previously approved scheme and it would also be closer than the other buildings on this side of the road. However, I do not consider that the siting of the block of flats would appear discordant in relation to the general building line to the south of the appeal site. This is only a short stretch of road and there is no particular uniformity in the appearance of the built development on the east side of the road. The front elevation of the building would incorporate two gables above which the roofs would project further forward, and it would also include a canopy and Juliet balconies. These features are not so significant individually or in combination as to contribute to

a structure which could be described as unduly dominant in Bispham Road. They would, rather, add interest to the building and the street scene.

9. The building now proposed would not extend as far along the frontage as the 2007 scheme, but it would have a deeper footprint and would be closer not only to Bispham Road but also to Plymouth Road at the back of the site. Its depth would be particularly apparent from Bispham Road to the north of the nearby junction. This is a prominent position at a busy junction and I agree with the Council that it is an appropriate location for a landmark building. Although the building would extend across the widest part of the site, an open area would remain at the northern end and the junction itself provides a significant space which would be in the foreground when the development was seen from further to the north. A less substantial building would not be as well-suited to this location, and I consider that the proposed four storey block, incorporating a gable feature on the north elevation, responds appropriately to its setting on Bispham Road and close to the junction, as required by part (B) of Policy LQ4 of the Blackpool Local Plan 2001-2016. I conclude that the proposed development would make a positive contribution to the character and appearance of this part of Blackpool, and it would thereby comply with Policies LQ1 and LQ2 of the Local Plan.

Living conditions

10. The block of flats would face the side elevation of the bungalow at No 34 Chelsea Avenue. This property, which I had the opportunity to visit, has two windows to habitable rooms in the side elevation to Bispham Road. Design Guidance 1D of the Supplementary Planning Document (SPD) – Extending Your Home seeks a minimum separation distance of 21m between habitable windows at first floor level and any facing habitable windows in neighbouring properties. The SPD is concerned with extensions, but the Council explained that it also applies this requirement to proposals for new housing. It was further suggested that a greater separation distance was appropriate when a development proposal involved a taller building, although there is no such reference in Design Guidance 1D.
11. The Council calculated that the distance between the proposed flats and No 34 Chelsea Avenue would be 23.5m, which would exceed the minimum gap sought. Both of the rooms concerned at No 34 – a bedroom and a lounge – have a second window in another elevation. Moreover the direct view from the lounge window on the left hand side of the facing elevation of the bungalow is to the access to Chelsea Mews which runs alongside the appeal site, and not to the new building itself. Given the circumstances at No 34 and the relationship between that property and the intended position of the new building, I do not consider that the appeal proposal would appear unduly dominant in the outlook from the bungalow, or that it would result in a material loss of privacy or light.
12. I turn now to consider the living conditions of future occupiers of the flats. At the hearing, the Council accepted that the scheme includes an area of private amenity space. No minimum area has been specified, and the provision of space at the northern end of the site would be sufficient to accommodate certain external domestic activities. The distance from the bin storage area to the carriageway would be about 25m. This is consistent with the Council's requirements, and accordingly I do not consider that the storage area would be located in an inconvenient position. Plymouth Road, which rises to a railway bridge along the north-east boundary of the site, is a busy route: the main

parties agreed that the effect of noise could be addressed by means of a condition requiring an assessment and the implementation of recommended mitigation measures. I agree with this approach. The Council suggested that the elevated position of Plymouth Road could impinge on the privacy of occupiers. However a scheme of boundary treatment, the approval of which could be required by a condition, could include screening alongside the footway of Plymouth Road. The appellant has stated that it is intended that the flats would be occupied by disabled people. Three disabled parking spaces are shown at the side of the building on the site plan, and the Council expressed a view that this provision would not be convenient for the intended occupants. There is no detailed evidence before me as to the level of disabled parking spaces which would be appropriate for this size of development, and I note that this was not a matter about which the Council expressed concern when it considered the application.

13. I conclude that the proposed development would not result in unacceptable living conditions for future occupiers or the occupiers of No 34 Chelsea Avenue. Accordingly it would not conflict with Policy BH3 of the Local Plan.

