

Blackpool Council

24 May 2019

To: Councillors Baker, D Coleman, Hobson, Hugo, O'Hara, Owen, Robertson BEM, Stansfield and L Williams

The above members are requested to attend the:

PLANNING COMMITTEE

Tuesday, 4 June 2019 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 either

- (a) personal interest
- (b) prejudicial interest
- (c) disclosable pecuniary interest (DPI)

and

(2) the nature of the interest concerned

If any member requires advice on declarations of interests, they are advised to contact the Head of Democratic Governance in advance of the meeting.

2 MINUTES OF THE MEETING HELD ON 2 APRIL 2019 (Pages 1 - 26)

To agree the minutes of the last meeting held on 2 April 2019 as a true and correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED (Pages 27 - 76)

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

4 PLANNING ENFORCEMENT UPDATE REPORT - MARCH 2019 (Pages 77 - 80)

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

5 PLANNING ENFORCEMENT UPDATE REPORT - APRIL 2019 (Pages 81 - 84)

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

6 PLANNING APPLICATIONS AND APPEALS PERFORMANCE (Pages 85 - 88)

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

7 PLANNING APPLICATION 19/0093 - SUBSCRIPTION BOWLING CLUB, SOMERSET AVENUE, BLACKPOOL (Pages 89 - 102)

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

8 PLANNING APPLICATION 19/0132 - 238 QUEENS PROMENADE, BLACKPOOL (Pages 103 - 126)

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

9 PLANNING APPLICATION 19/0144 - LAND AT TROUTBECK CRESCENT, BLACKPOOL (Pages 127 - 156)

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

10 PLANNING APPLICATION 19/0103 - LAND BOUNDED BY RIGBY ROAD, TYLDESLEY ROAD, PRINCESS STREET AND BLUNDELL STREET, BLACKPOOL (Pages 157 - 178)

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

11 DATE OF NEXT MEETING

To note the date of the next meeting as Tuesday 2 July 2019.

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.

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Present:

Councillor L Williams (in the Chair)

Councillors

Humphreys

Hutton

O'Hara

Stansfield

In Attendance:

Mr Ian Curtis, Legal Officer

Mrs Bernadette Jarvis, Senior Democratic Governance Adviser

Mr Gary Johnston, Head of Development Management

Ms Susan Parker, Senior Planning Officer

Mr Latif Patel, Network Planning and Projects Manager

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE MEETING HELD ON 5 MARCH 2019

The Planning Committee considered the minutes of the last meeting held on 5 March 2019.

Resolved:

That the minutes of the meeting on the 5 March 2019 be approved and signed by the Chairman as a correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

The Committee noted that an appeal had been lodged against the decision of the Council to refuse planning permission for the erection of a two storey rear extension and formation of vehicle crossing to Waterloo Road at No. 420 Waterloo Road. It also noted that there had been no planning/enforcement appeals determined since the last meeting.

Resolved: To note the planning and enforcement appeals lodged and determined.

4 PLANNING ENFORCEMENT UPDATE REPORT

The Committee considered a report detailing the planning enforcement activity undertaken within Blackpool during February 2019.

The report stated that 41 new cases had been registered for investigation, 10 cases had been resolved by negotiation without recourse to formal action and 13 cases had been

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closed as there was either no breach of planning control found, no action was appropriate or it was not considered expedient to take action.

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.

5 PLANNING APPLICATIONS AND APPEALS PERFORMANCE

The Committee considered the Planning Application and Appeals Performance Report that provided an update on the Council's performance in relation to Government targets. Mr Johnston, Head of Development Management, confirmed that he had no further information to report.

Resolved: To note the report.

6 PLANNING APPLICATION 19/0011 – BROOKEVIEW, 516 MIDGELAND ROAD, BLACKPOOL

The Committee considered planning application 19/0011 requesting permission for the use of land at Brookeview, 516 Midgeland Road as a travelling showperson's site for up to five caravans (three static caravans and two tourers), gravelled driveway and parking areas and erection of new boundary fences (on boundary with 518 Midgeland Road).

Mr Johnston, Head of Development Management, provided the Committee with an overview of the application and presented an aerial view of the site and the site layout and location plans. He advised that the application site was located in Marton Moss and within an area for which a Neighbourhood Plan was due to be prepared. It was also within the recently designated Marton Moss Conservation Area. The Committee was further advised that the applicant had moved onto the site in December 2018 as he believed he could occupy the site over the winter in accordance with the Caravan Sites and Control of Development Act 1960. Mr Johnston referred the Committee to the Built Heritage Manager's comments as detailed in the Update Note and circulated a photograph depicting the poor state of repair of the glasshouse prior to it being removed. Mr Johnston referred to a needs assessment that had been commissioned by the Council in conjunction with Wyre and Fylde Borough Councils for gypsies/travellers and travelling showpeople that had identified a need for additional sites for travelling showpeople within the three local authority areas and advised that the applicant and his family had been part of the identified need in the assessment. However, he also acknowledged the tension with Policy CS26 of the Core Strategy that restricted development in the area. On balance, Mr Johnston's view was that the need to provide sites for travelling showpeople outweighed the conflict with Policies CS26 and CS16 of the Core Strategy and therefore the application was recommended for approval.

Mr Holland, applicant, spoke in support of the application and advised on his membership of the Showman's Guild. He provided the Committee with his family background and

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circumstances and his reasons for selecting this site, which included the lack of available alternative sites.

Members acknowledged the objections included in the officer's report and noted that one of the objectors had subsequently withdrawn his objection. The Committee considered the application and agreed with the officer recommendation that the application be approved, subject to appropriate conditions.

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 18/0642 - FORMER BAGULEYS SITE, MIDGELAND ROAD, BLACKPOOL

The Committee considered planning application 18/0642 for the erection of 12 detached bungalows at the former Baguleys site with access from Midgeland Road and associated public open space and private garages.

Ms Parker, Senior Planning Officer, provided the Committee with an overview of the application and presented an aerial view of the site, the site layout, location and elevation plans. She advised that outline planning permission had been given for the site in 2012, with reserved matters granted for the erection of 22 houses in 2016 which had subsequently lapsed in 2018. Ms Parker reported on significant amendments to the original application which included a reduction in the number of properties to 12 bungalows, following the adoption of the Core Strategy which included Policy CS26 which restricted development on Marton Moss. Further changes included the proposed location of the bungalows on the previously developed part of the site to retain the greenfield part of the site as open land. The bungalows were aimed at the over 55s and one of the proposed conditions would limit occupation to that age group. Ms Parker referred to an identified need for this type of accommodation to meet the needs of Blackpool's ageing population. Ms Parker reported on the absence of objections from statutory consultees and confirmed that the public representations set out in the report had been received prior to the application being amended. She also referred to the representation reported in the Update Note that had been received following publication of the agenda. Ms Parker, in her view, considered the application to be acceptable subject to appropriate conditions regarding materials, landscaping and boundary treatments and as such recommended the application for approval.

Mr Shepherd, Applicant's Agent, spoke in support of the application and stated his view on the application's compliance with national and local policies and its benefit for the town's housing provision in terms of meeting an identified need for the ageing population which also afforded in his view the opportunity to release larger size houses to accommodate families. He also referred to the location of the bungalows aimed at minimising the impact of the development.

In response to questions from the Committee regarding the comments from Head of

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Highways and Traffic Management detailed in the officer report, Mr Patel, Network Planning and Projects Manager, confirmed that provided that a condition requiring agreement of suitable access was attached to the permission, if granted, there were no highway concerns.

The Committee considered the application and agreed with the recommendation to approve, subject to the proposed conditions.

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.

8 PLANNING APPLICATION 19/0056 - 429 -437 PROMENADE, BLACKPOOL

The Committee considered planning application 19/0056 requesting permission to erect a part four, part five-storey hotel at 429-437 Promenade to provide 104 guest bedrooms an ancillary cafe/restaurant unit at ground floor level and parking to the rear with vehicular access taken from Commercial Street following clearance of the site. Prior to the start of the meeting, Ms Parker, Senior Planning Officer, had circulated a late representation to the Committee and all interested parties and informed Members that the representation did not identify any additional concerns to those already reported.

Ms Parker, Senior Planning Officer, provided the Committee with an overview of the application and presented an aerial view of the site, the site layout, location and elevation plans. Outline planning permission had previously been granted for the demolition of the buildings on site and the erection of a five storey building, but was due to expire on 3 April 2019. Ms Parker reported on the development's accepted use of the area as holiday accommodation as it was within a holiday accommodation area. She advised on significant amendments to the application since it was first submitted which included the setting back of the top floor to minimise the impact of the elevation on neighbouring properties and highlighted proposed conditions requiring agreement of window and boundary treatments. Ms Parker acknowledged that there would be a degree of impact on the amenities of the occupiers of properties to the rear of the proposed development but considered that this could be safeguarded through appropriate window treatments. With regards to the low level of parking provision, Ms Parker referred to the lack of objection from the Head of Highways and Traffic Management and reported on the proximity of public car parks and the accessible location of the site. She also referred Members to the representations included in the update note, reminding the Committee that commercial competition was not a planning consideration. Ms Parker had reported on officers' initial concerns regarding the lack of windows in a number of the bedrooms, however, further investigations revealed similarities with other hotel developments and she advised on the popularity of these types of rooms. Ms Parker reported on her view of the benefits of the application which included the quality of the proposed development, the improvement to the streetscene on the Promenade, the redevelopment of a vacant site and the potential for it to provide greater confidence in the resort and encourage wider regeneration opportunities.

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Mr White, member of the public, spoke in objection to the application both personally and on behalf of Stay Blackpool. His main objections included the design and scale of the proposed building which he considered out of character for the area and the minimal parking provision which in his view would result in significant parking and highway issues. He also considered that the proposed hotel accommodation would conflict with the town's aim to encourage high quality accommodation. He also presented his view on the adverse impact on local businesses.

Ms Parker, referred Policy LQ4 of the Local Plan which required a minimum of four storeys for new development on the Promenade. At the request of the Chairman, Ms Parker circulated hard copies of the proposed development.

Mr Grant, Applicant's Agent and Mr Wray, Architect were in attendance at the meeting and responded to questions from the Committee by advising on their view of the high quality and affordable accommodation that would be provided which was aimed at attracting both business users and tourists, with the price range determined by demand.

The Committee considered the application and conflicting views were aired regarding the lack of windows in some of the hotel's bedrooms. Computer Generated Imagery of the relevant bedrooms were shown to Committee Members.

Concerns were also raised relating to potential parking and highway congestion due to the lack of onsite parking provision, however Members also noted the accessible location of the site and the availability of public car parks in the surrounding area. The Committee also acknowledged the benefits of the proposed development in terms of investment in the area and the opportunity for redevelopment of a vacant site that was currently in poor condition. Ms Parker, in response to a question from the Committee, confirmed that the condition relating to the agreement of the boundary treatment could stipulate the requirement of a wall following demolition of the existing garages.

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.

9 PLANNING APPLICATION 19/0127 - 4 MERE ROAD, BLACKPOOL

The Committee considered planning application 19/0127 requesting permission for the erection of a single storey rear extension and rear dormer at 4 Mere Road.

Ms Parker, Senior Planning Officer, provided the Committee with an overview of the application and presented an aerial view of the site, the site layout, location and elevation plans. She advised Members that the application had been submitted to the Committee for determination due to the applicant being a senior officer of the Council. Ms Parker reported that significant amendments had been made to the application since first submitted which included a reduction in height of the rear extension and changes to the size and setting of the dormer. Ms Parker advised that no objections had been received to the application and it was not anticipated that the proposed extension would adversely

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impact the amenity of residents of neighbouring properties. Ms Parker also reported on the proposed extension's accordance with the Extending Your Home Supplementary Planning Document.

The Committee considered the application and agreed with the recommendation to approve, subject to the proposed conditions.

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.

10 DATE OF NEXT MEETING

The Committee noted the date of the next meeting as Tuesday 30 April 2019.

Chairman

(The meeting ended 7.10 pm)

Any queries regarding these minutes, please contact:
Bernadette Jarvis Senior Democratic Governance Adviser
Tel: (01253) 477212
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Application Number 18/0642 - FORMER BAGULEYS SITE, MIDGELAND ROAD, BLACKPOOL, FY4 5HE

Erection of 12 detached bungalows with access from Midgeland Road and associated public open space and private garages.

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:

Site location plan ref. JBA363-PL-001

Site layout plan ref. JBA363-PL-002 Rev B

Proposed internal street views plan ref. JBA363-PL-009

House type 1 plan ref. JBA363-PL-003

House type 2 plan ref. JBA363-PL-004

House type 3 plan ref. JBA363-PL-005

House type 4 plan ref. JBA363-PL-006

House type 5 plan ref. JBA363-PL-007

Garage plan ref. JBA363-PL-008

Highway works and access plan ref. T2841/02 Rev A

Highway works and access with sweptpath plan ref. T2841/05

The development shall thereafter be retained and maintained in accordance with these approved details.

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

3. Notwithstanding the materials schedule submitted, prior to any above ground construction taking place the details of the materials to be used on the external faces of the individual buildings hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the locality, in accordance with Policies LQ1 and LQ4 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. Details of the surfacing materials to be used in the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the laying down of any final surface finishes and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ1 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. Notwithstanding the information shown on the approved plans:
 - (a) The windows and doors to the properties shall be recessed behind the front face of the elevation in which they sit by no less than one brick width;
 - (b) The stone/stone effect cills to the windows shall project forward of the elevation in which they sit by no less than 25mm;
 - (c) The roofs of the buildings hereby approved shall over-hang the external faces of the buildings by not less than 200mm at the eaves and verge.

Reason: In order to provide visual depth and interest in the interests of the appearance of the site and locality in accordance with Policies LQ1 and LQ4 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. Details of any boundary treatments to be used in the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the erection of any boundary treatments on the site and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ1 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

7. Notwithstanding the information submitted, prior to the commencement of any development on site the following shall be submitted to and agreed in writing by the Local Planning Authority, and the development shall thereafter proceed in full accordance with these approved details and the protection measures shall not be removed until the development has been completed in full:

- (a) a plan to show those existing trees and hedgerows on site to be retained;
 - (b) a tree protection plan and arboricultural method statement to detail the protection of those trees and hedgerows to be retained. This plan should confirm that no excavations, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected.

Reason: To secure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, having regards to Policy LQ6 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. (a) No development shall take place until a landscaping scheme has submitted to and approved in writing by the Local Planning Authority. This scheme shall include planting plans specifications and schedules to include plant size, species and number/densities. For the purpose of this condition, the scheme shall include bolstering of the existing hedgerows on site with native species, and incorporation of native species within soft landscaping provision.

(b) Before any of the units hereby approved are first occupied, a management and maintenance plan for the areas of soft landscaping throughout the site shall be submitted to and agreed in writing by the Local Planning Authority and the site shall thereafter be managed in accordance with this plan. For the purpose of this condition, this plan should identify responsibilities for maintenance (i.e. site maintenance company, other third party or private resident) and the works to be carried including frequency of action.

(c) The agreed 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.)

(d) 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 ecological enhancement 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 Policies CS7 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

9. Prior to any above ground construction taking place, an ecological enhancement scheme shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with these approved details. For the purpose of this condition, the ecological enhancement scheme should include the provision of bat, bird and hedgehog boxes and features to enable the movement of small mammals.

Reason: In order to safeguard and enhance biodiversity on the site in accordance with the provisions of paragraph 170 of the NPPF and Policy LQ6 of the Blackpool Local Plan 2001-2016.

10. (a) Before any of the units hereby approved are first occupied a plan detailing the public open space provision shown by the outlined, dotted area on plan reference JBA363-PL-002 Rev B shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include the provision of any street furniture, boundary treatments, seating or signage.

(b) Before any of the units hereby approved are first occupied, the public open space shown by the outlined, dotted area on plan reference JBA363-PL-002 Rev B shall be provided in accordance with the details agreed pursuant to part (a) of this condition in order to meet the needs of the development and shall thereafter be retained and maintained as such.

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).

11. Prior to any of the units hereby approved being first occupied, the parking provision associated with that unit as shown on the approved site layout plan shall be provided and shall thereafter be retained as such.

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.

12. (a) Notwithstanding the information shown on the approved plan, no works shall commence until full details of the proposed vehicular and pedestrian access from Midgeland Road into the site have been submitted to and agreed in writing by the Local Planning Authority.

(b) The access agreed pursuant to part (a) of this condition shall be provided to at least base course and in full accordance with the agreed details before any construction commences on site.

(c) The access agreed pursuant to part (a) of this condition shall be completed in full and in full accordance with the approved details before any unit hereby approved is first occupied.

Reason: In order to ensure that safe and satisfactory access exists to the site during the construction period and during the lifetime of the development in accordance with the provisions of paragraph 108 of the NPPF and Policy AS1 of the Blackpool Local Plan 2001-2016.

13. (a) No works shall commence until full details of the sub-surface construction and surfacing of the internal estate road hereby approved have been submitted to and agreed in writing by the Local Planning Authority. For the purpose of this condition, the details provided shall demonstrate that the road structure and surface would be adequate to support the loading of a refuse wagon or fire appliance.

(b) No unit hereby approved shall be occupied until the estate road has been installed and finished in full and in full accordance with the details agreed pursuant to part (a) of this condition.

Reason: In the interests of the amenities of residents and in order to ensure that safe and satisfactory access exists to the properties during the lifetime of the development in accordance with the provisions of paragraph 108 of the NPPF and Policies BH3 and AS1 of the Blackpool Local Plan 2001-2016.

14. (a) Notwithstanding the information shown on the approved plans, no unit hereby approved shall be occupied until a scheme for the provision of off-site highway improvement works has been submitted to and agreed in writing by the Local Planning Authority and implemented in full and in full accordance with the approved details. For the purpose of this condition, this scheme shall include:

- the provision of a pedestrian island within Midgeland Road
- widening and reconfiguration of the carriageway and footway
- new, amended or upgraded road markings
- provision of dropped kerbs
- any necessary resurfacing of the carriageway and footway
- treatment of the drainage ditch across the site frontage
- review of streetlighting and provision or relocation of any necessary columns and lamps

Reason: In order to ensure that safe and satisfactory access exists to the site during the construction period and during the lifetime of the development in accordance with the provisions of paragraph 108 of the NPPF and Policy AS1 of the Blackpool Local Plan 2001-2016.

15. Foul and surface water shall be drained on separate systems.

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

16. (a) Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

(b) The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and shall include the following:

- (i) Information about the lifetime of the development design storm period and intensity (1 in 30 and 1 in 100 year + allowance for climate change - see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;
- (ii) A demonstration that the surface water run-off would not exceed the existing greenfield rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- (iii) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- (iv) Flood water exceedance routes, both on and off site;
- (v) A timetable for implementation, including phasing where applicable;
- (vi) Site investigation and test results to confirm infiltrations rates;
- (vii) Details of water quality controls, where applicable.

(c) Unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

(d) The scheme shall be fully implemented and subsequently maintained, in accordance with the approved details including any timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

17. Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Residents' Management Company;

- b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) to include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) Means of access for maintenance and easements where applicable.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development in accordance with Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

18. 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
- confirmation that no burning of waste or other materials will take place on site during the construction period
- means to prevent contamination of land or any surface and sub-surface water bodies from surface-water run-off during construction
- 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 the secure storage of materials and equipment
- 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.