Parking

14. The Council's parking standards set out lower levels of provision in areas of high accessibility (Document 5). Plymouth Road and the section of Bispham Road to the north of the traffic light junction is a main route within the urban area and it is used by bus services. A short distance away at the southern end of Bispham Road is Layton rail station. The main parties agree that the appeal site is in an area of high accessibility, and I share this view. The level of provision in such areas is reduced to an average of 1.5 spaces unless exceptional circumstances are demonstrated. The Council confirmed that its standards are maxima, which is in line with the national policy approach in Planning Policy Guidance Note 13.
15. Using the Council's standards, the maximum level of parking provision for the development would be 21 spaces. The 2007 scheme for 12 flats provides 8 spaces, and the Council suggested that a similar level of provision for the 14 flats of the appeal proposal would be about 9 spaces. In this highly accessible location, where public transport services are available close at hand, it is not necessary for the number of spaces to reach the maximum level of provision in the standards. However, the number of spaces is clearly below that level and I consider it likely that the proposal could result in some additional on-street parking in the area.
16. Parking is not permitted between 1000 and 1600 hours from Monday to Friday on the east side of Bispham Road past the appeal site to Henley Court¹, and at the northern end of the road parking is not permitted at any time. The only specific evidence before me concerning on-street parking is in the surveys undertaken on behalf of the appellant². These record spare capacity on this stretch of Bispham Road of between 25 and 37 vehicles at times when parking can take place outside the appeal site (1600 to 1000 hours). The two records

¹ The plan at appendix 10 of the appellant's statement indicates that the waiting restrictions do not continue along the whole of the Bispham Road frontage of the appeal site. At the hearing it was acknowledged that the plan is incorrect in this respect.

² Appendices 8 and 9 to the appellant's statement, supplemented by Document 12. In Document 12, the total number of vehicles on Bispham Road at 1730 on 13 August is given as 8 with a spare capacity of 37. These figures do not relate to the individual sub-totals and the correct figures of 20 vehicles and 25 for spare capacity are in appendix 8.

made during the period 1000 to 1600 hours, when capacity for parking is reduced, show that space was available for 8 and 12 vehicles on those occasions. If the development were to generate a requirement for space for about 9 vehicles to park at any one time, which the Council suggested would be comparable to the 2007 scheme, there would be a shortfall of three spaces in respect of the on-site provision. The minimum level of on-street spare capacity recorded in the surveys is space for 8 vehicles, and this is during the normal working day when fewer occupants of the flats may be at home. Even if parking space for more than nine vehicles was required at certain times, there is the opportunity for additional parking to be accommodated on Bispham Road.

17. Access to this part of Bispham Road at the traffic lights is restricted to vehicles turning left from Plymouth Road, and there is no exit to the junction. At the other end there is no route for vehicles past the railway station. This stretch of road provides access to an area of housing and the rail station, and it is not heavily trafficked. The Council's third reason for refusal suggests that increased demand for on-street parking would exacerbate existing highway congestion and parking problems in the area. However there are no details before me to substantiate these claims. On this residential road, I do not consider that the level of additional on-street parking likely to be generated by the proposed flats would either impede the free flow of traffic or materially increase the prospect of conflict between road users.
18. Policy AS1 of the Local Plan requires that appropriate levels of parking are provided in accordance with the Council's standards. For the reasons given above, I am satisfied that the number of spaces included in the scheme would not adversely affect traffic movement or highway safety. No cycle parking facility is shown on the submitted plans, but the main parties agreed that this matter could be addressed by means of a condition. With this safeguard, I conclude that the level of parking provision included in the proposed development would be appropriate, and that in this respect there would be no conflict with Policy AS1.

Other matters

19. The Council seeks a financial contribution of £9,632 towards public open space provision, which the planning obligation would deliver. However there is nothing before me to justify either the level of contribution specified or its intended use, and accordingly it can only carry limited weight.
20. A tree preservation order refers to a line of poplars close to the southern boundary of the site, but none of these trees remain.

Conclusion

21. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be allowed.

Conditions

22. I have already referred to conditions concerning noise assessment, boundary treatment and cycle parking, all of which I intend to impose. To ensure that the development would be in keeping with its surroundings, details of materials should be submitted for approval and the landscaping scheme implemented. In the interest of highway safety, it is important that the parking spaces included in the scheme should be provided, and as there was a landfill site

within 250m, I agree with the main parties that a contamination assessment should be carried out. Finally, a condition requiring the development to be carried out in accordance with the approved plans is necessary for the avoidance of doubt and in the interests of proper planning.

Richard Clegg

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: A4 location plan, the proposed site plan on drawing ref A009/074/P/01D, floor plans ref A009/074/P/03D, elevations ref A009/074/P/02F, landscape plan ref A009/074/P/04, and the external works details on drawing ref A009/074/P/05.
- 3) No development shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) Notwithstanding condition No 2, no development shall take place until details of boundary treatment have been submitted to and approved in writing by the local planning authority. None of the flats shall be occupied until the boundary treatment has been carried out in accordance with the approved details.
- 5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.
- 6) None of the flats shall be occupied until space has been laid out within the site in accordance with the site plan on drawing No ref A009/074/P/01D for six cars to be parked. The parking area shall be retained for the passage and parking of vehicles
- 7) None of the flats shall be occupied until bicycle parking facilities have been provided within the site in accordance with a scheme to be submitted to and approved in writing by the local planning authority. These facilities shall be retained for the parking of bicycles.
- 8) No development shall take place until a desk study to investigate the potential for contamination of the site has been undertaken and approved in writing by the local planning authority. If the desk study identifies potential contamination a detailed site investigation shall be carried out in accordance with a written methodology which shall have been approved in writing by the local planning authority, and the results of the site

investigation shall be submitted to the local planning authority. Any remediation measures recommended as a result of the site investigation shall be carried out in accordance with a scheme and programme to be submitted to and approved in writing by the local planning authority.

- 9) No development shall take place until an assessment of noise levels received on the site has been undertaken and a report submitted to the local planning authority. None of the flats shall be occupied until any mitigation measures recommended in the report have been carried out in accordance with a scheme to be submitted to and approved in writing by the local planning authority.

APPEARANCES

FOR THE APPELLANT:

Mr S Richardson	Planning and Law Ltd
Mr D Hadwin	Keystone Design
Mr K Allen	Keystone Design
Mr R Patel	Director, Liberate Homes

FOR THE LOCAL PLANNING AUTHORITY:

Mr M Shaw DipTP MRTPI	Principal Planning Officer
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INTERESTED PERSONS:

Councillor J Mineur	Member of the Borough Council
Mr W Howcroft	Local resident
Mr V McNulty	Local resident
Mr H Walters	Local resident

DOCUMENTS

- 1 Planning obligation concerning financial contribution to open space provision.
- 2a-g Plans relating to planning permission ref 07/0829 for a four storey building containing 12 flats on the appeal site.
- 3 Notification of appeal.
- 4 Extract from SPD – Extending your home.
- 5 Schedule of parking standards.
- 6 Extract from tree preservation order covering part of the appeal site.
- 7 Drawing ref A009/074/P/02F – revised elevations.
- 8 Revised plan showing footprints of existing, approved and proposed buildings – supersedes appellant’s Appendix 3.
- 9 Revised plan showing amenity space and approved building – supersedes drawing ref A009/074/P/06 in appellant’s Appendix 4.
- 10 Section 215 notice concerning maintenance of the appeal site.
- 11 Email dated 22 November 2010 from the Council’s Traffic Management Section to Mr Shaw concerning parking restrictions on Bispham Road.
- 12 Appellant’s updated parking survey.
- 13 Annotated consultation response from the Council’s Environmental Health section concerning the appeal proposal.

COMMITTEE DATE: [30/08/2017](#)

Application Reference: 17/0443

WARD: Victoria
DATE REGISTERED: 26/06/17
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission
APPLICANT: Mrs Smith

PROPOSAL: Use of first floor as a beauty therapy centre.

LOCATION: 340 WATERLOO ROAD, BLACKPOOL, FY4 4BH

Summary of Recommendation: Grant Permission

CASE OFFICER

Mr M Davies

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority one of the Plan** - The economy: Maximising growth and opportunity across Blackpool.

SUMMARY OF RECOMMENDATION

This application relates solely to the change of use of the first floor of the premises from residential to a beauty therapy centre. Clearly car parking is a major issue in the vicinity, but it is important to remember that the existing residential use of the first floor has the ability to generate demand for parking so effectively the main consideration here is how much additional parking demand the new use will generate over and above that of the existing use. The differing nature of the two uses means that the parking demand will inevitably be different with the beauty salon generating a higher demand for short stay parking during business hours and the residential use generating demand for longer stay and overnight parking.