19. Prior to the commencement of development;
- (a) a scheme of site investigation into potential land contamination shall be submitted to and agreed in writing by the Local Planning Authority; and
 - (b) the scheme of site investigation agreed pursuant to part (a) of this condition shall be carried out in full and in full accordance with the approved details, and a report of the findings submitted to and agreed in writing by the Local Planning Authority; and
 - (c) in the event that remediation works are identified as being necessary through site investigation report required pursuant to part (b) of this condition, a scheme of remediation shall be submitted to and agreed in writing by the Local Planning Authority;
 - (d) any scheme of remediation agreed pursuant to part (c) of this condition shall be carried out in full and in full accordance with the approved details, and a validation report verifying the remediation shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to safeguard future occupants of the site from potential land contamination in accordance with the provisions of paragraph 178 of the NPPF and Policy BH4 of the Blackpool Local Plan 2001-2016. This condition is required to be discharged prior to the commencement of development as any development on the site could prejudice proper site investigation or remediation.

20. Notwithstanding the information submitted, details of existing and proposed land and finished floor levels shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any levelling works on site.

Reason: In order to ensure that the development proposed would not impact unacceptably upon site drainage and flood risk in the area or on the amenities of nearby residents in accordance with the provision of Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy BH3 of the Blackpool Local Plan 2001-2016.

21. Notwithstanding the definition of development set out under section 55 of the Town and Country Planning Act 1990 (as amended) or provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order):
- (a) no enlargement of the houses or bungalows hereby permitted shall be carried out without the prior written approval of the Local Planning Authority;
 - (b) the integral and external garages hereby approved shall not be used for any purpose that would preclude their use for the parking of a motor car;
 - (c) no boundary treatments shall be erected without the prior written approval of the Local Planning Authority;

- (d) the driveways hereby approved shall not be altered or used for any purpose that would preclude their use for the parking of a motor car;

Reason: To safeguard the living conditions of the occupants of nearby residential premises, ensure that adequate parking provision is available within the site, and safeguard the open plan character of the estate and ensure a coherent appearance across the development in accordance with the provisions of Policies LQ1, LQ14, BH3 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

22. 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.

23. The units hereby approved shall be occupied by persons over the age of 55 years only.

Reason: In order to meet an identified housing need within the borough and because no contribution towards local education provision has been sought based on the type of accommodation proposed. If standard market housing were to be provided this would warrant a contribution in accordance with the provisions of Policy CS11 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Application Number 19/0011 - BROOKEVIEW 516 MIDGELAND ROAD, BLACKPOOL, FY4 5ED

Use of land as a travelling showperson's site for up to five caravans (three static caravans and two tourers), gravelled driveway and parking areas and erection of new boundary fences (on boundary with 518 Midgeland Road).

Decision: Grant Permission

Conditions and Reasons:

1. 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 07/01/19 Drawing no A018/313/P/01 Rev C.

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

2. No more than three static caravans and two touring caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended) shall be stationed on the site at any one time and they shall only be stationed in the positions shown on the approved plan.

Reason: To safeguard the character and appearance of the area and the amenities of local residents in accordance with Policies CS7, CS8 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012 - 2017 and Policies LQ1, LQ10 and BH3 of the Blackpool Local Plan 2001-2016.

3. The development and residential use hereby permitted shall be solely for the benefit of Mr Russell Holland, his wife and their resident dependents.

Reason: Planning permission is being granted on the basis that there is a need for the site as part of the Fylde Coast Gypsy and Traveller and Travelling Showpeople Accommodation Assessment 2014 and 2016 update and in accordance with Policy CS16 of the Blackpool Local Plan Part 1: Core Strategy 2016 - 2027.

4. a) Within 3 months of the date of this permission full details of soft landscaping works for the site shall be 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, 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 the written agreement of the Local Planning Authority 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.

5. The site shall not be occupied by any persons other than travelling showpeople as defined in Annex 1 of Planning Policy for Travellers Sites, 2015.

Reason: Planning permission is being granted on the basis that there is a need for the site as part of the Fylde Coast Gypsy and Traveller and Travelling Showpeople Accommodation Assessment 2014 and 2016 update and in accordance with Policy CS16 of the Blackpool Local Plan Part 1: Core Strategy 2016 - 2027.

6. No commercial activities shall take place on the land, including the storage of materials (other than vehicles used in association with the travelling showperson's business).

Reason: To safeguard the character and appearance of the area and the amenities of local residents in accordance with Policies CS7, CS8 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012 - 2017 and Policies LQ1, LQ10 and BH3 of the Blackpool Local Plan 2001-2016.

7. Within three months from the date of this permission, the car parking provision shown on the approved plan 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. Within three months from the date of this permission, a scheme for the screening of the gas bottles to serve the static caravans shown on the approved plan shall be submitted to and approved by the Local Planning Authority. The approved means of screening shall be provided within four months from the date of this permission and shall thereafter be retained.

Reason: In the interests of the appearance of the locality and residential amenity, in accordance with Policies LQ1, LQ10 and BH3 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Application Number 19/0056 - 429 -437 PROMENADE, BLACKPOOL, FY1 6BQ

Erection of part four, part five-storey hotel to provide 104 guest bedrooms an ancillary cafe/restaurant unit at ground floor level and parking to the rear with vehicular access taken from Commercial Street following clearance of the site.

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:

Site location plan ref. 4764-P2

Proposed site layout plan ref. 4764-P4 Rev B

Proposed ground and first floor plans ref. 4764-P5 Rev C

Proposed second and third floor plans ref. 4764-P6 Rev B

Proposed fourth floor and roof plans ref. 4764-P7 Rev C

Proposed elevations drawings ref. 4764-P8 Rev D

The development shall thereafter be retained and maintained in accordance with these approved details.

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

3. Notwithstanding the information shown on the approved plans, prior to any above ground construction taking place, the details of the materials to be used on the external faces of the building hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the locality, in accordance with Policies RR11, LQ1 and 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 in the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the laying down of any final surface finishes and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the locality, in accordance with Policies RR11 and LQ1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. Notwithstanding the information shown on the approved plans and prior to the commencement of any above ground construction taking place, detailed section drawings to show the degree of projection and recess of the different architectural features of the building, including the windows, doors, cills, columns and fins, shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with these agreed details.

Reason: In order to provide visual depth and interest in the interests of the appearance of the site and locality in accordance with Policies RR11, LQ1 and LQ4 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. (a) The windows to the rear elevation of the building hereby approved shall be obscure glazed to a level of 5 (where 1 is entirely transparent and 5 is entirely opaque) to a level of 1.8m above internal floor level and shall be non-opening.

(b) Prior to the commencement of any above ground construction, details of front-facing window treatments, including the provision of any internal blinds, nets or curtains, to protect the privacy of the occupants of the hotel bedrooms shall be submitted to and agreed in writing by the Local Planning Authority, and the development shall thereafter proceed in full accordance with these approved details.

(c) No external or internal window treatments to front-facing windows, including the installation of blinds, nets or curtains, shall take place without the prior written approval of the Local Planning Authority.

Reason (a): In order to safeguard the privacy of the occupants of the properties to the rear and the occupants of the hotel bedrooms in accordance with the provisions of Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy BH3 of the Blackpool Local Plan 2001-2016.

Reason (b) and (c): Window treatments, including the use of blinds, nets and curtains can have a significant effect on the external appearance of a building. As the application site is in a prominent position on the Promenade within the Resort Core, this condition is considered necessary in the interests of the appearance and quality of the building and streetscene in accordance with the provisions of Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies RR11, LQ1 and LQ4 of the Blackpool Local Plan 2001-2016.

7. Prior to any part of the building hereby approved being first brought into use, details of the following shall be submitted to and agreed in writing by the Local Planning Authority, installed in full accordance with the approved details, and thereafter retained and maintained as such:

- (a) a means of enclosure to the front forecourt to prevent vehicle access and demarcate the boundary of the site
- (b) boundary treatments and gates to the rear area of the site.

Reason: In the interests of the appearance of the site and locality, in accordance with Policy RR11 and LQ1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. Prior to any part of the building hereby approved being first brought into use, details of the following shall be submitted to and agreed in writing by the Local Planning Authority, installed in full accordance with the approved details, and thereafter retained and maintained as such:

- (a) provision of landscaping to the front of the building to include the appearance, dimensions and position of any planters and planting plans, specifications and schedules to include plant sizes, species and numbers/densities
- (b) the appearance and position of any fixed items of street furniture such as bollards, benches, seating, tables or public art feature.
- (c) Any plants planted in accordance with this condition that 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: In the interests of the appearance of the site and locality, in accordance with Policy RR11 and LQ1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

9. (a) Prior to the commencement of any above ground construction, details of an external lighting scheme for the site and building shall be submitted to and agreed in writing by the Local Planning Authority.

(b) The lighting scheme agreed pursuant to part (a) of this condition shall be installed in full and in full accordance with the approved details before any part of the building hereby approved is first brought into use and shall thereafter be retained and maintained as such.

Reason: In the interests of the appearance of the site and locality, in accordance with Policy RR11, LQ1 and LQ4 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. Prior to any part of the building hereby approved being first brought into use details of covered, secure cycle storage as shown on the approved site layout plans shall be submitted to and agreed in writing by the Local Planning Authority, installed in full accordance with the approved details and thereafter retained and maintained as such.

Reason: To enable access to and from the site by a sustainable transport mode, in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016 and Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

11. Prior to any part of the building hereby approved being first brought into use, the parking provision shown on the approved site layout plan shall be provided and shall thereafter be retained as such.

Reason: In order to ensure the provision of car parking on the site to meet the needs of the development in the interests of highway safety, in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

12. (a) Notwithstanding the information shown on the approved plan, no works shall commence until full details of the proposed vehicular and pedestrian access from Commercial Street into the site have been submitted to and agreed in writing by the Local Planning Authority.

(b) The access agreed pursuant to part (a) of this condition shall be provided to at least base course and in full accordance with the agreed details before any construction commences on site.

(c) The access agreed pursuant to part (a) of this condition shall be completed in full and in full accordance with the approved details before any part of the building hereby approved is first brought into use.

Reason: In order to ensure that safe and satisfactory access exists to the site during the construction period and during the lifetime of the development in accordance with the provisions of paragraph 108 of the NPPF and Policy AS1 of the Blackpool Local Plan 2001-2016.

13. Notwithstanding the information shown on the approved plans, no unit hereby approved shall be occupied until a scheme for the provision of off-site highway improvement works has been submitted to and agreed in writing by the Local Planning Authority and implemented in full and in full accordance with the approved details. For the purpose of this condition, this scheme shall include:

- new, amended or upgraded road markings
- provision of dropped kerbs
- any necessary resurfacing of the carriageway and footway
- review of streetlighting and provision or relocation of any necessary columns and lamps

Reason: In order to ensure that safe and satisfactory access exists to the site during the construction period and during the lifetime of the development in accordance with the provisions of paragraph 108 of the NPPF and Policy AS1 of the Blackpool Local Plan 2001-2016.

14. (a) Notwithstanding the information submitted, no part of the building hereby approved shall be first brought into use until a final travel plan has been submitted to and approved in writing by the Local Planning Authority. The travel plan shall include the appointment of a travel co-ordinator and a format that consists of surveying, travel audits, a working group, action plans with timescales and target setting for the implementation of each element.

(b) No part of the building hereby approved shall be brought into use prior to the implementation of the those parts of the Travel Plan approved pursuant to part (a) of this condition that are identified as being capable of being implemented prior to occupation first use.

(c) Those parts of the Travel Plan approved pursuant to part (a) of this condition that are identified therein as being capable of implementation after first use shall be implemented in accordance with the timetable therein and shall continue to be implemented as long as any part of the building hereby approved is in use.

Reason: In order to ensure appropriate provision exists for safe and convenient access by public transport, cycle, and on foot as well as by car, in accordance with Policy AS1 of the Blackpool Local Plan 2001 - 2016 and Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

15. Prior to any part of the building hereby approved being first brought into use, a Servicing and Management Plan for the use and operation of the area of the site to the rear of the building shall be submitted to and agreed in writing by the Local Planning Authority and the uses hereby approved shall operate in full accordance with this agreed Servicing and Management Plan for as long as any part of the building hereby approved is in use. For the purpose of this condition, this plan shall demonstrate that the development will normally operate without vehicles needing to stand, load or unload on the highway.

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.

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

- means of demolition
- hours and days of demolition and construction work for the development

- control of noise emanating from the site during the demolition and construction period
- dust mitigation measures during the construction period
- confirmation that no burning of waste or other materials will take place on site during the demolition and construction period
- means to prevent contamination of land or any surface and sub-surface water bodies from surface-water run-off during construction
- contractors' compounds and other storage arrangements
- provision for the secure storage of materials and equipment
- provision for all site operatives, visitors and demolition/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, dust and other similar debris on the adjacent highways
- the routing of construction traffic
- contact details for out-of-hours road sweeping contractor and an agreement of call-out

The demolition and construction of the development shall then proceed in full accordance with the approved Demolition and 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.

17. Foul and surface water shall be drained on separate systems.

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

18. (a) Prior to the commencement of construction, the surface-water drainage scheme set out in the Flood Risk Assessment prepared by Simpson Consulting Engineers referenced P18-611 and dated 18 January 2019 shall be implemented in full.

(b) The surface-water drainage scheme set out in the Flood Risk Assessment prepared by Simpson Consulting Engineers referenced P18-611 and dated 18 January 2019 shall be managed and maintained in full accordance with the details set out in that document.

(c) Prior to any part of the development hereby approved being first brought into use, details of the entity responsible for the management and maintenance of the surface water drainage scheme shall be submitted to and agreed in writing by the Local Planning Authority and no change in the identity of this entity shall take place without the prior written approval of the Local Planning Authority.

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

19. The development hereby approved shall proceed and shall thereafter be operated in full accordance with the flood resistance and resilience measures set out in the submitted Flood Risk Assessment prepared by Simpson Consulting Engineers referenced P18-611 and dated 18 January 2019.

Reason: To safeguard the development against flooding and to ensure the development does not increase the risk of flooding elsewhere in accordance with the provisions of section 14 of the NPPF and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

20. Prior to the commencement of development;
- (a) a scheme of site investigation into potential land contamination shall be submitted to and agreed in writing by the Local Planning Authority; and
 - (b) the scheme of site investigation agreed pursuant to part (a) of this condition shall be carried out in full and in full accordance with the approved details, and a report of the findings submitted to and agreed in writing by the Local Planning Authority; and
 - (c) in the event that remediation works are identified as being necessary through site investigation report required pursuant to part (b) of this condition, a scheme of remediation shall be submitted to and agreed in writing by the Local Planning Authority;
 - (d) any scheme of remediation agreed pursuant to part (c) of this condition shall be carried out in full and in full accordance with the approved details, and a validation report verifying the remediation shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to safeguard future occupants of the site from potential land contamination in accordance with the provisions of paragraph 178 of the NPPF and Policy BH4 of the Blackpool Local Plan 2001-2016. This condition is required to be discharged prior to the commencement of development as any development on the site could prejudice proper site investigation or remediation.

21. (a) The development hereby approved shall proceed in full accordance with the submitted Sustainability and Energy Statement (including BREEAM assessment) prepared by Beechfield Consulting Engineers referenced 2018.252 and dated January 2019 such that the resultant building is capable of achieving a BREEAM rating of 'very good'.
- (b) Prior to any part of the building hereby approved being first brought into use, confirmation of the BREEAM rating of the development shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the building is sustainable and energy efficient in accordance with the provision of Policy CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

22. No bins or refuse shall be stored forward of the building hereby approved or taken to the front of the building to be emptied or collected.

Reason: In the interests of the appearance of the locality in accordance with the provisions of Policies RR11 and LQ1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

23. The direct, internal means of access between the hotel and cafe/restaurant uses hereby approved shall be maintained and available at all times when both of the uses hereby approved are operational.

Reason: The cafe/restaurant is a Main Town Centre Use in an out-of-centre location but is considered to be acceptable as an ancillary part of a hotel development within the Resort Core. The direct connection between the two uses establishes the café/restaurant as an ancillary use. Independent use in the absence of full sequential and impact assessments would therefore be contrary to the provisions of section 7 of the NPPF and Policy CS4 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Application Number 19/0127 - 4 MERE ROAD, BLACKPOOL, FY3 9AT

Erection of single storey rear extension and rear dormer.

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:

Existing and Proposed Floor Layouts and Elevations Plan ref. 19-06-01 Rev A

The development shall thereafter be retained and maintained in accordance with these approved details.

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

3. The materials to be used on the extension and dormer hereby approved shall match those of the existing property in colour, size, texture and design unless otherwise first submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

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.

Report to:	PLANNING COMMITTEE
Relevant Officer:	Gary Johnston, Head of Development Management
Date of Meeting:	4 June 2019

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 An appeal has been lodged by Valad European Diversified Fund (Jersey) 14 Limited against the decision of the Council to refuse planning permission for the demolition of the existing public house, relocation of the vehicular access and erection of a bingo

hall (Use Class D2) and a drive-thru cafe/restaurant (Use Class A3) with associated reconfiguration of the existing car park and provision of new landscaping.

Site Address: Land at Odeon Cinema, Rigby Road, Blackpool, FY1 5EP (Planning reference 18/0202)

- 5.3 An appeal has been lodged by the Blackpool Pier Company against the decision of the Council to refuse planning permission for the retention of log flume ride on land to the north of the pier.

Site Address: South Pier, Promenade, Blackpool , FY4 1BB (Planning reference 18/0333)

- 5.4 An appeal has been lodged by Mrs R Law against the decision of the Council to refuse planning permission for the erection of a two-storey side and rear extension and single-storey rear extension.

Site Address: 139 Clifton Drive, Blackpool, FY4 1RT (Planning reference 18/0762)

5.5 Planning/Enforcement Appeals Determined

5.6 420 Waterloo Road, Blackpool, FY4 4BL – Planning reference 18/0436

- 5.6.1 An appeal was made by Mr Shaw against the Council's decision to refuse planning permission for the erection of a first floor rear extension including formation of a vehicle crossing to Waterloo Road.

APPEAL DISMISSED.

- 5.6.2 The Inspector found that there would be unacceptable harm to the living conditions of the occupants of 422 and 424 Waterloo Road, with regards to outlook, daylight and overbearingness; but felt that the proposal would not adversely impact on the occupants of 2 Kirkstall Avenue.

- 5.6.3 The character and appearance of the area would not be adversely affected - the extension would be sympathetic to the character and appearance of the area, having regard to the scale, massing, layout and relationship to adjoining buildings.

5.7 Rear of 518 Midgeland Road, Blackpool, FY4 5EE – Planning reference 18/0169

- 5.7.1 An appeal made by Mr. Ratcliffe against the Council's decision to refuse planning permission for the erection of a single-storey building for the storage and maintenance of vehicles.

APPEAL ALLOWED.

- 5.7.2 The main issue was considered to be the impact of the proposal on the character and

appearance of the locality, including its setting within the Marton Moss Conservation Area. The proposed building was noted to be low level. As it would sit to the rear of the site it would be screened by the existing building and by landscaping along the building. As such its visual impact was judged to be limited. On this basis the quality of the Conservation Area would be preserved. The use would expand an existing building on previously-developed land and would not result in unsustainable travel plans. Thus, whilst the proposal would conflict with Policy CS26, it would accord with the provisions of the National Planning Policy Framework. As the National Planning Policy Framework is a more recent expression of planning policy, the Inspector gave it greater weight in the planning balance. The Inspector did not agree that an approval in this case could set an undesirable precedent for future development on the Moss.