Given the amount of floorspace involved it is not considered that the impact of the change of use would be sufficient to justify a refusal that would be supported at appeal. With this in mind officers have sought to deal with the obstruction of the footpath by seeking the installation of bollards on the forecourt of the premises to delineate this from the footway, thus preventing vehicles overhanging and causing a nuisance to pedestrians. In terms of the on street parking situation the area is currently unrestricted and there are no plans to introduce a residents' parking scheme in the locality. Therefore competition for on street parking in the vicinity will remain although officers have encouraged the applicant to

explore alternative off street provision nearby. However, the Council has no power to require this and the applicant cannot compel customers to use such facilities even if made available.

On balance, given the existing use and the proposed expansion against the existing fall-back position. It is not considered that the impact of the proposal will be so unduly detrimental as to justify a refusal and it is therefore recommended that planning permission be granted subject to conditions.

INTRODUCTION

This application has resulted from an enforcement investigation into the use of the upper floor as a nail bar/sauna. There is no other planning history relating to this site, however, the site was previously used as an insurance office prior to the occupation by the current business.

SITE DESCRIPTION

The site is within an existing residential area and is situated on a primary distributor route as identified on the Local Plan Proposals Map.

The area is for the most part residential in character however individual and clusters of shop units are interspersed along Waterloo Road and there are other small industrial uses operating in the side streets surrounding the site.

The property is a detached shop unit with a small forecourt in front of it. The forecourt measures approximately 9.5 metres by 4 metres and there is an H marking on the carriageway in front of the forecourt. Currently, the ground floor is used as a hairdressers/beauty salon with the upper floor being residential accommodation accessed via the ground floor unit. Work to convert the upper floor is already in progress.

DETAILS OF PROPOSAL

Change of use of first floor from residential to beauty therapy centre. The proposal will create an additional 41sqm of additional treatment areas in 3 rooms. There will also be a new staff room provided in addition to this. Staffing numbers would increase from five to eight.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle
- Amenity
- Highway Safety
- Parking and Servicing arrangements
- Other Issues

These issues will be discussed in the assessment section of this report.

CONSULTATIONS

Head of Highways and Traffic Management: Previously the ground floor used to be a business selling Insurance, and a single car was observed to be parked on the forecourt at any one time, parked in such a manner that it did not impede pedestrian movement, so no issues.

More recently, the use has changed to a hairdressing salon, which has resulted in frequent vehicle trips to the site with customers parking on the narrow forecourt overhanging the public highway and impeding pedestrians. This is not ideal and could lead to pedestrians walking out onto the carriageway with their back to the traffic.

If you are mindful to support the proposal, may I ask that you condition that a boundary wall be introduced at the front (replicating neighbouring properties), and that the footway is reinstated where the vehicle crossing is shown together with the removal of the existing H marking.

PUBLICITY AND REPRESENTATIONS

Press notice published: Not Applicable

Site notice displayed: Not Applicable

Neighbours notified: 3 July 2017

Five objections and a petition containing 33 signatories have been received which raise the following concerns.

- Existing on street parking problems will be exacerbated by intensification of use
- Existing off street parking provision is substandard forcing pedestrians into the carriageway.
- Highway safety issues particularly for children, people with buggies or prams, wheelchair users and blind/partially sighted people.
- The applicant never applied to change the use of the property to a hairdressing salon (planning permission was not required to change from the previous A2 use on the ground floor to a hairdressers (A1 use).

In addition, 233 representations in favour of the proposal have been received. These are mainly from customers of the business.

NATIONAL PLANNING POLICY FRAMEWORK

Core Principle 2 "Ensuring the Vitality of Town Centre" and Core Principle 7 "Good Standard of Design and Amenity" of the National Planning Policy Framework (NPPF).

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 -

CS4 – Retail and Other Town Centre Uses

CS7 - Design Quality

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:

AS1- General highway requirement

BH3 – Residential and Visitor Amenity

BH14 – Local Centres

ASSESSMENT

Principle - The existing layout indicates three bedrooms with a shared kitchen and bathroom but no communal living accommodation which is accessed via the ground floor shop unit. This suggests that the property was last used as a Houses in Multiple Occupation (HMO) and therefore the loss of this poor quality accommodation does not present any policy issues.