5.8 Land at Warren Drive, Blackpool, FY5 3TG - Planning reference 17/0466

- 5.8.1 An appeal made by the Lovell Partnerships against the Council's decision to refuse planning permission for the erection of 86 dwellings with associated open space and landscaping and formation of new access to Warren Drive.

APPEAL ALLOWED and FULL AWARD OF COSTS AGAINST THE COUNCIL

- 5.8.2 There were four main issues in the Inspector's mind in terms of the appeal –
- Whether the Council has a five year housing land supply;
 - Whether the appeal site is surplus to requirements in terms of open space provision in the area;
 - Whether there would be severe traffic hazards associated with the development; and
 - Whether there would be flood risk issues associated with the development.
- 5.8.3 The Inspector found that the Council does not currently have a five year supply of housing land and hence this weighed heavily in favour of the application as it would contribute to housing supply.
- 5.8.4 He found that there is an adequate provision of open space in Norbreck Ward and noted that the land is rated as poor quality in the Council's Audit of open space. Given these circumstances he did not feel that there is a pressing need to retain the land as open space.
- 5.8.5 He noted that a new roundabout junction to Warren Drive is proposed together with an additional pedestrian refuge to assist pedestrians crossing Warren Drive. He observed the current operation of the Warren Drive/ North Drive junction during the morning peak hours and evening peak hours and considered the traffic generation from the proposed development. He did not consider that the development would have a severe impact on the operation of the junction (the test in paragraph 109 of the National Planning Policy Framework is that development should only be resisted if it would have a severe impact on the road network).

- 5.8.6 He considered the development in the context of the proposed mixed use development at Norcross but did not consider there would be a significant issue. He noted the location of the proposed development within an area at risk of flooding but felt that the development would not be at risk. He noted the flood event which had occurred in November 2017 but did not feel that the development would exacerbate the situation. He felt that the on-site surface water storage measures and controlled rate of surface water discharge to Warren Drive and the watercourse to the south would seek to ensure that the development does not cause problems with flooding.
- 5.8.7 In terms of the costs decision, the Inspector considered the Council had been unreasonable in refusing the application. He felt that the absence of a five year supply of housing land meant that resisting a full application for housing in a sustainable location was unreasonable. He felt that there was no evidence that the development would have a severe impact on the road network and hence refusing the application on this basis was unreasonable. He also felt that notwithstanding the flooding event in November 2017 the development would not exacerbate the situation but may in fact improve matters and hence this was unreasonable.
- 5.9 **Land to the rear of 150 Harcourt Road, Blackpool, FY4 3AL – Planning reference 18/0226**
- 5.9.1 An appeal was made by Mr Packer against the Council's decision to refuse planning permission for the erection of two x two bedroom dwellings.

APPEAL DISMISSED

- 5.9.2 The main issues are as follows:-
- Whether the driveway and access to the proposed dwellings would be adequate in terms of both highway safety and refuse storage and collection arrangements;
 - The effect of the proposal on the living conditions of the occupiers of neighbouring dwellings with particular regard to outlook and access to natural light; and
 - Whether adequate living conditions would be provided for future occupiers of the proposed dwellings.
- 5.9.3 Whilst I find that the access road would not result in unacceptable arrangements for refuse storage and collection and adequate parking would be provided, the restricted width of the access track would prevent two vehicles from passing each other, thereby resulting in vehicle conflict and an unacceptable risk to the safety of highway users. In such terms, the proposal conflicts with policies AS1 of the adopted Blackpool Local Plan 2001-2016 (LP) and policy CS7 of the of the adopted Blackpool Local Plan Part 1: Core Strategy 2012-2027 (CS) which promote safe forms of development.

- 5.9.4 The bungalows would sit close to the boundaries with Nos. 154 and 150 Harcourt Road and Nos. 127 to 133 Powell Avenue. The rear gardens of the dwellings of Powell Avenue are a generous depth. However, the rear amenity spaces of Nos. 154 and 150 Harcourt Road are very shallow. The nearest of the two bungalows proposed would span the full width of the shallow rear amenity spaces of these two dwellings.
- 5.9.5 Even accounting for the fact that the hipped roof would rise away from this boundary, the bungalow would be much taller than the existing boundary treatments. As a result, the occupiers of Nos. 150 and 154 Harcourt Road would be faced with a large expanse of built development directly at the bottom of their shallow rear amenity areas. Whilst the sloping roof of the nearest of the proposed dwellings would ensure that adequate levels of natural light remained available to these properties, the overall effect would be very oppressive when viewed from the outdoor spaces and also when viewed from the ground floor rooms at the back of the houses themselves.
- 5.9.6 For these reasons, I find that the proposal would harm the living conditions of the occupiers of Nos. 150 and 154 Harcourt Road. In such terms, the proposal conflicts with policies LQ1, LQ2, LQ3, LQ4 and BH3 of the LP and policies CS7 and CS12 of the CS which collectively promote development that provides a high quality environment and satisfactory living conditions.
- 5.9.7 The proposed dwellings would not have a street frontage and it has been suggested that the layout of the scheme would be cramped. However, the dwellings of Logan Court, which is another nearby 'backland' development, do not have a street frontage either and the appeal site sits within an area dominated by terraced housing at a high density. Further, the bedrooms and living rooms of the dwellings would have reasonable aspects and they would both have a decent sized amenity space. Whilst I note that the rear garden of the proposed dwelling closest to Harcourt Road would be overlooked by the nearest dwellings on this road, this is a high density neighbourhood as I have explained, where quite a high level of overlooking is typical. On balance, I am satisfied that the proposed development would provide a good standard of living conditions for future occupiers. In this respect, I find no conflict with the policies referred to above.
- 5.10 Does the information submitted include any exempt information? No
- 5.11 **List of Appendices:**
- 5.11.1 Appendix 3(a) Letter from Planning inspectorate dated 10 May 2019 relating to the appeal decision for 420 Waterloo Road.
Appendix 3(b) Letter from Planning inspectorate dated 29 April 2019 relating to the appeal decision for 518 Midgeland Road.
Appendix 3(c) Letters from Planning inspectorate dated 9 April 2019 relating to the appeal decisions for Land off Warren Drive.
Appendix 3 (d) Letter from Planning inspectorate dated 23 April 2019 relating to the appeal decision for 150 Harcourt Road.

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

Appeal Decision

Site visit made on 7 May 2019

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 May 2019

Appeal Ref: APP/J2373/W/19/3222229 420 Waterloo Road, Blackpool FY4 4BL

- 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 Mr Shaw against the decision of Blackpool Borough Council.
- The application Ref 18/0436, dated 21 June 2018, was refused by notice dated 18 September 2018.
- The development proposed is a rear extension including formation of vehicle crossing to Waterloo Road.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on: (i) the living conditions of the occupants of 422 and 424 Waterloo Road and 2 Kirkstall Avenue, with regards to outlook, daylight and overbearingness; and (ii) the character and appearance of the area.

Reasons

Living conditions

3. The appeal site is a two-storey end-terraced property with a traditional design and finish. The property is on the corner of Waterloo Road and Kirkstall Avenue, but there is no vehicular access between these two roads. A single storey extension with a pitched roof is to the rear of the property¹ next to single storey built form to the rear of Nos 422 and 424 which extends up to the rear alley. The first-floor rear elevation of No 422 has two good-sized windows, while a dormer window with two rear facing windows occupies the rear roof plane. All the windows in the rear elevation of No 422 have an outlook of the gable elevation of No 2. The evidence before me, along with the observations that I made during my site visit, indicates that No 422 is a residential dwelling. The first-floor rear elevation of No 424 has two windows. There is no dispute that the first floor of this property is in residential use.
4. Despite amendments after an earlier refusal of planning permission², the submitted plans show that the proposed eaves line would be above the window cill of the nearest first floor window in the rear elevation of No 422. Even if this

¹ Council Ref: 10/0030

² Council Ref: 17/0270

window was previously obscure glazed, my findings relate to the current circumstances. This window is now clear glazed. While the roof plane would angle away from No 422, the ridge height of the roof would be above that of the window. Moreover, a blank brick wall and roof plane would abut the boundary. Hence, the outlook from the first-floor window in No 422, which could potentially be a bedroom or another habitable room, would be significantly affected given the height, massing and proximity of the proposed extension to this window, which would differ to the current extension.

5. The windows in No 422 face north, which means that, in terms of daylight and sunlight, they are already affected by the varied rear building line of neighbouring properties in the terrace, and to a lesser degree by No 2. The proposal would introduce built form directly next to the window. Hence, the proposal's height and massing would infill the gap between the appeal property and No 2, which would further compromise the level of daylight received in the bedroom. This would have an adverse effect on the living conditions of the occupants as the proposal would be overbearing.
6. The first-floor windows in the rear of No 424 would be further away from the proposal than those in No 422. Accordingly, the proposal's effect on the living conditions of the occupants of No 424 would not be as significant with regards to outlook, daylight and overbearingness. However, for the same reasons as those set out in respect of No 422, the effect would still be adverse, and thus harmful to the occupants of No 424.
7. The front elevation of No 2 has large windows at ground and first floors serving habitable rooms, but three first floor windows populate the No 2's two storey gable elevation which is side onto the rear of the site. The three windows face southwards and are obscure glazed. As they are towards the rear of No 2, they are behind Nos 422 and 424. Given this, the occupants outlook from No 2 would be maintained, even if the windows in No 2's gable elevation were not obscure glazed.
8. That said, the occupants of No 2 are likely to experience some loss of natural light due to the proposal's height, massing and proximity. The effect would be felt during the afternoons, but this would not result in an adverse effect on the living conditions of the occupants in No 2 given that the windows in the gable elevation and parts of the rear garden would still receive sun and daylight during other times of the day. Furthermore, as the proposal would not affect the windows in the front elevation of No 2, I am not of the view that the proposal would cause an overbearing impact on the occupants of No 2.
9. My attention has been drawn to a development on Pine Avenue. From the details submitted, despite some similarities, the two schemes are designed slightly different, and the eaves line of the Pine Avenue scheme is below the window of the adjacent property. In any event, I do not have all the information about the circumstances that applied and the reasons behind this scheme being granted planning permission³. As such, the Pine Avenue scheme does not, based on the evidence before me, justify the appeal scheme.
10. I conclude, on this issue, that the proposed development would not adversely affect the living conditions of the occupants of No 2, with regards to outlook, daylight and overbearingness. In this regard, the proposal would accord with

³ Council Ref: 18/0436

saved policies LQ14 and BH3 of the Blackpool Local Plan 2001/2016 (Local Plan), Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy (2012-2027) (CS) and Paragraph 127 a) and f) of the National Planning Policy Framework (the Framework). However, the proposed development would result in significant harm to the occupants of Nos 422 and 424, with regards to outlook, daylight and overbearingness. The proposal would in this regard conflict with saved Local Plan policies LQ14 and BH3, CS Policy CS7 and Framework paragraph 127 a) and f). These policies jointly seek development to function well and add to the overall quality of the area, not just for the short-term but over the lifetime of the development; and ensure the amenities of residential occupants are not adversely affected by the scale, design and siting of the development and its effect on outlook and levels of daylight.

Character and appearance

11. Two storey properties with pitched roofs characterise the surrounding area. These typically have a traditional appearance and are built from brick, render and roof tiles. These are, however, some exceptions which include flat roof extensions to the ground floor and roof plane of Nos 422 and 424 respectively.
12. The proposed extension would increase the scale and mass of the appeal property to the rear even though the ridge line has been reduced and the extension would be subordinate to the host property. A gable would abut the rear alley which would, in tandem with the scale and massing of the proposal, result in the loss of a sense of space at first floor between the host property at No 2. Nevertheless, the proposed design and the proposed use of materials would ensure that the extension acts as transition between the properties on Waterloo Road and Kirkstall Avenue, even though the extension would have a two-storey appearance. Furthermore, the sense of space is already affected by the single storey extension which has a pitched roof that extends roughly half way up the first-floor windows of the host property and No 2.
13. Thus, I conclude that the proposal would be sympathetic to the character and appearance of the area. Insofar as this issue, the proposal would accord with saved Local Plan Policy LQ14, CS Policy CS7 and Framework paragraph 127 b), c), d) and e) which jointly seek visually attractive well-designed extensions that are sympathetic to the original building and adjoining properties, having regard to scale, massing, layout and relationship to adjoining buildings.

Other matters

14. Concerns are raised by residents about noise from the existing use and the proposed extension. While there may or may not be valid concerns about noise from the existing use, this is a matter outside the scope of this appeal. Even though the appellant's Noise Report dates from 2009 and relates to an earlier extension, a planning condition could be imposed were I minded to allow the appeal so that sound attenuation measures could be incorporated into the extension to protect neighbouring occupants living conditions.
15. Given the site's location and the local highway environment I understand residents' points about parking, but I agree with the Council and the appellant that with the addition of a dropped kerb from Waterloo Road that the proposal would provide sufficient car parking provision.
16. The proposal would enable Blackpool Music Academy to form a new tuition

room and enable more students to make use of this facility which provides a much-needed facility for members of the community to use and benefit from music tuition, including those with health problems. These matters all carry positive weight in favour of the appeal scheme whilst limited knock-on benefits would also be likely to arise in terms of facilities for residents and visitors as well as spending within the local economy. The proposed first floor would also provide a studio and office which would allow a radio station to be relocated into the extension. The ground floor of the extension would be accessible to all. Compliance with Building Regulations is a separate matter and outside the scope of this appeal.

17. The property does not fall within a resort neighbourhood as defined in the Local Plan Proposals Map. As such, there is no Neighbourhood Action Area Plan which includes this property.
18. I recognise the appellant's comments about the extension to the rear of No 422 and the removal of internal walls, but these are, if necessary, matters for the Council to address in the first instance. I note comments made about the previous single storey extension, subsequent injunctions, finances and behaviour, but I have considered the appeal on its own planning merits.

Conclusion

19. I have found no harm from the appeal scheme in relation to the living conditions of No 2 and in terms of character and appearance. I have also taken into account the representations submitted. Even so, the appeal scheme would result in harm to the living conditions of the occupants of Nos 422 and 424. The proposal's effect is not altered or outweighed by the other considerations presented in this case, nor do they indicate that I should take a decision other than in accordance with the development plan.
20. For the reasons set out above, I conclude that the appeal should be dismissed.

Andrew McGlone

INSPECTOR

Appeal Decision

Site visit made on 1 April 2019

by David Fitzsimon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2019

Appeal Ref: APP/J2373/W/18/3213469

Rear of 518 Midgeland Road, Blackpool FY4 5EE

- 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 Mr Ratcliffe against the decision of Blackpool Council.
- The application Ref 18/0169, dated 2 March 2018, was refused by notice dated 11 May 2018.
- The development proposed is 'the erection of a single storey building for storage and maintenance of vehicles'.

Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey building for storage and maintenance of vehicles at the rear of 518 Midgeland Road, Blackpool FY4 5EE in accordance with the terms of the application, Ref 18/0169, dated 11 May 2018, subject to the conditions contained within the attached Schedule.

Procedural Matters

2. The Appellant has secured agreement from the Council to change the description of the development provided on the Application Form. The amended description more accurately reflects the proposal and therefore I have used it.
3. Since the application was determined, the Marton Moss area has been designated as the Marton Moss Conservation Area (CA). I have taken this into account in determining the application.

Main Issue

4. The main issue in this case is the effect of the proposal on the character and appearance of the locality including its setting within the CA.

Reasons

5. The proposal seeks to erect a single storey garage building with a mono-pitch roof within the curtilage of an existing commercial garage. The appeal site is a large rectangular parcel of land which sits behind the dwelling of No. 518 Midgeland Road, with open land to the south and west. It sits within the Marton Moss Countryside area as defined by the Blackpool Local Plan Part 1: Core

Strategy (2012-2027) (CS), which was adopted in 2016 and within the recently designated CA.

6. The proposed building would sit at the rear of the site. It would occupy almost the full width of the site, but it would be low level, measuring about 3.8 metres at its tallest point. It would be utilitarian in its appearance and it would be seen in the context of, and would be subservient to, the main garage building which is much larger. The proposed building would be largely screened by the existing building and landscaping to the boundaries and the Council accepts that its visual impact would be limited. On this basis, I am satisfied that the overall character and appearance of the CA would at least be preserved.
7. Policy CS26 of the CA relates specifically to Marton Moss. It explains that the character of the remaining lands at Marton Moss is integral to the local distinctiveness of Blackpool. It also advises that 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 may be acceptable. It goes on to explain that prior to the development of a local policy framework through the neighbourhood planning process, development on the remaining lands of the Moss will be limited to the 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 the National Planning Policy Framework (the Framework) paragraph 55 (now paragraph 79) and extensions or replacement dwellings in keeping with the scale and character of the area.
8. The Council has advised that an application to designate the Marton Moss Neighbourhood Plan area and formally establish the Marton Moss Neighbourhood Forum was received on 9 January 2019 and a period of public consultation relating to this submission ended on 4 March 2019. This clearly shows some progression with regards to the production of a Neighbourhood Plan for the Marton Moss area, but there is no adopted Neighbourhood Plan before me.
9. The latest version of the Framework was published in February 2019. Paragraph 83 explains that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings. The next paragraph explains that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. It goes on to say that in these circumstances, it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). It also explains that the use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.
10. The appellant argues that some tension exists between policy CS26 of the CS and the most up to date version of the Framework. My reading of policy CS26

is that it provides something of an interim position until such time a Neighbourhood Plan is produced which will identify the types of development likely to be acceptable within the plan area. Policy CS26 lists the types of development that will be permitted before such a plan is produced. This is more specific and restrictive than the approach outlined by the Framework.

11. The appeal site amounts to previously developed land and whilst Marton Moss lies outside of any recognised settlement boundary and within a countryside area, the Council accepts that it is not '*remote or detached from the main urban area*'. On this basis, and bearing in mind that vehicles needing repair would need to be moved to any given garage (unless fixed by a mobile mechanic), I am satisfied that the proposal would not result in unsustainable travel patterns. There is no suggestion that the proposal would have an unacceptable impact on local roads.
12. In addition, the proposed building would be linked to and would complement the existing garage business and the appellant suggests that it could create additional job opportunities. Further, the building would be modest in terms of its overall size and it would be seen in the context of the existing, much larger garage building. Against this context, I consider that the proposal would comply with the guiding principles of the Framework.

Other considerations

13. The Council has expressed concern that the appeal proposal could set an undesirable precedent for additional development at Marton Moss. However, one of the fundamental principles underpinning the planning system is that each planning application should be determined on its individual planning merits, as I have done in this case. I therefore give very limited weight to this argument.

Overall Conclusion

14. A Neighbourhood Plan has not been produced for Marton Moss and the proposed development does not fall within any of the types of development permitted by policy CS26 of the CS as an interim measure. It therefore conflicts with this development plan policy. However, this policy pre-dates and is more restrictive than the latest version of the Framework. I find that the proposal would enable the sustainable growth and expansion of a business through a well-designed new building which is sensitive to its surroundings, as promoted by it.
15. I give this factor very significant weight in the overall planning balance and find that any adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Conditions

16. In addition to the standard conditions which limit the lifespan of the planning permission and direct that development takes place in accordance with the approved plans, the Council has suggested several conditions in the event the appeal succeeds. I agree that the external finishing materials of the building must be controlled to ensure a visually acceptable development and details of drainage are required to ensure the development is adequately drained. I also

agree that measures should be undertaken to ensure that any materials stored do not pollute the environment and that the use should be limited to that which is proposed in order to enable the Council to control the use of the building.

17. No evidence has been advanced to persuade me that the potential for existing ground contamination needs to be investigated and given the existing tall landscaping located around the boundaries of the site, I am satisfied that further landscaping is not necessary. The appellant has expressed agreement to the conditions outlined, which I shall impose in allowing the appeal.

David Fitzsimon 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:

Location Plan received by the Local Planning Authority on 27 March 2018
Site Layout Plan Ref. GDS 3347 Rev A
Elevations Plan Ref. GDS 3348 Rev A
Floor Plan and Section Plan Ref. GDS 3349 Rev A

- 3) The development hereby permitted shall not commence until details of the external finishing materials of the building have been submitted to and agreed in writing by the Local Planning Authority. The development shall take place in accordance with the approved details
- 4) The development hereby permitted shall not commence until a scheme of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on sustainable drainage principles and shall include measures, such as the provision of oil interceptors, to prevent contaminated run-off from entering the Kitty Lane Watercourse or any other surface or sub-surface water bodies. The development shall take place in accordance with the approved details.
- 5) Any oils, fuels, chemicals or materials with potential to pollute shall be stored in appropriate containers in accordance with oil storage regulations on an impervious surface surrounded by impervious bund walls. The capacity of the secure area shall equal that of the tank capacity of the material/fluid stored plus 10%. All filling points, vents, gauges and sight glasses shall be contained within the bund and should discharge into the bund and any associated pipework must be above ground and protected from damage.
- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the building hereby approved shall be used for the storage and repair of motor vehicles only within Class B2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose including any other purpose within the aforementioned class.



Appeal Decision

Inquiry opened 29 January 2019, adjourned and reopened on 19 March 2019.

Site visit made on 30 January 2019 with unaccompanied visits on 28 January and 19 & 20 March 2019

by D R Cullingford BA MPhil MRTPI

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

Decision date: 09 April 2019

Appeal Ref: APP/J2373/W/18/3203780

Land off Warren Drive, Thornton Cleveleys, Blackpool, FY5 3TG

- 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 by Simon Millar on behalf of Lovell Partnerships Limited against the decision of the Blackpool Borough Council.
- The application (ref: 17/0466 and dated 5 July 2017) was refused by notice dated 23 January 2018.
- The application is for development described as the 'erection of 86 dwellings with associated open space and landscaping with the formation of a new access to Warren Drive'.

Summary of Decision: ~ The appeal is allowed subject to conditions.

Procedural matters

Costs

1. At the inquiry an application was made for an award of costs on behalf of the appellant. This is the subject of a separate letter.

The adjournment

2. The inquiry opened on 29 January 2019 and adjourned on Wednesday 30 January 2019 in order to address the implications of the policies in the Development Plan and the advice in the Framework relating to the protection and safeguarding of urban 'greenspace' as well as the existence or otherwise of a 5-year supply of housing land in Blackpool. Although parties had addressed issues relating to traffic and flooding, further consideration was required in relation to 'greenspace' and housing land supply, both addressed when the inquiry reopened on 19 March 2019.

The need for EIA

3. Although this 'urban development project' falls within the descriptions set out at paragraph 10b of Schedule 2 the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the site is not in an environmentally sensitive area and the proposal is not considered to engender any significant environmental impact. Hence an Environmental Statement is not required and this proposal does not constitute EIA development. Nevertheless, the scheme is accompanied not just by:
 - A Design and Access Statement,
 - A Planning Statement
 But also by:
 - A Transport Assessment,
 - A Flood Risk Assessment and Drainage Management Strategy,

- An Hydraulic Breach and Overtopping Analysis,
- A Climate Change and 1:200-year Breach Map,
- A Climate Change and 1:1,000-year Breach Map,
- A Sequential Test Assessment,
- An Ecological Appraisal,
- A Ground Investigation Report,
- A Tree Survey,
- A Viability Assessment.

Reasons

The site and surroundings

4. The site is an unkempt piece of rough grassland and scrub on the southern side of Warren Drive. Some half-hearted and dilapidated fencing, together with the occasional forlorn and dishevelled notice, proclaim that it is 'private'. The Local Plan describes it as grazing land and suggests that it has altered little in the last 40 years. But I doubt that anything has grazed here for a very long time; perhaps ever since Whiteholme and New Hall Farms ceased to exist in the early 1960s. In any case, a permission for low-rise office buildings set in luxuriously landscaped grounds, amidst surrounding 'green space', stems from initial approvals for Asda in 2000 and 2003. Although no office building has, or is likely to, materialise, some kind of 'start' on the scheme is deemed to have been made, so that the permissions remain extant; my understanding is that Asda still own the site.
5. Now, the sodden sward, the brackish ditches and the stagnant ponds accumulate bits of litter; some dumping is also evident amongst the scrub. Muddy tracks meandering through the rank grasses mark out the habitually trodden paths of dog-walkers. A few of those paths eventually weave amongst the newly planted trees on the adjacent 'greenspace' to the south which, with more open land, playing fields, sports grounds, clubs and courts, provide a swathe of 'urban greenspace' stretching almost 1km southwards past the Bispham Gala Field to Ashfield Road. The site itself extends for a little over 3ha. It has a frontage along Warren Drive of some 220m and a depth of 140m: there is a 'remnant' hedgerow to the east and a stream to the west. The site is seen against the expanse of 'greenspace' to the south and beyond wide green roadside verges when approaching from the east. But otherwise it is immersed amongst the closes and culs-de-sac of suburban estates. Apart from a care home, a public house, a Mormon Church and a few low-rise blocks of what might still be Council flats, most of the surrounding buildings are bungalows or semi-detached dwellings. Across the open space and suburban townscape there are views of Blackpool Tower: there are also views of a 6-storey slab block on the local college campus and the looming enormity of the ice-cream-coloured Norbreck Castle on Queens Promenade.
6. The site is slightly domed so that the central portion stood above the flood waters that inundated some of the surrounding estates (mainly to the east) in the flooding that occurred on 23 November 2017. Local people indicate that parts of those estates have had to endure flooding on a regular basis and that some residents have installed pumps in the hope of mitigating the problem. The wide verge beside the western portion of Warren Drive accommodates a substantial sewer, a key element in catering for the bungalows and dwellings that now spread eastwards. The central 'domed' portion of the site is in Flood Zone 1, but the peripheral parts are in Flood Zones 2 or 3.

7. Warren Drive is a local distributor road, busy during peak hours; it then accommodates some 2,000 vehicles (2-way flows). Traffic queues can form on the mini-roundabout at the junction between Warren Drive and North Drive. In the morning, these queues are quite modest, the longest consisting of some 6 vehicles waiting to negotiate the roundabout from North Road. It is different in the evening. The longest queue in the PM peak is estimated at some 32 vehicles waiting to negotiate the roundabout from the west on Warren Drive. Even so, queues on the other arms remain modest consisting of 6 vehicles from the east on Warren Drive and just 1 vehicle from North Drive.

The proposal

8. The scheme is for 86 dwellings. Most of the dwellings would be detached or semi-detached, although there are a couple of short terraces. The houses would be arranged around a series of culs-de-sac and focussed on a central green square, which would also accommodate an equipped playground. There would be 59 open market houses and 17 affordable homes, 20% of the total. Although that would be less than the 30% sought by Core Strategy policy CS14, it is justified by a submitted viability appraisal. A condition is suggested itemising the plots to accommodate the affordable dwellings scattered about the proposed estate while a section 106 Agreement sets out the basis for a scheme on which the affordable housing is to be provided. Altogether there would be 12 2-bedroom dwellings, 41 3-bedroom houses and 33 4-bedroom properties. Paths and pavements through this modest estate would connect to a footpath within a green corridor to the west, which would link to the playing fields and 'greenspace' to the south and west. More open space is to be provided in the green central square. In total there would be almost 2,300m² of open space and although that would fall short by some 4,400m² of the requirement, the section 106 Agreement includes clauses to meet that shortfall through a suitable contribution (of about £26,000).
9. The access arrangements entail the creation of a mini-roundabout on Warren Drive positioned towards the eastern boundary of the site and away from the junction with North Drive; it is shown on plan no.P16005-001. A pedestrian refuge to ease the crossing of Warren Drive would be located further east. The curves at the entrance to the access road are shown with radii of 10m. Space or garaging would accommodate 2 cars at each dwelling.
10. The scheme incorporates measures to reduce and control run-off from the site to a rate commensurate with agricultural land, roughly 5ls⁻¹/ha or about 16.7ls⁻¹ from the site as a whole. It is estimated that capacity to store some 1,070m³ of water would be required on site to cater for a 1:100 year event with a 40% addition to allow for climate change. Provision is to be made by enlarged drainage pipes, in swales and retention ponds. Conditions seek confirmation of percolation tests and a thorough assessment of the feasibility of incorporating any additional SUDS measures; a scheme to guarantee appropriate maintenance or the adoptability of the drainage facilities is also the subject of a condition. Parts of the site are to be raised behind modest retaining walls to roughly the top of the current 'domed summit'. In addition, the dwellings would incorporate various measure to mitigate the effects of flooding.

Planning policy and the main issues

11. The Development Plan currently consists of Blackpool's Core Strategy (2012-27), adopted in 2016, and the 'saved' policies of the Blackpool Local Plan (2001-16), adopted in 2006. The emerging Sites Allocation and Development Management

Policies DPP (2012-27) has been issued as an informal consultation document to gather responses on the draft proposals.

12. The Development Plan and the embryonic Site Allocations Plan include policies to protect and enhance 'urban greenspace'. The site is designated and safeguarded as 'urban greenspace' under 'saved' policy NE8 of the Local Plan, though the terms of that policy seem to allow for some development, perhaps in recognition of the extant permission; enhanced landscaping, open aspects across the site and public access along the frontage as well as to the west and east of the site are all requirements of the policy. And, although the Proposals Map denotes the appeal site as 'urban greenspace' it also (uniquely) identifies the site as benefitting from the extant permission for offices. 'Saved' policy BH8 seeks to prevent development that covers more than a small part of any 'urban greenspace' or fails to enhance its community or recreational use or maintain its open character. Similarly, the Core Strategy (policy CS6) seeks to protect existing 'urban greenspace' permitting development only in exceptional circumstances as part of an adopted DPD, or where there are appropriate compensatory measures, mitigation or replacement, or where its loss would be in line with the Framework. The relevant guidance in the latter is now set out at paragraph 97 and suggests that the loss of 'greenspace' might be warranted if it is clearly demonstrated to be surplus to requirements. Policy DM35 of the emerging Sites Allocation Plan pursues a similarly restrictive stance, although its designation of the appeal site is conditional on the outcome of this appeal.
13. Surprising then that none of those policies, nor the protection for existing 'urban greenspace', formed any part of the reasons for refusal. I appreciate that officers envisaged the extant permission as denoting the acceptability of some development on the appeal site and recommended approval for the scheme. But the proposal does not accord with the statutory policies, as is now agreed. Instead, there seems to have been an almost tacit acceptance that housing on the site would be more beneficial than its continued (or potential) role as open space. It is not entirely clear what warranted such a preference; the Core Strategy was found to be sound, sufficient housing land had been identified therein and no subsequent 5-year housing land assessment was published (in spite of preparing a meticulous Housing Monitoring Report), so that an overriding need to use protected 'greenspace' for housing was far from obvious. Even less so, as the initial stance of the Council was that a 5-year supply of housing land could be demonstrated. In the event, councillors responded to the concerns of local residents and refused permission for different reasons, contrary to officers' recommendations. There were concerns that the proposal would impair highway and pedestrian safety by generating additional traffic on a busy distributor road and, thereby, cause congestion and hazards at the mini-roundabout junction of Warren Drive and North Drive: and, there were worries that additional hard surfacing would exacerbate the risks of flooding in an area where floods had recently been experienced. Initially, it was also claimed that there was no need to release the land for housing as a 5-year supply of housing land existed and that the scheme would be detrimental to wildlife, due to the loss of natural scrub on an area connected to a larger expanse of open space. However, the reasons for refusal advancing those latter claims were subsequently withdrawn. The loss of this urban 'greenspace' and the suggestion that it might be enhanced remained the concerns only of local people, including Cllr Tony Williams.
14. The Council now suggest that the site might be surplus to the requirements for 'greenspace' based on a (currently) draft audit of all manner of open spaces in the town, but that the traffic hazards due to the additional dwellings would make a bad situation worse resulting in a severe residual cumulative impact. They also believe

that they can demonstrate a 'realistic prospect' of delivering sufficient dwellings on identified sites to satisfy the 5-year housing land requirement, though only just. That is a matter of dispute.

15. It is thus necessary to consider whether paragraph 11d and footnote 7 of the current Framework are engaged. These indicate that 'relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a 5-year supply of deliverable housing sites' and, in those circumstances, that the presumption in favour of sustainable development should be interpreted to mean that permission should be granted unless consequent adverse impacts of the scheme significantly and demonstrably outweigh the benefits (as assessed against the Framework as a whole), or specific policies in the Framework indicate otherwise.
16. In those circumstances, and from all that I have heard, read and seen, I consider that the main issues here involve:
 - i) the existence, or otherwise, of a 5-year supply of deliverable housing sites,
 - ii) the demonstration that this area of 'urban greenspace' might be surplus to requirements,
 - iii) the generation, or otherwise of severe traffic hazards,
 - iv) the effect of the proposal on flood risks, and
 - v) the overall planning balance in relation to the economic, social and environmental dimensions of 'sustainable development'.

The 5-year housing land supply

17. Much is agreed. The annual requirement, the treatment of the shortfall (using the Liverpool method following the inspector's approach in examining the Core Strategy), the 5% buffer and, hence, the total housing requirement over the 5-year period (2018-2023) of 1,846 dwellings. And, some sources of deliverable dwellings are also agreed; the contribution from non-major sites with planning permission, from conversions and from 'windfall' sites. The dispute relates to one major site with outline planning permission and 3 major sites where development is anticipated but which do not yet benefit from any planning permission, although they are listed as 'potential housing allocations' in the consultation version of the emerging Sites Allocation Plan. The estimated provision ranges from just under 4 years (for the appellants) to just over 5 years (for the Council).
18. Given that all 4 sites are 'potential housing allocations' and one benefits from outline planning permission, they might reasonably be regarded (at least at this stage) as offering a suitable location for development. Hence, the crucial tests are whether they are available now and whether there is a realistic prospect that they will accommodate housing within 5 years. Strictly, none of those sites are available now. Applying the *Wainhomes* and *St Modwen* tests, even if all benefitted from planning permission, housing development could not now proceed on any of them due to legal or procedural impediments or the absence of essential infrastructure.
19. At Whyndyke Farm (which is mostly in Fylde) the scheme depends upon the prior completion of a link road through the site and, since development is expected to start at either end of that link road (neither of which is in Blackpool) and Fylde Borough Council do not anticipate any housing within 4-4.5 years, the agent's assessment that 'there can be no certainty that there will be any housing developed in Blackpool by March 2023', seems realistic. The suggestion that 15 dwellings might be completed within the last 6 months (half a year at an average rate for Blackpool of 30 dwellings a year) is not. Hence, I doubt both that this site is

properly 'available' or that there is a 'realistic prospect' that it will accommodate housing within 5 years; in terms of the current definition of 'deliverable' the evidence is not clear that housing completions will begin within 5 years.

20. At the former Bispham High School and adjacent open areas, it is necessary to seek a consent from the Secretary of State for Education under section 77 of the School Standards and Framework Act 1988 to dispose of the school playing fields in addition to achieving the relocation of facilities occupied as an Air Cadet Training Centre. This is not a case where a General Consent Order can apply. And, although I read that there is now a written acknowledgement of an agreement to relocate the Training Centre within the site in accordance with a draft masterplan, no details are yet available. A revised section 77 application is necessary, the initial submission in 2017 having been confounded by the need to accommodate the Air Cadet Training Centre. This is still to be made following a period of required public consultation intended to take place (but yet to begin) during the spring of 2019. The Council have received over £1m from the Land Release Fund to support preliminary surveys and works to unlock this site for housing, a key criterion for which is the presentation of a convincing case that the site can be 'released' for development before April 2020. (It is not clear – at least to me - what happens if that deadline is missed.) Assuming that the 'release' is achieved, then there would be some 3 years to complete the 181 dwellings estimated to be deliverable on this site by 2023. Although that could be possible if 2 developers were to build out the land at an average of 30 dwellings a year each, I doubt that such a rate could be achieved given the current absence of an outline planning permission or detailed application. In any case, the first completions are not contemplated until towards the end of 2020. Moreover, whatever the section 77 consultation reveals, a response to the consultation on the emerging Sites Allocation Plan is still awaited and the appendices to that Plan indicate the necessity of providing compensatory measures for the loss of open space here and consultation with Sport England on the loss of the school playing fields. I think that such impediments are likely to delay and reduce the deliverability of dwellings on this site. In my view, there might be a 'realistic prospect' of no more than between 90 and 120 dwellings being completed here by April 2023.
21. Land at Grange Park consists of a cleared site and a vacant former school site nearby together with open space. The costs of some preparatory reports have been met by Homes England and a masterplan has been prepared that responds to a public consultation exercise; although no planning application has yet been made, an outline scheme is expected shortly. The first completions are anticipated in 2020, following the submission of a detailed scheme, though only one developer is contemplated, if the sites are to be sold. Assuming that completions then occur at the accepted average rate for Blackpool of 30 dwellings a year, the likely contribution from these sites might be about 90 dwellings by 2023 rather than the 130 estimated by the Council. Moreover, the consultation on the emerging Sites Allocation Plan still needs to be taken into account and the appendices to that Plan indicate the necessity of providing compensatory measures for the loss of the open space here. Hence, I consider that there is a 'realistic prospect' of no more than 90 dwellings being completed here by April 2023.
22. The land at Jepson Way is within the Blackpool Airport Enterprise Zone. An approved masterplan covers the whole Zone and the Council have allocated a budget of some £28m to foster development over the first 3 years. However, there is no associated Development Order and this site is within the Green Belt. There is consultation on removing this site from the Green Belt, presumably in the context of the emerging Sites Allocation Plan, the outcome of which must be a year or two

hence. As a result, the submission of the shortly anticipated outline scheme will either require a decision from the Secretary of State not to 'call in' the application, or it will entail an inquiry. The optimistic outcome that a 'call-in' might be avoided has some support from the location of the site in the EZ (the designation of which has already been approved by the Secretary of State) and from expressions of interest from several developers. Moreover, although the site now accommodates playing fields and sports clubs, which are safeguarded as such, those facilities are to be relocated and radically improved as part of the EZ proposals for a sports village on the open land to the south, so that compliance with local and national policies protecting open space and sports facilities could well be achieved. The assessment is that if an outline scheme were to be approved in 2020, completions could be expected in 2021, in which case, at build-out rates of about 30 dwellings a year, the anticipated 57 dwellings could be completed by 2023. I doubt that such evidence can constitute a 'realistic prospect'. Nor can it be clear that housing completions will begin within 5 years, since the outcome must depend on a particular decision yet to be made by the Secretary of State. Nevertheless, I think that the evidence points to a 'reasonable chance' that the anticipated 57 dwellings might materialise on this site within the 5-year period and, in the context of this appeal, I give the Council the benefit of the doubt.