Amenity – It is not considered that the proposal will have any adverse impact on amenity given the nature of the use and the proposed hours of operation. The proposed hours of operation are 9.00 – 19.00 hours Mondays – Fridays and 9.00 – 16.30 on Saturdays.

Highway Safety – There is a forecourt in front of the shop unit which is used by staff and customers for parking. The distance between the front of shop and the back edge of the footway is approximately 4 metres which is significantly below the length of a vehicle and the standard requirement for a useable car parking space. This means that when vehicles park on the forecourt they invariably overhang the footway forcing pedestrians out into the carriageway as they manoeuvre round the obstruction. This occurs at present and the proposal will allow this issue to be addressed by way of a condition requiring measures to be implemented which prevent vehicles parking in a manner which obstructs the footway.

Having regards to the highway safety issues raised a meeting was arranged to discuss these concerns with the applicant. Following this it was agreed that rather than insist on a wall across the frontage of the premises to prevent vehicles using the forecourt a set of drop bollards would be installed to prevent indiscriminate parking on this area. This would allow

staff vehicles to still use the forecourt for parking without interfering with the free flow of pedestrians using the footway.

Parking and Servicing Arrangements - Concerns have also been expressed about the intensification of use and the increased pressure this will put on the limited on street parking in the vicinity. At present there is a three bed accommodation which potentially could generate vehicular traffic from residents and as the floorspace is not increasing there is a trade-off situation between the use of the existing living accommodation and that of beauty salon on the first floor. Clearly both have different characteristics in terms of the traffic they generate in that the residential use will typically generate a requirement for longer stay/overnight parking, whilst the customers of the beauty salon will generate demand for shorter stay parking on a more frequent basis. The on street parking closest to the premises is immediately outside residential properties whose occupiers also use the road to park their own vehicles on and therefore this does create some conflict in relation to the limited space available to park vehicles in. Unfortunately, this is not something that can be regulated via the planning process and it would not be a justification for resisting this change of use as all legal road users have a right to park along this stretch of road.

Other Issues - The property was previously used as an insurance office (Class A2) and subsequently changed into a hairdresser's (Class A1). The Town and Country Planning (General Permitted Development) Order 2015, permits such a changes of use without the need to apply for planning permission.

Currently, there are five full time employees and it is proposed that this will increase to eight as a result of the proposal. Therefore three additional full time jobs will be created.

CONCLUSION

Clearly car parking is a significant concern in the locality and competition for the limited number of spaces close to the subject property between residents and customers has caused a degree of animosity between the business and its neighbours. Vehicles overhanging the footway that are parked on the forecourt in front of the premises have also been a source of annoyance to residents and passers-by, however, through the recent installation of bollards on the forecourt the length of vehicles that can park on the forecourt has been restricted thus preventing larger vehicles parking here and obstructing the footway.

Through negotiation officers have been able to improve the situation in relation to the obstruction of the footpath, but limited parking in the locality means that inevitably this will remain a source of tension between residents and customers. The applicant has been encouraged to explore alternative off street parking provision on the site of the former Waterloo Methodist Church on the opposite side of Waterloo Road, however, the Council cannot compel the applicant to enter into an agreement nor can the applicant force customers to use this facility. However, if an agreement can be reached then this may assist in alleviating some of the pressure for on street parking on Waterloo Road.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

Not Applicable

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 17/0443 which can be accessed via the link below:

<http://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 received by the Council on 26/06/2017

Drawing numbered B/17/71/01

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

3. Prior to the development hereby approved being first brought into use a scheme shall be submitted to and agreed by the Local Planning Authority to prevent vehicles parked on the forecourt of the premises overhanging the footway and obstruction pedestrian movement. The approved scheme shall then be implemented and shall thereafter be retained.

Reason: In the interests of highway and pedestrian safety in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016 and with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. The use of the premises shall not operate outside the hours of 0800 - 1900 Mondays to Fridays and 0900 - 1630 on Saturdays and shall be closed on Sundays and Bank Holidays.

Reason: To safeguard the living conditions of the occupants of nearby residential premises, in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Advice Notes to Developer

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.

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**SITE LOCATION PLAN
AREA 2 HA
SCALE 1:1250 on A4
CENTRE COORDINATES: 332088, 434371**



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