23. How do those assessments affect the estimated supply of housing land? As indicated above, since legal or procedural impediments or the absence of essential infrastructure would impede the start of housing development on all the disputed sites, none of them are properly 'available now' and the assessment made for the appellants is strictly correct; hence, sufficient provision currently exists to cater for the housing requirements only over the next 4 years. (This is derived from the figures in table 3 of Mr Lamb's appendix 1.) However, even taking a more pragmatic approach and acknowledging that clear evidence might show sites becoming available and being capable of delivering dwellings within the 5-year period, it is necessary to remove some of the over-optimistic or unrealistic assessments made by the Council. Removing the 15 dwellings at Whyndyke Farm, up to 90 dwellings at Bispham High School and the 40 dwellings at Grange Park results in an estimated provision sufficient to meet the requirement for about 4.7 years. It follows that the Council cannot demonstrate a 5-year supply of deliverable housing sites. In those circumstances, the relevant policies for the supply of housing should not be considered up-to-date and the presumption in favour of sustainable development should warrant permission being granted unless adverse impacts of the scheme significantly outweigh the benefits or specific policies in the Framework indicate otherwise. I turn to consider the impacts of this scheme.

Urban greenspace

24. The proposal would not accord with 'saved' policy NE8 of the Local Plan. An open aspect across the site would be curtailed by housing along the site frontage; public access to the frontage would be confined to an estate road rather than being in some kind of 'greenspace' (which is what I think that the policy intends); and, although a footpath in a green corridor would be provided to the west, any access and open aspect to the east would be over existing 'greenspace' rather than the appeal site in accordance with the policy. The Plan suggests that both the extant permission for office development and a previously mooted possibility of using the site to accommodate a secondary school recognised the need to retain the open character of the land. And, it describes the site as 'greatly valued by local residents as an attractive open break that contributes significantly to the character of the surrounding area'. That may once have been so. And, with some investment and

imagination the site might possibly have been transformed into an attractive and useful area of 'greenspace'. However, that has not happened. Instead, the site has lain neglected and largely ignored, certainly for almost 2 decades, but possibly for much longer; it is of little evident use, save for 'walking the dog'. And, it now presents a somewhat dank and dismal void in the street scene, its unkempt and litter-spotted vegetation contrasting with the suburban neatness of the immediate surroundings. It is 'open', but hardly attractive: it contributes to the character of the area, but imparts an air of neglect. Indeed, the site is one of only 4 assessed as being in a 'poor condition' (based on criteria used in the Green Flag Awards as advocated by Fields In Trust) and the ecological appraisals demonstrate that the site is dominated by species-poor, semi-improved grassland, albeit with patches of scrub, a hedgerow, a ditch, a pond and some ephemeral pools. It is devoid of protected species. Even so, suitable conditions could prevent any undue impact on birds, mammals or amphibians and there is scope for some biodiversity enhancement.

25. The aim of policy CS6 in the Core Strategy is to achieve 'high quality and well-connected networks of green infrastructure'. If 'the physical components of green infrastructure can range from large-scale areas of public open space ... to smaller scale provision in the form of street trees, allotments and sustainable drainage systems ... [and] Blackpool's promenade' (as the Strategy suggests), then it is far from obvious that the policy is intended to encompass the appeal site, which has none of those attributes. Of course, the emerging Sites Allocation Plan denotes the site as 'open land meeting community and recreational needs'. But, that document is a long way from adoption and, in the absence of much evidence, the nomenclature seems misplaced.
26. Applying the national test incorporated into policy CS6, an alternative use for the site (including for housing) might be warranted if an assessment of the need for open space clearly demonstrated the site to be surplus to requirements. Such an assessment has not been undertaken. Instead, a draft 'audit' of open space derives a standard of 4ha per 1,000 population to be applied throughout the town, including at ward level, as a quantitative indication of provision. The standard incorporates previous standards (such as that devised by the National Playing Fields Association and subsequent refinements) or uses relevant surveys of provision (in relation to allotments, for example) and 'benchmarks' from elsewhere in the Country, including some derived from the existing provision in the town itself. The evidence presented by the Council uses this draft 'audit' as an indication of the relative quantitative provision of 'greenspace' throughout the town.
27. The appeal site lies within Norbreck Ward. The 'audit' estimates almost 49ha of open space to be within that ward, about twice the 24ha required to meet the '4ha standard'. Only 5 of the 21 wards in Blackpool meet or exceed that standard, suggesting that Norbreck Ward is particularly well provided with open space of one kind or another. The appeal site is described as 'natural and semi-natural greenspace'. There are almost 19ha of such 'greenspace' within the Norbreck Ward, which is not too far short (78%) of meeting the 4ha standard with just that one category of 'greenspace'. Hence, not only is there about double the 4ha standard of open space in Norbreck Ward, but also the type of 'greenspace' represented by the appeal site would appear to be particularly plentiful.
28. Of course, the appeal site is not only accessible to residents of Norbreck Ward. It is adjacent to Anchorsholme Ward (to the north) where the provision of open space is little more than half of that suggested by the 4ha standard. However, taking both wards together the standard is still exceeded by some 27% and even adding in the

slight deficit in Inglethorpe Ward (one of the adjacent wards to the south) results in about 15% more open space within those 3 wards taken together than the 4ha standard would suggest. The loss of the appeal site would still leave a 'surplus' within those 3 wards amounting to almost 8ha in relation to the 4ha standard. The site is some distance from the seriously disadvantaged wards around central Blackpool where open space is at a premium and the provision well below the 4ha standard. Hence, it would not easily contribute to reducing the deficit there. Given its location in the northern part of the town where open space is relatively plentiful, together with its poor quality, ecological poverty and unattractive and neglected appearance, its loss might reasonably be countenanced under the terms of policy CS6 and, thereby, accord with the Development Plan.

Traffic

29. The reason for refusal alleges that the proposal would be detrimental to highway and pedestrian safety, generating additional traffic movements on a busy distributor road, causing congestion at the mini-roundabout on Warren Drive and North Drive and being detrimental to safe pedestrian movements there. The scheme is thus claimed to be contrary to 'saved' policies AS1 and AS2 and the relevant paragraphs of the current Framework.
30. In fact, the only review of accident data submitted identifies just 1 personal injury accident near the mini-roundabout during the previous 5 years, an incidence no different from some of the side roads nearby and less than the traffic-light controlled junction on Fleetwood Road. This would suggest that there is no obvious road safety issue in the vicinity of the appeal site. Moreover, the Council offer no evidence on pedestrian safety in the absence of any record of accidents involving pedestrians in the immediate vicinity of the junction or the site access, although conditions require the provision of a pedestrian refuge to the east of the new access to the proposed estate.
31. Initial concerns about the capacity of the mini-roundabout on Warren Drive were apparently allayed by the submission of the Transport Assessment. The officers reported that *'The applicant's highway consultant has demonstrated that the development impact on this junction would have no impact on the queue lengths in the AM peak and would only marginally impact on the PM peak queue lengths ... In this case it is not considered that there is a significant impact'*. However, the committee minutes record that an officer of the Traffic and Highways Department reported at the meeting that the departmental view was that the scheme *'would still have a significant negative impact on traffic in the area'*. To that end, evidence is offered on congestion and delay due to the scheme.
32. Discernible levels of congestion and delay appear to occur only during peak hours and even then, not continually. Throughout most of the day the junction operates well within capacity, queues hardly occur, and it is easy to cross Warren Drive and North Road as a pedestrian. In the morning peak hour, I saw that a queue of traffic built up at the traffic lights on Fleetwood Road occasionally tailing back to the mini-roundabout and requiring drivers on the northern and eastern arms to 'enter in turn', a procedure usually (though not always) performed in an orderly manner. Nevertheless, queues at the mini-roundabout remained fairly modest (as indicated below) and the effective 'bottleneck' lay elsewhere. During the evening peak I saw nothing like the queues estimated in the ARCADY analysis; a maximum of about 8 vehicles queued on the western arm of the Warren Drive junction rather than the 32 predicted. However, my observation occurred on a damp and cold March evening and it may well be that seasonal traffic is very different.

33. The increase in traffic due to the scheme is estimated to be about 2%. In the morning peak hour, no change in queue lengths or RFCs due to the scheme is discernible. Nor do the results demonstrate the likelihood of a severe problem emerging; the longest queue estimated is on the North Road arm of the junction and consists of half a dozen vehicles (pcus) with an associated RFC of 0.87. That suggests that the junction should continue to operate without serious problems during the morning peak hour and that the impact of the appeal scheme is likely to be barely discernible. That is largely borne out by the modest increase in 'delays' estimated; 'total queuing delay' across all arms of the junction is forecast to increase by an average of only 4% with a maximum of just 9% on the North Road arm.
34. However, in the evening peak hour the western arm of the junction on Warren Drive is already operating beyond its theoretical capacity with an RFC of 1.1 and queues of up to 32 vehicles, albeit that elsewhere queues are relatively modest. Even so, the estimated impact of the appeal scheme is likely to barely affect the RFCs and only marginally add to the queuing vehicles, increasing the longest queue by an average of just 4 'cars'. The 'total queuing delay' across all arms of the junction is forecast to increase by an average of 15% with a maximum of 19% on the western arm of Warren Drive. However, the experience of drivers negotiating the western arm of the Warren Drive junction (the average delay of vehicles joining the queue) would entail an increase of 9 seconds between 17.00-17.15, 22 seconds between 17.15-17.30 and 33 seconds between 17.30-17.45. That latter figure occurs as the queue halves in length. In the 15-minute period in which the queue reaches its height (36 vehicles between 17.15-17.30) the average delay experienced is expected to rise from just under 3 minutes to 3 minutes and 20 seconds, or by about 12%. That might constitute a 'negative impact on traffic in the area'. But, in my view, it could hardly be described as significant. Nor could the congestion be properly attributed to the appeal scheme; congestion already occurs to which the appeal scheme would contribute but modestly.
35. Could the additional traffic due to the appeal proposal operate as 'the straw to break the camel's back'? The test derived from the Framework (now in paragraph 109) is that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. No evidence is adduced to even hint at 'an unacceptable impact on highway safety'. Moreover, not only has the evident congestion existing failed to have been severe enough to warrant a scheme to improve the mini-roundabout, but also the limited impact of the appeal proposal has not been assessed as significant enough to require such an improvement. This is important because the Council accept that an improvement to the mini-roundabout has previously been identified as feasible within existing highway land and that providing 2-lane approaches on each arm could well increase capacity sufficiently to reduce delays and queues by a significant percentage. In those circumstances, it is impossible to claim now that 'residual cumulative impacts on the road network would be severe'. On the contrary, whatever the 'cumulative impact' there might be (the contribution from this scheme being very modest), it cannot be 'residual' because a fairly simple and implementable scheme is acknowledged to exist to effect a significant reduction. In any case, in comparison to the extant permission for offices, the traffic likely to be generated by the appeal proposal would be small.
36. The junction is also assessed against the Level of Service (LOS) that it provides; 6 categories are identified from A (free flow) through to E (unstable flow) and F (forced or breakdown flow). The latter is described as every vehicle moving in

'lockstep' with the vehicle in front, requiring frequent slowing and making travel time unpredictable. (Perhaps not altogether unexpected at traffic lights and roundabouts.) The effect of the proposal is to reduce the level of service on the North Road arm of the junction in the morning peak hour from LOS D to LOS E, but to leave the level of service achieved in the evening peak hour unchanged everywhere; for example, it remains at LOS F on the western arm of Warren Drive and at LOS E on the eastern arm. Again, this suggests to me that the impact of the proposal would be relatively limited and that whatever traffic problems there may be, they are ones that already largely exist.

37. Recent worries have emerged about the impact of development proceeding on a site allocated in the Wyre Borough Local Plan for housing, employment, retail, commercial and 'retirement living' on land to the north of Norcross Lane and towards the eastern end of Warren Drive. Access to the dwellings proposed is currently indicated to be from White Carr Lane while everything else is to be served from Norcross Lane. No assessment has been submitted to show the traffic implications of this scheme. Since the site is allocated in a recently adopted Local Plan in an adjacent Borough, that rather implies that any impact has not been deemed to be significant. In the absence of evidence to the contrary, it is impossible to determine how the mini-roundabout on Warren Drive at North Road might be affected. Moreover, the evidence that does exist demonstrates that whatever problems might eventually become manifest, not only would the contribution from the appeal proposal be very modest, but also there would be scope to address some of them at the mini-roundabout. In any case, it is simply wrong to suggest that prospective residents on this site visiting Cleveleys or nearby community shops would need to do so by travelling south on White Carr Lane to traverse Warren Drive and North Drive. It would be shorter and more convenient to travel north via Anchorholme Lane or Amounderness Way.
38. The proposals would meet the requirements of 'saved' policies AS1 and AS2, having good access to the main highway network and being well served by sustainable modes of travel. The site is accessible on foot and provisions are to be improved with a new pedestrian refuge across Warren Drive and a widened footway. A national cycle route (route 62) runs just 1km to the west and the Council agree that no cycle improvements are required. There are bus stops nearby providing services to Blackpool and Mereside. Route 3 runs up to 3 times an hour between Cleveleys and Blackpool town centre from stops on Greenfield Crescent, less than 5 minutes away and further services are available from bus stops on Fleetwood Road providing 7 buses an hour to the Mereside Tesco, Lytham and Blackpool town centre; these stops are to be improved as part of the scheme. Schools, libraries, pubs and a day centre are all nearby and shops are within an easy reach. It is agreed that the scheme would be in a sustainable location and the preparation of a Travel Plan is proposed. Sufficient parking is to be provided with electrical car charging points available at each dwelling and suitable traffic calming measures installed. In these respects, the scheme would meet the requirements of local policy and national advice.
39. For all those reasons I consider that this scheme would not cause significant traffic hazards or result in residual cumulative impacts on the road network that would be severe. On the contrary, I think that it would reflect the advice in the Framework fostering development in a sustainable location and comply with the cited planning policies that operate here.

Drainage and flooding

40. The concerns expressed in the relevant reason for refusal are that additional hard surfacing due to the appeal proposal could exacerbate the risks of flooding in an area where floods had recently been experienced. However, the Drainage Officer, the Lead Local Flood Authority and United Utilities had no objection to the scheme. Moreover, although the Council offer a Technical Review of the submitted FRA, no further evidence is advanced, and no proof of evidence has been prepared to support the reason for refusal. The Technical Review concludes that the FRA as a whole is relatively robust. It lists 3 areas where additional work might be useful but, since some of these either indicate an unfamiliarity with the site or really entail a request for more information about work already undertaken, they do not provide evidence to support the reason for refusal. It is accepted that a satisfactory sequential appraisal has been submitted demonstrating that there are no suitable, alternative and sequentially preferable sites available, given that the periphery of the site lies in Flood Zones 2 and 3. It is also accepted, subject to appropriate conditions, that the development could be made safe from flooding (the raised ground and floor levels and the internal treatment of the dwellings) and would not increase flood-risks elsewhere (the storm water storage and discharge facilities to be provided on the site). Evidence to support this reason for refusal is thus absent.
41. The FRA demonstrates that run-off from the site follows the topography and discharges to a watercourse and land drainage system to the south and west. The hierarchy of sustainable options for surface water drainage entails discharging to the ground, to a waterbody or, finally, to a sewer. In this case appropriate soakaway testing demonstrated that infiltration was not feasible, due to the cohesive ground. And, due to engineering constraints some 77% of the site was found capable of draining into the adjacent watercourse, leaving 23% (in the north) to discharge into the 1800mm diameter combined public sewer on Warren Drive. United Utilities have confirmed that they would allow a connection into the public sewer for this small area at a restricted rate of discharge not exceeding 5ls^{-1} and that this is preferable to installing pumps.
42. Current mean annual flood flow Q_{Bar} is estimated to be 16.7ls^{-1} . The drainage design splits this between 3 outfalls at 5ls^{-1} to the watercourse via a swale and elongated attenuation basin, at 6.7ls^{-1} directly to the watercourse and at 5ls^{-1} to the combined public sewer. The rate of surface water discharge at Q_{Bar} means that in large storm events, including the storm that occurred in November 2017, there would be a reduction in the peak rate of discharge, since Q_{Bar} relates to an event with a 2.33-year return period. In more intense events with a longer return period, storm water would be stored on site and released at the controlled rates rather than in an uncontrolled manner. The on-site storage is to be provided in oversize pipes, in cells, in swales and in a retention basin. A capacity of about 412m^3 is provided in the latter features so that provision for the remaining 660m^3 or so would appear to be made in oversize pipes and cells. Many of the usual options for providing SUDS are ruled out by the nature of ground conditions and site levels. The swale and retention pond are the only obvious feasible options, though they have the advantage of offering additional water treatment.
43. The stormwater storage volume would be designed to accommodate the surface water run-off in pipes and cells on the site until levels in the Warren Drive sewer fell to allow discharge to occur. That would avoid uncontrolled run-off from the site surcharging the combined sewer and exacerbating flood risks elsewhere. The stormwater storage would cater for a 100-year return period storm event with a 40% allowance for climate change over the lifetime of the project. Of course, the

scheme would increase the potential run-off from the site; the estimate is by some 92.3m³. But that would be minimal, less than 0.01% of the surface water run-off discharged into the Anchorsholme Treatment Works. The scheme would deliver the significant benefit of reducing peak rates of surface water discharge in large storm events and that would far outweigh the minimal increase in surface water run-off due to the additional impermeable area of the proposed development. Hence, I consider that the drainage arrangements envisaged here, far from exacerbating the risks of flooding, would install mitigating measures to alleviate and significantly reduce flood risks emanating from the appeal site.

The planning balance

44. I have found that a 5-year supply of deliverable housing sites cannot currently be demonstrated. Hence, the relevant policies for the supply of housing should not be considered up-to-date and the presumption in favour of sustainable development should warrant permission for the appeal proposal unless adverse impacts of the scheme significantly outweigh the benefits or specific policies in the Framework indicate otherwise.
45. The proposal would contravene the requirements of 'saved' policies NE8 and BH8. But, given the plentiful provision of open space in this part of the town, together with the poor quality, ecological poverty and unattractive and neglected appearance of the appeal site, its loss might reasonably be countenanced under the terms of policy CS6. In that respect the scheme would accord with the most recent part of the Development Plan and adhere to the advice set out in paragraph 97 of the Framework. No evidence is adduced to show that this scheme would cause traffic hazards, let alone significant ones for pedestrians or motorists. Nor does the evidence demonstrate that the scheme would result in severe residual cumulative impacts on the road network. Not only would the impact of the appeal proposal be very modest, but also, whatever impact that might eventually be manifest could be significantly reduced by simple and feasible alterations to the mini-roundabout on Warren Drive. In those circumstances, and given the sustainable location of the site, the proposal would accord with 'saved' policies AS1 and AS2 as well as the relevant guidance in the Framework, including that at paragraph 109. Finally, far from exacerbating flood risks here, the drainage arrangements, including the SUDS features, storm water storage and controlled discharge facilities, would significantly reduce flood risks, while the protection measures for the dwellings would adequately safeguard prospective residents. Hence, the adverse impacts alleged would be largely illusory; they would not outweigh any benefits accruing from the scheme, nor would specific policies in the Framework indicate that permission should be withheld.
46. Given the absence of a 5-year supply of housing land, the contribution of the additional dwellings from the appeal scheme would help to redress the shortfall and constitute an important benefit. The scheme would provide a mix of dwelling types and sizes considered to contribute towards an appropriate balance in accordance with paragraphs 59-61 of the Framework and policy CS13 of the Core Strategy. The provision of 17 affordable dwellings would also be a substantial benefit and, although that would amount to only 20% of the units, rather than the 30% generally sought, the level of provision is justified by an accepted viability assessment in accordance with policy CS14.
47. Somewhat surprisingly, the potential provision towards educational and medical facilities sought under the terms of policy CS15 of the Core Strategy have not been addressed. A financial contribution of £442,583 for the 22 secondary school places estimated to be required to meet the needs generated by the proposal has never

been raised with the appellants. The Council accept that it would be unreasonable to pursue this now. I agree. Hence, overall the scheme would be socially beneficial.

48. The scheme would generate some employment and economic activity and prospective residents would contribute to local expenditure in shops and generate a demand for services within the Borough. There would thus be some economic benefit due to the proposal.
49. Environmentally, no unacceptable visual impact is identified, and the drainage measures proposed would reduce flood risks. The existing greenspace is of poor quality and landscaping, tree protection and some ecological enhancement (all to be required by condition) could achieve some environmental enhancement. The installation of electric vehicle charging points would add to the environmental credentials of the proposal. Strangely, some confusion surrounds the requirements for open space sought through 'saved' policy BH10 and SPG11. The provision for a further 4,420m² is now deemed to entail a cost of £63,353 rather than the £25,919 reported to the committee and included in the signed and sealed section 106 Agreement. The Council accept that it would now be unreasonable to seek this additional contribution. I agree. The proposal would thus meet the policy requirement to provide for the additional open space sought.
50. The access arrangements entail the provision of a new mini-roundabout junction on Warren Drive, some footpath improvements and a pedestrian refuge while a condition insists that a Travel Plan should be prepared to include some bus stop upgrades. Most of those works would necessitate the preparation of a section 278 Agreement under the Highways Act and entail an estimated cost of some £145,000. I understand that the viability assessment includes a lesser sum. However, a condition would prevent occupation of the dwellings until completion of the required highway works. Environmental impediments need not, therefore, be associated with the scheme.

The Undertaking and conditions

51. A signed and sealed section 106 Agreement makes provision for the affordable housing and provides for the contribution sought towards the open space required to be created beyond the appeal site. The Agreement necessitates the submission of an 'affordable housing scheme' setting out the tenure and type of the affordable units, the timing of their construction, arrangements for their transfer or management, the occupancy criteria and the legal mechanisms to retain the properties as 'affordable dwellings'. The contribution towards the additional open space required amounts to almost £26,000 and meets the sum actually sought and agreed with the Council. In those respects, I consider that the Agreement would meet the tests set out in the Framework and comply with Regulations 122 and 123 in the CIL Regulations.
52. However, clauses 6.2 to 6.4 insist that the Council covenant with the owners that its policies and guidelines ensure that both the Council and its officers comply with anti-corruption laws; that such laws have been followed in entering into this Agreement; and that neither the Council nor its officers have received or accepted any financial or other advantage in violation of the anti-corruption laws. I consider that these clauses are unnecessary, unwarranted and unjustified. They thus fail to comply with Regulations 122 and 123 in the CIL Regulations. There is every reason to expect the Council and its officers to comply with the law. Hence, by virtue of clause 7.10, clauses 6.2-6.4 shall cease to have effect and the Council shall be under no obligation to comply with them.

53. The conditions imposed are largely intended to ensure that the scheme would be implemented as intended. The safeguarding of parking areas and the submission of details are examples while the protection of trees and hedgerows and some modest ecological enhancement would accord with Development Plan policies. A Construction Management Plan is required to protect the amenities of nearby residents. And, in the interests of highway safety and efficiency, details of the access arrangements are to be required before development commences and occupation of the dwellings are prevented until the access, mini-roundabout and pedestrian refuge have been provided. To foster sustainable travel, a Travel Plan is required, which is to include an upgrade to the nearest bus stops on Fleetwood Road.
54. To ensure that every precaution is taken to reduce flood risks in an area where flooding has recently occurred, conditions are imposed to confirm the percolation tests and to undertake a thorough assessment of the feasibility of incorporating any additional SUDS measures. The submission of the drainage scheme, including a scheme to guarantee appropriate maintenance or the adoptability of the drainage facilities is also the subject of a condition.
55. A condition also lists the plots intended to accommodate the affordable dwellings proposed. These are shown scattered across the site and the condition would ensure the mix and distribution of affordable and market dwellings throughout the proposed estate, thereby contributing to the social inclusivity potentially fostered by the scheme. The other elements of the condition simply chime with the section 106 Agreement.

Conclusion

56. In the absence of a 5-year supply of deliverable housing sites the presumption in favour of sustainable development should apply unless adverse impacts of the scheme significantly outweigh the benefits or specific policies in the Framework indicate otherwise. The evidence indicates that the adverse impacts alleged would not materialise and hence would not outweigh the identified benefits of this proposal. I have found nothing in the Framework to indicate that planning permission should be withheld. Hence, and for the reasons given, I conclude that this appeal should be allowed and, in spite of considering all the other matters raised, I find nothing sufficiently compelling to alter that conclusion.

Decision

57. The appeal is allowed and planning permission is granted for the erection of 86 dwellings with associated open space and landscaping and the formation of a new access to Warren Drive on land off Warren Drive, Thornton Cleveleys, Blackpool in accordance with the terms of the application ref:-17/0466 (dated 5 July 2017) and the plans submitted therewith, subject to the conditions listed in the attached schedule.

David Cullingford
INSPECTOR

APPEARANCES

FOR THE APPELLANTS:

David Manley QC

He called:

Kings Chambers

Instructed by:

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FOR THE LOCAL PLANNING AUTHORITY:

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He called:

Kings Chambers

Instructed by:

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Keith Allen BEng MSc CEng
MICE

Senior Planner, Planning Strategy, Blackpool
Borough Council

Stephen Lamb BA MSC MRTPI

Senior Planner, Development Management,
Blackpool Borough Council

Susan Parker MRTPI

INTERESTED PERSONS:

Cllr Mrs Maxine Callow

Norbreck Ward

Cllr Tony Williams

Anchorsholme Ward

Cllr Paul Galley

Anchorsholme Ward

Mr Keith Leary

Local resident

Mr Roy Kennaugh

Local resident

DOCUMENTS

Document	1	Lists of persons present at the Inquiry
Document	2	Letter of notification and circulation list
Document	3	Statement of Common Ground – January
Document	4	Suggested conditions, as agreed
Document	5	Proof, plans and appendices 1-3 ~ Philip Wooliscroft
Document	6	Proof ~ Richard Nicholas
Document	7	Proof ~ Paul Sedgewick
Document	8	Appendices 1 & 2 ~ Paul Sedgewick
Document	9	Supplementary proof ~ Paul Sedgewick
Document	10	Note of Evidence; Ecology ~ Christopher John CEnv MCIEEM BSc MSc
Document	11	Proof and appendices 1-4 ~ Keith Allen
Document	12	Proof and appendices 1 & 2 (draft Blackpool Open Space Assessment) ~ Susan Parker
Document	13	Proof and appendices 1-6 ~ Stephen Lamb
Document	14	Planning statement ~ Blackpool Borough Council
Document	15	Technical Review of FRA ~ Wardell Armstrong
Document	16	Technical Note of Hydraulic Assessment ~ JBA Consulting
Document	17	Committee Minutes, 14 November 2018
Document	18	Report on Flood Risk Management ~ Clare Nolan-Barnes, Head of Coastal and Partnership Investments
Document	19	Extract: Section 19 Report, Investigation into flooding on 22 November 2017
Document	20	United Utilities Report on the flooding of 22/23 November 2017
Document	21	Questionnaire, publicity, advert planning officer's report and committee minutes
Document	22	Open space, sport and recreation audit and position statement, 2014 update
Document	23	Blackpool Local Plan Part 2: Proposed Site Allocations and Development Management Policies; informal consultation paper, January 2019
Document	24	Bundle of 3 rd party representations
Document	25	Bundle of consultation responses

INQUIRY DOCUMENTS

ID01	<i>Abdul Wakil and others v London Borough of Hammersmith and Fulham and Orion Shepherds Bush Limited: [2013] EWHC 2833 (Admin), Case Number CO/6610/2012</i>
ID02	Appeal Decision: Kilnhouse Lane, Lytham St Annes - APP/M2325/W/16/3164516
ID03	Opening ~ David Manley
ID04	Opening ~ Jonathan Easton
ID05	Photo: Flooding of playing fields off Fleetwood Road
ID06	Completed section 106 Agreement, dated 18 March 2019
ID07	<i>St Modwen Developments Limited v SoS, East Riding of Yorkshire Council and Save our Ferriby Action Group: [2016] EWHC 968 (Admin), Case Number CO/3653/2015</i>
ID08	Technical consultation on updates to NPPG, October 2018
ID09	Bundle of emails
ID10	Letter from Ian Pigott suggesting that traffic surveys should take place on a Friday, Monday or at the weekend

- ID11 Letter for further consultation on Bispham High School site relaying agreement of the Air Training Corps to be relocated
- ID12 Closing ~ Jonathan Easton
- ID13 Closing ~ David Manley
- ID14 Costs application ~ David Manley
- ID15 Supplementary costs application ~ David Manley
- ID16 Response to costs application ~ Jonathan Easton
Minutes of the Planning Committee, 23 January 2018
- ID17 Response to supplementary costs application ~ Jonathan Easton

CORE DOCUMENTS

Appeal submission documents (selected)

- CD1.01 Ecological Appraisal
- CD1.02 Tree Survey Report
- CD1.03 FRA and Drainage Management Strategy
- CD1.04 Hydraulic breach and overtopping analysis
- CD1.05 Climate change 1 in 200-year breach map
- CD1.06 Climate change 1 in 1,000-year breach map
- CD1.07 Sequential test
- CD1.08 Proposed Drainage Strategy
- CD1.09 Ground investigation interpretive report
- CD1.10 Transport Assessment
- CD1.11 Design and Access Statement
- CD1.12 Planning Statement
- CD1.13 Decision Notice
- CD1.14 Statement of Case – appellant
- CD1.15 Statement of Case – LPA
- CD1.16 Viability Assessment

Other Documents

- CD2.01 Committee Report
- CD2.02 Committee report update
- CD2.03 Transport Assessment – Croft response to LPA comments
- CD2.04 Savills market letter
- CD2.05 Post appeal email trail with LPA
- CD2.06 LPA email on reduced scope of its case
- CD2.07 SHLAA 2013 update
- CD2.08 Housing Monitoring Report 2017/18
- CD2.09 Open Space, Sport & Recreation Audit and Position Statement 2014 Update

Development Plan Documents

- CD3.01 Adopted Local Plan Map
- CD3.02 Adopted Local Plan 2001-2016
- CD3.03 Adopted Local Plan saved policies
- CD3.04 Core Strategy 2012-2027
- CD3.05 SPG 11

PLANS

- Plans A Application Plans
 - Location Plan stamped as received by the Council on 07/07/2017

- Planning Layout PL-01 Rev L
- Mini Roundabout Plan 1527-F02 Rev A (Croft Plan)
- Retaining wall Plan GW-01
- Landscape Plan 5287.01 Rev D
- Landscape Plan 5287.02 Rev C
- Drainage Plan HYD155- impermeable areas plan
- Drainage Plan HYD155 SK05 Rev P1
- Street-scene SS-02
- Site Sections 1
- Site Sections 2
- Site Sections 3
- SD-WALL1
- SD-FENCE1
- SD-RAILING1
- GARAGE DETAILS- EAVES FRONTED

House-type plans:

- NHTR-3B 912 H-101-01
- NHTR-3B 912 H-101-02
- NHTR-1213-100
- NHTR-1213-102
- NHTR-858-100
- NHTR-2B667H-xxx-xx Elevation
- NHTR-2B667H-xxx-xx Ground Floor
- NHTR-2B667H-xxx-xx First Floor
- 4B6P1179 Ground Floor
- 4B6P1179 First Floor
- 4B6P1179 Elevation 2 bed semi/mews 735
- 3 bed semi/detached 920
- 3 bed townhouse 1066
- 4 bed detached 1168 4 bed detached 1135
- 4 bed detached 1225

Schedule of Conditions

Details

- 1) The development to which this permission relates must be begun not later than the expiration of three years from the date of decision.
- 2) The development hereby permitted shall be carried out, except where modified by the conditions attached to this permission, in accordance with the following application plans:
 - Location Plan stamped as received by the Council on 07/07/2017
 - Planning Layout PL-01 Rev L
 - Mini Roundabout Plan 1527-F02 Rev A (Croft Plan)
 - Retaining wall Plan GW-01
 - Landscape Plan 5287.01 Rev D
 - Landscape Plan 5287.02 Rev C
 - Drainage Plan HYD155- impermeable areas plan
 - Drainage Plan HYD155 SK05 Rev P1
 - Street-scene SS-02
 - Site Sections 1
 - Site Sections 2
 - Site Sections 3
 - SD-WALL1
 - SD-FENCE1
 - SD-RAILING1
 - GARAGE DETAILS- EAVES FRONTED

House-type plans:

 - NHTR-3B 912 H-101-01
 - NHTR-3B 912 H-101-02
 - NHTR-1213-100
 - NHTR-1213-102
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 - NHTR-2B667H-xxx-xx Ground Floor
 - NHTR-2B667H-xxx-xx First Floor
 - 4B6P1179 Ground Floor
 - 4B6P1179 First Floor
 - 4B6P1179 Elevation 2 bed semi/mews 735
 - 3 bed semi/detached 920
 - 3 bed townhouse 1066
 - 4 bed detached 1168 4 bed detached 1135
 - 4 bed detached 1225
- 3)
 - a) 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 any above ground structures being erected and the development shall then proceed in full accordance with these approved details.
 - b) Details of the surfacing materials to be used on the site shall be submitted to and agreed in writing by the Local Planning Authority prior to the laying down of any final surface finishes and the development shall then proceed in full accordance with these approved details.
- 4) Prior to the houses nearest to the refuse collection areas being first brought into use the relevant refuse collection area shown on the approved plans shall be provided and shall thereafter be retained.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) and allowing for the walls and fences shown on drawing no PL- 01 Rev L to be erected, no further fences, gates or walls shall be erected within the curtilage of any dwelling house which fronts or is side onto a road.
- 6) 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.

Distribution of affordable housing

- 7) The houses on plots 15, 21, 30, 31, 34, 35, 36, 37, 43, 53, 54, 58, 59, 60, 63, 67 and 74 shall be provided as affordable housing (as defined in the National Planning Policy Framework Annex 2 and the Blackpool Local Plan Part 1: Core Strategy Appendix D or any subsequent Government definition of affordable housing). No above ground structures shall be erected until a scheme to control the provision of the affordable housing on the site has been submitted to and approved by the Local Planning Authority. The development shall then be undertaken in accordance with the approved scheme and shall thereafter be retained as such.

Landscaping, open areas and management

- 8)
 - a) Prior to any above ground structures being erected full details of both hard and soft landscaping works shall 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 (including roads and private drives), planting plans specifications and schedules (including plant size, species numbers and densities), existing landscaping to be retained, and shall show how account has been taken of any underground services. For the purpose of this condition, the landscaping scheme shall include a range of native species to provide ecological enhancement.
 - 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.
- 9) No dwelling on the development shall be occupied until a management plan for the open space, lighting, footpaths and retaining walls within the unadopted parts of the development has been submitted to and been approved in writing by the Local Planning Authority. The plan will identify the parties responsible for management and include details of the arrangements for implementing the management plan for the lifetime of the development. The open space, lighting, footpaths and retaining walls shall then be maintained in accordance with the approved management plan.
- 10) The children's play area and perimeter fencing shown on drawing number PL-01 Rev L shall be provided prior to the first occupation of the 65th dwelling as part of the development and shall thereafter be retained.

Ecology

- 11) The dwellings on plots 9, 17, 18, 20, 28, 32, 49 and 51 on the development shall not be occupied until the bat and bird boxes detailed on drawing number PL-01 Rev L have been provided.
- 12) The development hereby approved shall proceed in full accordance with the recommendations set out in the submitted ecological appraisal prepared by Ecus Environmental Consultants dated May 2017.

Lighting

- 13) Prior to any above ground structures being erected a lighting strategy for the development (to include roads, private drives and footpaths) shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall then be implemented as part of the development and retained as such.

Tree protection

- 14)
 - a) No development or other operations shall commence on site until a scheme (hereinafter called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the Local Planning Authority.
 - b) No operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved scheme are in place.
 - c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved scheme are in place.
 - d) The fencing or other works which are part of the approved protection scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior written agreement of the Local Planning Authority has first been sought and obtained.
 - e) Any trees or shrubs within the site protected in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within five years of the removal of the protection measures 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.

Drainage

- 15) The site shall be drained on separate foul and surface water system.
- 16) The development hereby approved shall proceed in full accordance with the recommendations set out in the submitted Flood Risk Assessment prepared by Betts Hydro and dated March 2017.
- 17) Before the development is commenced a ground investigation and hydrogeological assessment shall be carried out to confirm the groundwater level under the site and the direction of flow of the groundwater. The

assessment shall be submitted to and be approved by the Local Planning Authority. Any recommendations within the assessment shall be incorporated within the development and shall thereafter be retained.

- 18) Before the development is commenced a further assessment shall be undertaken to assess the potential for the incorporation of further sustainable urban drainage measures within the development. The assessment shall be submitted to and be approved in writing by the Local Planning Authority. Any additional sustainable urban drainage measures identified in the assessment shall be incorporated in the development and shall thereafter be retained.
- 19) No development shall commence until a sustainable surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be in accordance with the principles within the submitted flood risk assessment and must:
- (i) include an investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE 365;
 - (ii) in the event of infiltration being discounted, ensure the rate of discharge to the local watercourse and public sewerage system shall be restricted to QBar in accordance with the principles within the submitted flood risk assessment, drg no HYD155 SK05 Rev P1 and plan reference LPL55 101 Rev A. In addition the applicant shall provide details of the drainage design calculations for the surface water management scheme shown on drg no HYD155 SK05 Rev P1 to confirm that there will be no flooding in the case of a 1 in 30 year event and that any flows that exceed the design capacity of the proposed system are retained on-site for all storm events up to the 1 in 100 year plus climate change storm event;
 - (iii) be designed to meet the requirements of the non-statutory technical standards for sustainable drainage systems; and
 - (iv) include a timetable for its implementation.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

- 20) Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
- a) arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a resident's management company; and
 - b) arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.
- 21) No dwelling on the development shall be occupied until the retaining walls detailed on drawing number GW-01 have been provided and once provided they shall thereafter be retained.

Car parking, access and travel

- 22) Notwithstanding the definition of development set out under section 55 of the Town and Country Planning Act 1990 (as amended) or the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) the garages and driveways shown on the approved plans shall not be developed upon or used for any purpose which would preclude their use for the parking of motor cars.
- 23) No dwelling on the development shall be occupied until the electrical charging points referred to on drawing number PL-01 Rev L have been provided. Once provided they shall thereafter be retained.
- 24) No development shall be commenced until a detailed scheme for the provision of the site access, mini roundabout and pedestrian refuge in Warren Drive has been submitted to and approved in writing by the Local Planning Authority.
- 25) No dwelling on the development shall be occupied until the site access, mini roundabout and pedestrian refuge in Warren Drive have been provided in accordance with the details required by condition 24 of this permission.
- 26) None of the dwellings hereby approved shall be first occupied until a Residential Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan shall include measures to improve the 2 nearest bus stops on Fleetwood Road. The Plan shall then be implemented in accordance with the approved details and the implemented details shall be retained thereafter.

Construction

- 27) 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
- measures to prevent contamination of land or surface or sub-surface waters through the storage of materials or surface-water run-off
- no materials or wastes shall be burned on site at any time

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

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Costs Decision

Inquiry opened 29 January 2019, adjourned and reopened on 19 March 2019.

Site visit made on 30 January 2019 with unaccompanied visits on 28 January and 19 & 20 March 2019

by D R Cullingford BA MPhil MRTPI

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

Decision date: 09 April 2019

Costs application in relation to Appeal Ref: APP/J2373/W/18/3203780 Land off Warren Drive, Thornton Cleveleys, Blackpool, FY5 3TG

- The application is made under the Town and Country Planning Act 1990, sections 78, 320 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by Lovell Partnerships Limited for an award of costs against Blackpool Borough Council.
- The inquiry was in connection with an appeal against the refusal of planning permission for development described as the 'erection of 86 dwellings with associated open space and landscaping with the formation of a new access to Warren Drive'.

Summary of Decision: ~ The application is allowed and a full award of costs is made.

The Submissions for the Appellant

1. The claim is that the Council have behaved unreasonably. As the guidance indicates, there is a risk of an award of costs against a Council if a decision prevents development that should clearly have been permitted; is based on a reason for refusal unsubstantiated by evidence; depends on matters capable of being dealt with by conditions; or where an appeal has failed to engender a prompt review of the case for refusal. In this case officers recommended that permission should be granted. The site had been identified in the SHLAA since 2011 as suitable, available and deliverable for housing and it contributed to the housing trajectory considered by the inspector in finding the Core Strategy sound. All 4 of the initial reasons for refusal contradict that stance: the 2 reasons actually pursued fundamentally undermine it.
2. No evidence is offered on road safety. Officers reported that the Transport Assessment demonstrated that there would be no impact on the queue lengths in the AM peak and only a marginal impact during the evening; hence, there would be no significant traffic impact due to the development. Yet a reason for refusal alleges that the proposal would be detrimental to highway and pedestrian safety and generate additional traffic movements on a busy distributor road that would cause congestion at the mini-roundabout on Warren Drive.
3. In relation to the drainage arrangements proposed, the Drainage Officer, the Lead Local Flood Authority and United Utilities had no objection to the scheme. Moreover, although the Council offer a Technical Review of the submitted FRA, no further evidence is advanced, and no proof of evidence has been prepared to support the reason for refusal. Yet, that reason for refusal essentially asserts that additional hard surfacing due to the appeal proposal could exacerbate the risks of flooding in an area where floods had recently been experienced.

4. The appeal was submitted on 29th May 2018 with a full Statement of Case and a draft Statement of Common Ground. Thereafter, the Council prevaricated and failed to provide its Statement of Case by the due date, engage with the Statement of Common Ground or meet with the appellant to discuss the 5-year housing land supply. Indeed, the Council's Statement of Case was not submitted until 28th August 2018 and provided little more explanation than the repetition of the reasons for refusal. It included the odd admission that, for the purposes of this appeal only, no 5-year supply of housing land could be demonstrated, but that circumstances may change as further work was completed and confirmation of the situation would be provided at the forthcoming inquiry in January. That admission was contrary to the 3rd reason for refusal (then still extant) asserting that development of the appeal site was unnecessary because a 5-year supply of housing land could be identified. In the event, the Council indicated (on the 10th December 2018) that reasons for refusal 3 and 4 would not be defended, but no further details were divulged.
5. As for the evidence actually submitted, the only matter addressed by the traffic evidence relates to congestion. It demonstrates that a reduction in the 'level of service' could occur on one arm of the mini-roundabout junction in the morning peak hour but that otherwise the operation of the junction would remain largely unchanged. It also shows that the longest queue might grow by about 4 vehicles and that average delays in the evening could increase by 15% overall and by 19% on arm 1, but that the average experience of drivers traversing that arm would be an increased delay of some 22 seconds, an increase of about 12%. That would be insignificant in the context of an urban car journey; certainly, it could not be described as 'severe', especially as it is modelled to occur during only part of the evening peak hour. Given that this site is included in the SHLAA, concern over such modest increases in queuing and delays must be bizarre and unreasonable.
6. No proof of evidence is submitted to support the reason for refusal relating to flood risks. Instead, there is a Technical Note querying the location chosen for the coastal breach modelling in the FRA and there is a Technical Review suggesting that certain additional work might have been helpful. The former has nothing to do with the reason for refusal nor does it figure in the Statement of Case. Neither the Environment Agency nor the Coastal and Environmental Partnership raised concerns entailing risks of flooding due to a breach of coastal defences. In any case, such risks might be expected to be more severe elsewhere and, if severe, hardly commensurate with including the appeal site in the SHLAA as suitable for residential development.
7. The Technical Review does not anywhere demonstrate an unacceptable risk of flooding. It suggests that there could be a risk to the site from the ordinary watercourse to the south, but provides no evidence that such flooding has ever occurred and fails to explain how water might flow uphill to the 'domed summit' rather than along the watercourse to the south and away from the site. A more robust assessment of existing ground conditions is suggested, but the Groundwater Investigation Report appears to have been ignored. It is also suggested that flooding from the local sewerage network should have been modelled, but the fact that United Utilities appear satisfied with the design and nature of the sewage connection proposed seems to be ignored. The document is ill-informed and, even in its own terms, fails to demonstrate any unacceptable harm.

8. The Council's treatment of the 5-year housing land supply has been unreasonable. The judgement in *Phides Estates (Overseas) Ltd v. SoS [2015] EWHC 1663* indicates that it is necessary to understand the extent of any shortfall in order to attach appropriate weight to the final planning balance. Yet, the Council have barely engaged with this issue until a short time before the inquiry reconvened. Initially, efforts to elicit a response failed. Eventually, in the Statement of Case, they adopted a wholly unhelpful position that, although for the purposes of this appeal only a 5-year supply of housing land could not be demonstrated, circumstances may change in the light of further work and confirmation would be provided at the forthcoming inquiry. In fact, the anticipated confirmation did not materialise, although the agreed SoCG implied the absence of a 5-year housing land supply. In reality, the work could not have been done because it was necessary to adjourn the inquiry until March to provide the required assessment.
9. Cooperation during the adjournment was poor. An email sent on 7th February 2019 provided information on the requirement, the buffer and windfalls, but gave no explicit information on the sites to be included in the supply, hence, this was assumed to be taken from the most recent HMR. Then, on 27th February 2019, some 6 days prior to the exchange of the additional proofs, various sites were deleted and over 500 units added mainly on sites allocated in the emerging Sites Allocation Plan. These sites should have been identified sooner. But, even then, no explicit indication was given of the actual supply. In any case, the eventual claim that a 5.08-year supply could be demonstrated was self-evidently false because several sites could not be described as 'deliverable' not being 'available now'. The inclusion of units from Whyndyke, Jepsons Way and Bispham School was vexatious and wholly unreasonable.

The Response by the Council

10. The Council have not behaved unreasonably. Indeed, the application for a full award of costs is misconceived because, although the application was refused contrary to officers' advice, that can be entirely legitimate, as long as there is an objective reason for doing so; the task of reaching an overall planning judgment is entrusted to democratically elected members who are very familiar with the area, together with its particular characteristics and challenges. Moreover, although not forming a reason for refusal, the appeal site is designated as 'urban greenspace' in the Development Plan and it is agreed that the scheme would contravene the terms of 'saved' policy NE8. Thus, a decision to grant planning permission would have been contrary to the Development Plan. As the NPPG advises:

Where a Local Planning Authority has refused a planning application for a proposal that is not in accordance with the Development Plan, and no material considerations including national policy indicate that planning permission should have been granted, there should generally be no grounds for an award of costs against the Local Planning Authority for unreasonable refusal of an application.

11. There is an objective basis on which to refuse planning permission here due to the impact on the local road network. It is not necessary to agree that all the evidence demonstrates the impact to be 'severe' and therefore unacceptable. All that is necessary is that the refusal is based on a respectable and reasonable basis for withholding planning permission. Even if other reasons

for refusal are flawed, reliance on the highways objection is entirely reasonable. This does not depend solely on the evidence actually presented, for the relevant committee minutes record that:

Mr Latif Patel from Traffic and Highways highlighted that while a number of issues had been resolved it remained the Traffic and Highways Department view that the application would still have significant negative impact on traffic in the areas.

12. Nor is it unreasonable to take a precautionary approach concerning the flood risks potentially posed by the scheme. Indeed, the determination of the planning application was deferred to consider the issue of flooding in light of the serious flood event that occurred locally in November 2017. Although the Technical Review does not raise fundamental concerns about flood risk and drainage, it does suggest a number of deficiencies in the FRA, thereby supporting the adoption of a precautionary approach. In any case, it is important to bear in mind that 'unreasonable' is given its ordinary meaning, as established by *Manchester City Council v SSE & Mercury Communications Limited* [1988] JPL 774. Given the sensitivity of the issue here, it is entirely reasonable for members to take a precautionary approach.
13. The subsequent withdrawal of reasons for refusal 3 and 4 does not 'underline that the refusal was poorly conceived'. On the contrary, it demonstrates that the Council was prepared to review its position and retract objections to the scheme where appropriate.
14. Evidence on the 5-year supply of housing land should not have been necessary up to and including the first session of the inquiry. The Council accepted, in its Statement of Case, that it did not have a 5-year supply and that the tilted balance was engaged. The efforts on behalf of the appellant expended on assessing what the 5-year housing land supply might entail (albeit on an erroneous basis) was thus entirely a matter for the appellant. The 2 considerations of concern were thus addressed. The appellant should have known that the tilted balance applied and the weight to be attached to any housing shortfall.
15. The only reason for both parties to subsequently produce substantial evidence on the 5-year housing land supply was because the inspector requested it in adjourning the inquiry. Neither party had any real option but to address the question. But it is critical to recognise that the work done by the appellant since the 30th January resulted from this request and not from any behaviour on the part of the Council. The Council did not act unreasonably in producing this evidence, still less did it cause the appellant to undertake unnecessary or abortive work. Moreover, the Council did not 'casually' introduce further sites into the calculations. On the contrary, this followed a thorough and careful assessment. The HMR was not an assessment of the Council's deliverable supply nor did it purport to be. It included only those sites with planning permission or with a resolution to grant planning permission. The HMR did not even consider whether there were any other sites in the SHLAA capable of delivering housing. Whilst the Council may be criticised for not having recently carried out a 'full' 5-year supply assessment, it is particularly unfair to accuse them of unreasonable behaviour for conducting the very exercise requested by the inspector. The additional sites are not contested as a matter of principle. On the contrary, having read and heard the evidence, it is accepted that 43 units from Ryscar Way would meet the test of deliverability.

Appropriate evidence is presented in relation to the other sites. The introduction of this evidence within the relatively short period between 30th January and 27th February cannot be unreasonable, especially given the nature of the analysis that was required, the resource implications and the considerable pressure that Council officers were under. For all those reasons, the grounds for seeking costs are untenable and the application should be refused.

Conclusions

16. The Planning Practice Guidance advises that, irrespective of the outcome of the appeal, costs may only be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
17. I fully accept that councillors can legitimately refuse planning permission contrary to officers' advice; quite rightly the judgment is entrusted to elected members who often bring local insights to bear on the decision. But, that judgement must be based on (at least some) cogent reasoning. Alas, such reasoning is not evident here; indeed, much is muddled and incoherent.
18. It is true that the scheme would contravene the terms of 'saved' policy NE8 and potentially violate the protection for 'urban greenspace' offered through the Development Plan. But, such matters formed no part of any reason for refusal. Indeed, initially they were barely addressed at all, so that in my view practically no regard was given to apparently relevant policies in the Development Plan. That stance is, in itself, unreasonable. Moreover, it necessitated the adjournment, first to address apparently relevant policies in the Development Plan and second to consider material considerations that might warrant a decision contrary to those policies.
19. Of course a material consideration often advanced to warrant a decision contrary to a Development Plan is the existence or otherwise of a 5-year supply of housing land. Hence, my request to prepare such an assessment during the adjournment. I am astonished that I had to do so. I know of no other Council where such an assessment is completely absent (though I suppose that there might be one or two). Moreover, as the advice in the Framework suggests that this is one of the key tools to help Councils 'boost the supply of housing significantly', the failure to undertake the assessment is also unreasonable. Even more so in this case because, although the Council published a meticulous (in my view) annual HMR, that does not include an assessment of deliverable housing sites nor does it purport to estimate the 5-year housing land supply. In fact, no such document appears to have been published throughout the existence of the Core Strategy. In those circumstances, it is impossible to establish the extent of any shortfall that might exist and consequently the appropriate weight to attach to any 'tilted balance', essential in determining certain applications and appeals.
20. The Council suggest that it should not have been necessary to engage with estimating the 5-year supply of housing land initially because, in the Statement of Case and later in the SoCG, the absence of a 5-year supply and the applicability of the tilted balance was accepted. However, in my reading of those documents the situation is not so simple. First the absence of a 5-year housing land supply is accepted for the purposes of this appeal only. Second, in the Statement of Case it is suggested that circumstances may

change in the light of further work and confirmation would be provided at the forthcoming inquiry. Quite what it means to accept that there is a lack of sufficient housing only for this appeal but not necessarily for others or in relation to the determination of applications, is beyond me. It cannot be right to cocoon the determination of one planning decision in circumstances that may, or may not, exist elsewhere. As for the anticipated confirmation, not only did that not materialise, but also the statement leaves the appellant to flounder in ignorance of what might eventually emerge in trying to provide his own estimate. I think that the stance is unreasonably unhelpful. And, although I think that it may have been adopted unintentionally and compounded by pressure due to preparing the emerging Plan, amongst other things, it was aggravated by the initial lack of communication, cooperation and consultation on issues relating to the 5-year housing land supply. It is an important part of the appeal process that parties cooperate and negotiate openly, thereby saving time and money for all concerned.

21. No evidence is offered on road safety. Hence, part of the relevant reason for refusal remains unsubstantiated. The technical advice from officers indicated that there would be no impact on the queue lengths in the AM peak and only a marginal impact during the evening; hence, there would be no significant traffic impact due to the scheme. Quite what evidence there was to contradict that view at the committee meeting is not divulged. In any case, the traffic evidence actually presented confirms the technical advice originally given; it does not substantiate the reason for refusal.
22. No proof of evidence is advanced to support the 'drainage' reason for refusal. The Drainage Officer, the Lead Local Flood Authority and United Utilities had no objection to the drainage arrangements proposed in the FRA. The Technical Note submitted on coastal breach modelling has nothing to do with the reason for refusal or the Statement of Case. Moreover, neither the Environment Agency nor the Coastal and Environmental Partnership raised concerns entailing risks of flooding from that source. The Technical Review does not anywhere demonstrate an unacceptable risk of flooding. Its suggestions for further consideration illustrate ignorance either of the site, or the work that has already been done or the acceptability of the arrangements already made. Application of the precautionary principle entails more than just 'going around the mulberry bush once again'. There must be some element of uncertainty that warrants a precautionary approach. The evidence fails to demonstrate a basis for any such concern. The drainage arrangements could have been subject to suitable conditions. No unacceptable harm is demonstrated and the evidence offered fails to substantiate the reason for refusal.
23. Taking all those matters into account, I find that unreasonable behaviour resulting in unnecessary expense, as described in the Planning Practice Guidance, has been demonstrated. Hence, I allow this application for a full award of costs in the terms set out below.

Formal Decision

24. In exercise of my powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other powers enabling me in that behalf, I HEREBY ORDER that Blackpool Borough Council shall pay to Lovell Partnerships Limited, the costs of the appeal proceedings, such costs to be assessed in the Senior

Courts Costs Office if not agreed. The proceedings concerned an appeal more particularly described in the heading of this decision.

25. The applicant is now invited to submit to the Blackpool Borough Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the amount, a copy of the guidance note on how to apply for a detailed assessment by the Senior Courts Costs Office is enclosed.

David Cullingford

INSPECTOR

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Appeal Decision

Site visit made on 1 April 2019

by David Fitzsimon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 April 2019

Appeal Ref: APP/J2373/W/18/3217696

150 Harcourt Road, Blackpool FY4 3HN

- 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 Mr & Mrs Geoffrey Packer against the decision of Blackpool Council.
- The application Ref 18/0385, dated 21 May 2018, was refused by notice dated 16 October 2018.
- The development proposed is '2 x 2 no. bedroom dwellings'.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are as follows:
 - Whether the driveway and access to the proposed dwellings would be adequate in terms of both highway safety and refuse storage and collection arrangements;
 - The effect of the proposal on the living conditions of the occupiers of neighbouring dwellings with particular regard to outlook and access to natural light; and
 - Whether adequate living conditions would be provided for future occupiers of the proposed dwellings.

Reasons

Safety of highway users and adequacy of refuse collection arrangements

3. The appeal relates to a broadly rectangular 'backland' site which sits to the rear of the dwellings of Harcourt Road and Powell Avenue. Each of the two proposed bungalows would be served by two private car parking spaces with space to turn within the site. Kerbside parking is widely available nearby to cater for any overspill demand without causing any undue safety risks.
4. However, the proposed dwellings would be accessed from Powell Avenue, utilising what is currently an unsurfaced track that is about 31 metres long. The track is very narrow and it would not be possible for two vehicles to pass each other along it. As two independent dwellings are proposed, I find it

somewhat inevitable that occasions of vehicle conflict would occur, with two vehicles attempting enter or exit the site at the same time. At such times, one vehicle would be required to reverse either out onto Powell Avenue or back into the site.

5. I note the Council has suggested that the track is also used to access the rear of five other dwellings on Powell Avenue, but it does not appear to provide vehicular access to them. In any event, I consider that in all likelihood, the chances of pedestrians using the access road at times of vehicle conflict are likely to be low. Nevertheless, I consider that an arrangement which could result in vehicles reversing onto Powell Avenue would pose an unacceptable risk to pedestrians and motorists alike using this highway.
6. The appellants suggest that the appeal site could be put to an alternative use which would generate similar vehicle movements, but do not elaborate further. I have also considered whether my concern could be addressed by imposing a suitably worded condition to direct that incoming vehicles using the access have right of way. However, this would not be appropriate as it would be very difficult to enforce.
7. The restricted width of the access would prevent a standard refuse collection vehicle entering and exiting the site. This means that future residents would be required to take their bins to Powell Avenue for collection. I am mindful that a colleague Inspector considered this matter when determining a proposal for three dwellings at the appeal site (Ref. APP/J2373/W/17/3183292) and found that although the recommended drag distance of 25 metres would be exceeded, the distance would not be excessively long. I have no reason to disagree.
8. Whilst I find that the access road would not result in unacceptable arrangements for refuse storage and collection and adequate parking would be provided, the restricted width of the access track would prevent two vehicles from passing each other, thereby resulting in vehicle conflict and an unacceptable risk to the safety of highway users. In such terms, the proposal conflicts with policies AS1 of the adopted Blackpool Local Plan 2001-2016 (LP) and policy CS7 of the of the adopted Blackpool Local Plan Part 1: Core Strategy 2012-2027 (CS) which promote safe forms of development.

Living conditions of existing residents

9. Given the single storey nature of the proposed dwellings, I am satisfied that any privacy issues for existing residents could be overcome by the introduction of appropriate boundary treatment. The bungalows would sit close to the boundaries with Nos. 154 and 150 Harcourt Road and Nos. 127 to 133 Powell Avenue. The rear gardens of the dwellings of Powell Avenue are a generous depth. However, the rear amenity spaces of Nos. 154 and 150 Harcourt Road are very shallow. The nearest of the two bungalows proposed would span the full width of the shallow rear amenity spaces of these two dwellings.
10. Even accounting for the fact that the hipped roof would rise away from this boundary, the bungalow would be much taller than the existing boundary treatments. As a result, the occupiers of Nos. 150 and 154 Harcourt Road would be faced with a large expanse of built development directly at the bottom of their shallow rear amenity areas. Whilst the sloping roof of the nearest of the proposed dwellings would ensure that adequate levels of natural light

remained available to these properties, the overall effect would be very oppressive when viewed from the outdoor spaces and also when viewed from the ground floor rooms at the back of the houses themselves.

11. For these reasons, I find that the proposal would harm the living conditions of the occupiers of Nos. 150 and 154 Harcourt Road. In such terms, the proposal conflicts with policies LQ1, LQ2, LQ3, LQ4 and BH3 of the LP and policies CS7 and CS12 of the CS which collectively promote development that provides a high quality environment and satisfactory living conditions.

Living conditions of future occupiers of the proposed dwellings

12. The proposed dwellings would not have a street frontage and it has been suggested that the layout of the scheme would be cramped. However, the dwellings of Logan Court, which is another nearby 'backland' development, do not have a street frontage either and the appeal site sits within an area dominated by terraced housing at a high density. Further, the bedrooms and living rooms of the dwellings would have reasonable aspects and they would both have a decent sized amenity space. Whilst I note that the rear garden of the proposed dwelling closest to Harcourt Road would be overlooked by the nearest dwellings on this road, this is a high density neighbourhood as I have explained, where quite a high level of overlooking is typical.
13. On balance, I am satisfied that the proposed development would provide a good standard of living conditions for future occupiers. In this respect, I find no conflict with the policies referred to above.

Other considerations

14. In reaching my decision, I note a number of additional concerns have been raised by nearby residents including structural issues, noise and disturbance, pressure on public utilities, effect on wildlife and access for emergency vehicles, amongst others. These matters were considered by the Council at the application stage and it was considered that they could either be adequately addressed by suitably worded planning conditions or could be more appropriately dealt with by other legislation. I share this position.
15. I also appreciate the Council's Officers recommended that planning permission be granted for the appeal proposal, but I have considered the scheme on its merits as I see it.

Overall Conclusions

16. I conclude that although the proposed dwellings would be designed and sited in a manner which would provide adequate living conditions for future residents and adequate arrangements for refuse collection could be made, the development would harm the outlook for the occupiers of Nos. 150 and 154 Harcourt Road and it would pose an undue risk to highway users, contrary to the development policies outlined above. The arguments advanced by the appellants in favour of the scheme do not outweigh these failings and policy conflict therefore the appeal does not succeed.

David Fitzsimon

INSPECTOR

Report to:	PLANNING COMMITTEE
Relevant Officer:	Tim Cogan, Service Manager, Public Protection
Date of Meeting:	4 June 2019

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 March 2019.

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, 34 new cases were registered for investigation, compared to 42 received in March 2018.

5.1.2 Resolved cases

In March 2019, five cases were resolved by negotiation without recourse to formal action, compared with 9 March 2018.

5.1.3 Closed cases

In total, 43 cases were closed during the month (24 in March 2018). 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 / Breach of Condition Notices

- Three enforcement notices authorised in March 2019 (one in March 2018);
- No s215 notices authorised in March 2019 (none in March 2018);
- No Breach of Condition notices authorised in March 2019 (none in March 2018)

- Three enforcement notices served in March 2019 (one in March 2018);
- No s215 notices served in March 2019 (none in March 2018);
- No Breach of Condition notices served in March 2019 (none in March 2018);
- No Community Protection Notices served in March 2019 (none in March 2018)

relating to those cases set out in the table below.

Notices authorised in March 2019

Ref	Address	Case	Dates
19/8076	18-19 Shannon Street	Unauthorised change of use of the property from a hotel to a house in multiple occupation	Enforcement Notice authorised 18/03/2019
19/8079	22 Bairstow Street	Unauthorised change of use of the property from a hotel to a house in multiple occupation	Enforcement Notice authorised 18/03/2019
19/8080	18 York Street	Unauthorised change of use of the property from a hotel to a house in multiple occupation	Enforcement Notice authorised 18/03/2019

Notices served in March 2019

Ref	Address	Case	Dates
19/8076	18-19 Shannon Street	Unauthorised change of use of the property from a hotel to a house in multiple occupation	Enforcement Notice issued 19/03/2019. Compliance due 24/07/2019.
19/8079	22 Bairstow Street	Unauthorised change of use of the property from a hotel to a house in multiple occupation	Enforcement Notice issued 19/03/2019. Compliance due 24/07/2019.
19/8080	18 York Street	Unauthorised change of use of the property from a hotel to a house in multiple occupation	Enforcement Notice issued 19/03/2019. Compliance due 24/07/2019.

Does the information submitted include any exempt information? No

5.1.5 List of Appendices:

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:	Tim Cogan, Service Manager, Public Protection
Date of Meeting:	4 June 2019

PLANNING ENFORCEMENT UPDATE

1.0 Purpose of the report:

- 1.1 To consider the summary of planning enforcement activity within Blackpool during April 2019.

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, 30 new cases were registered for investigation, compared to 36 received in April 2018.

5.1.2 Resolved cases

In April 2019, three cases were resolved by negotiation without recourse to formal action, compared with 18 in April 2018.

5.1.3 Closed cases

In total, 24 cases were closed during the month (36 in April 2018). 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 / Breach of Condition Notices

- No enforcement notices authorised in April 2019 (none in April 2018);
- One s215 notice authorised in April 2019 (none in April 2018);
- No Breach of Condition notices authorised in April 2019 (none in April 2018)

- One enforcement notice served in April 2019 (none in April 2018);
- One s215 notice served in April 2019 (one in April 2018);
- No Breach of Condition notices served in April 2019 (none in April 2018);
- No Community Protection notices served in April 2019 (one in April 2018)

relating to those cases set out in the table below.

5.1.5 Enforcement notices / S215 / Community Protection Notices authorised in April 2019

Reference	Address	Case	Dates
18/8183	55 Lindale Gardens	Poor condition of property	S215 notice authorised 24/04/2019

5.1.6 **Enforcement notices / S215 / Community Protection Notices served in April 2019**

Reference	Address	Case	Dates
17/8221	51-53 Topping Street	Unauthorised installation of a new shop front	Enforcement Notice issued 03/04/2019. Compliance due 14/08/2019.
17/8237	57 Shaftesbury Avenue	Poor condition of property	S215 Notice issued 15/04/2019. Compliance due 28/11/2019 unless an appeal is lodged with the Magistrates Court by 28/05/2019.

Does the information submitted include any exempt information? No

5.1.7 **List of Appendices:**

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:	4 June 2019

PLANNING APPLICATIONS AND APPEALS PERFORMANCE

1.0 Purpose of the report:

- 1.1 To update members of 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.

5.2 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 2017 to September 2019

Speed of minor development decisions – 70% within 8 weeks or an agreed Extension of Time – for the period October 2017 to September 2019

Quality of major development decisions – Loss of more than 10% of appeals – for the period April 2017 – March 2019

Quality of minor development decisions – Loss of more than 10% of appeals – for the period April 2017 – March 2019

5.3 Figures are submitted quarterly to the Ministry of Communities and Local Government. Performance for April 2019 is shown as is performance for the fourth quarter – January to March 2019.

5.4 The last full year performance figures for applications (1 April 2018 – 31 March 2019) was:

Majors 95% within 13 weeks or an agreed extension of time (target 60%)

Minors 96% within 8 weeks or an agreed extension of time (target 70%)

5.5 In terms of the last assessment period (October 2016 – September 2018) performance at the end of September 2018 for the full two year period was:

Majors 91% within 13 weeks or an agreed extension of time (target 60%)

Minors 92% within 8 weeks or an agreed extension of time (target 70%)

5.6 In terms of appeals for the last period April 2016 – March 2018:

There were 28 decisions of which six non major appeals were lost (21% of the total appeal decisions) NB There were no major appeal decisions

	Government Target	Performance April 2019	Performance January – March 2019
Major development decisions	>60%	100%	100%
Minor development decisions	>70%	100%	92%
Quality of major development decisions	>10%	One appeal decision – appeal allowed	none
Quality of non major development decisions	>10%	Two appeal decisions in the month 1 allowed and 1 dismissed	none

Does the information submitted include any exempt information?

No

5.7 List of Appendices

5.7.1 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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COMMITTEE DATE: 04/06/2019

Application Reference: 19/0093

WARD: Tyldesley

DATE REGISTERED: 20/02/19

LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission

APPLICANT: Blackpool Subscription Bowling Club

PROPOSAL: Erection of four floodlighting columns to be positioned one at each corner of the bowling green.

LOCATION: SUBSCRIPTION BOWLING CLUB, SOMERSET AVENUE, BLACKPOOL, FY1 5QU

Summary of Recommendation: Grant Permission

CASE OFFICER

Mark 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 recommended for approval subject to the comments of the Environmental Protection Manager being met which can be dealt with by way of a condition imposed on any planning permission. This will limit the height of the lights, their hours of use and ensure that the lights are fitted and angled in such a way as to minimise their impact on adjoining residents to an acceptable level.

SITE DESCRIPTION

The application premises is a well-established private members bowling club located on an otherwise residential street located between Whitegate Drive and Park Road. Residential properties are also located directly to the rear on Westmorland Avenue. The club has its own clubhouse and car park positioned on either side of the bowling green.

DETAILS OF PROPOSAL

The erection of four 9 metres high floodlighting columns, one in either corner of the bowling green, to enable play to continue in hours of darkness, although the height of the lights will be reduced to 7metres in line with the Environmental Protection Officer's comments. Each column would be fitted with two x 60 watt LED lights.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Impact of residential amenity
- Impact on visual amenity
- Other issues

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

CONSULTATIONS

Service Manager Public Protection: No objections subject to the following:-

- The lights be fitted no higher than 7metres above the bowling green with some flexibility for slight adjustment
- The lights are in use no later than 9pm on any given evening
- Any approval of the application to be subject to a condition requiring agreement on site of the exact height, angling, shading, brightness, colour of the lighting

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 21 February 2019

Neighbours notified: 20 February 2019

209 Westmorland Road - the bowling green is at the end of my garden and I would like to object to this application on the basis of these points:

- we currently have a bat colony somewhere in the local vicinity which frequent my garden and no doubt surrounding gardens to feed every night.
- having looked and read the application I could not find any timeframes as to when the floodlights would be switched on/off.
- myself and wife sleep in the back bedroom and are concerned about excessive noise and light impingement during sleeping hours.

217 Westmorland Road - I would like to object strongly to the proposal to erect 9 metres high flood lights on the corners of the bowling green. The bottom right hand corner is directly behind our garage and would flood our garden with light. We already suffer from excessive noise from the club, especially during the lighter nights so to encourage longer periods of

people being outside making noise when in bed is not something we can support. These lights would be shining directly into our bedroom. I am also interested to know if they would be triggered by movement and going on and off all night. This has not been made clear in the application.

16 Somerset Court, Somerset Avenue - I raise my objections to the erection of four 9 metres high floodlighting columns to be positioned at each corner of the bowling green. I wish to strongly object to these plans as I do not feel they are appropriate for a residential area.

My bedroom is directly opposite the pitch where these lights will be situated which will inevitably mean light from these four lights will shine into my bedroom whilst I'm trying to sleep. In addition to the light pollution, I can only imagine these lights are being installed to allow games to be played into the evening which will mean an increase to the already high noise levels produced by the club only for longer hours.

We already have issues with noise pollution from rowdy members leaving the club drunk during the early hours and taxi drivers beeping to make their customers aware they have arrived. There is already an issue with parking as the site does not currently use the car park that they states accommodates 30 vehicles. The site does not encourage members to use this therefore the street is used meaning often I am unable to park my car outside my own door and frequently have to park very far up the street. The street does have residents parking however this is futile in reducing the effects of club members parking as the restriction ends at 6pm and members park after this time.

In addition to this, the properties on this street are period properties retaining many of their original features and the placement of these lights is not aesthetically in keeping with the road therefore detracting from the natural charm of the properties and reducing their value and appeal. I hope my strong objections are considered and valued as I have approached the club numerous times to amicably discuss the many issues they cause however they disregard the wishes and concerns of immediate residents and continue to disrespect the community.

9 Somerset Avenue - I agree with comments already made and in addition it is not clear on the application what the intention/need/purpose for the lights is, therefore we can only assume it is to commence night time bowling or functions/parties etc. This would involve additional evening visitors to the club impacting even more so on issues with street parking, late night noise which are already an issue. The application states the club has 30 parking spaces, however to our knowledge they are let out and our experience is that visitors/members to the club are not encouraged and do not currently make use of the car park but choose instead to park on the street and also in albeit a shared private alley way blocking our access to our garage.

We as residents have to pay for resident parking permits between 9am-6pm therefore after 6pm we are still unable to park on the street due to club visitors and occasional coaches when trips/matches are taking place.

What times of day and night will the floodlights be on? Will they be in use all year round as per club opening times? Why the choice of the colour/quantity of the bulbs being daylight white as opposed to warm white.

Our property is next door to the club house so image due to the location of the lights will see at least one/two which will spill over into our front/back garden and impacting on our front and rear bedrooms. We feel yet again the needs/wants of the club do not take into account the impact on local residents.

219 Westmorland Avenue - I am concerned about the proposed height and brightness of the lighting and the purpose of its intended use. Is the lighting for security or to illuminate the bowling club during matches?

If its purpose is for matches, what time would they be switched off as the club does open late, would they stay on until everyone went home (in the early hours of the morning)? If it is for security why do they need to be 9 metres high? Would they only come on if an intruder was in the vicinity? (flashing on and off)

The proposed height and level of brightness would constitute a high level of light pollution directly on my home and specifically my bedroom which overlooks the bowling club and therefore impacting on sleep especially if the lighting is left on continuously, or flashing on and off.

211 Westmorland Avenue - My concerns are that it doesn't state what times of the day and night the floodlighting will be on, and will it be used all year round as the club house is open all year round? My property backs on to the bowling green, so the light will spill beyond their boundary compromising an existing fairly dark landscape. The colour of the bulb is daylight white which is the brightest as opposed to warm white which is softer and has a more yellow glow. This would be preferable in a residential area and also how many bulbs per column are they using? I don't wish to compromise the success of the bowling green in any way, but feel in necessary to put my concerns forward.

Club's response

We have now taken steps to ensure that the lighting system that we eventually purchase will come with propriety shading to ensure that there is no overspill and all 4 floodlights will be directed on the bowling green.

There are no fixed operational times, they will be switched on when the daylight fades and off on completion of the bowling match – usually before 9:30pm This will generally be during the bowling season April – September and in all probability take place in the months of April, August and September.

Brightness of the lights. 70 ultra-bright LEDs producing 6000 lumen high brightness clear cool white light. 60 watts, 120°beam angle, shadow-free and anti-glare, providing efficient lighting

Type of shading, adjustable light shield with horizontally movable and easily rotatable light shield and highly flexible bracket, the floodlights can work flexibly without disturbing the neighbours. No light pollution caused.

One point I would like you to consider before making your judgement on this particular point is that property in close proximity to a bowling green or similar green space is like to gain an advantageous boost in marketable value rather than the opposite. It is also a fact that our property was built before virtually all the adjacent properties in the vicinity. This year with celebrate our Centenary (100 years).

One objector states that her bedroom is directly opposite the green where these lights will be situated. The bedrooms in these apartments are mainly at the front and rear of the building, this means that our bowling green lights which will be directed onto the bowling surface are unlikely to shine into any bedroom.

Although our planning application only relates to lighting for our bowling green, an issue is raised about parking difficulties and the fact that she has to "park very far up the road" why should she do this when there is adequate parking for all the residents in her apartment block, in fact she has her own allocated space.

Another resident refers to a number of issues, (i) what times of day will they be on; (ii) will they be on all year round; (iii) daylight white verses warm white; (iv) overspill into his gardens and bedrooms; (v) parking;

- (i) The lights will only be used when the daylight is inappropriate to safely finish a bowling match and in all probability will be no later than 9:30pm. We as a Club have responsibilities under the Health and Safety Act to supply a safe working and recreational area for all staff and visitors.
- (ii) illumination of the green should only be required during April, August and September. The bowling season generally runs from April to the end of September. After which our bowling green is closed to members for the duration of the winter months and therefore there is no requirement to illuminate the bowling surface.
- (iii) Daylight white verses warm white. We are currently looking at this and will probably settle on cool white.
- (iv) Overspill into his gardens and bedroom. Of the four floodlights he will only be able to see one and that will be facing in the opposite direction to his property and will have a protective shade on it to avoid any overspill and notwithstanding that light does not travel backwards.
- (v) Again he has raised the issue of parking when as you know there is a process in place to deal with illegal or inappropriate parking. We do encourage all our visitors to use our car park because of the parking restrictions, and we do let out five parking places to the pharmacy that occupies the Health Centre on Whitegate Drive for their staff

during the day, they usually vacate the car park by 6:00pm, the other 25 spaces are for our members.

Another resident objects on the following points (i) Bat Colony, (ii) Time Frames, (iii) Light impingement.

(i) I assume the bat colony he is referring to somewhere in the local vicinity is the same colony that resides in the Woodland Gardens on East Park Drive. They are pipistrelle bats and have been resident there for many years. They seem to be unaffected by the light display illuminating the all weather football pitches on Stanley Park that have now been lighting up the area for many years. On this basis I think our 4 lighting masts are unlikely to cause them any distress. Furthermore he states that the bats frequent his garden. It is a well known fact that bats do not land on the ground – they feed in flight.

(ii) Time frames – the primary function is to ensure that Bowling matches are finished in safety and are unlikely to be on later than 9:30pm during the months of April, August and September and this will only be during evening matches:- These take place on Tuesday, Wednesday, Friday and Saturday. The Friday and Saturday will be fortnightly.

(iii) Light impingement – referring to light impingement during sleeping hours, does this mean sometime after 10.00pm in which case the lights will not be on.

Another resident raises the following objections:- (i) Light flooding his garden. (ii) Light shining directly into his bedroom. (iii) Lights activated by movement.

(i) it is stated that the lights would flood his garden, this is unlikely to happen as the lights will be pointed away from his garden and property, they will also be shaded to ensure there is no overspill.

(ii) As stated previously the lights will be facing in the opposite direction to his property.

(iii) Lights activated by movement – This will not happen, there are no activation sensors attached to this lighting system, nor are there any plans to do so.

NATIONAL PLANNING POLICY FRAMEWORK

The revised National Planning Policy Framework (NPPF) retains the key objective of achieving sustainable development and hence there is a presumption that planning applications proposing sustainable development will be approved. It provides advice on a range of topics and is a material planning consideration in determination of planning applications. The parts most relevant to this application are -

11 – Making effective use of land

12 – Achieving well-designed places

15 - Conserving and enhancing the natural environment (in particular paragraph 180)

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 - Quality of Design

CS10 - Sustainable Design and Renewable and Low Carbon Energy

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

LQ14- Extensions and alterations

BH3- Residential and Visitor Amenity

BH4- Public Health and Safety

BLACKPOOL LOCAL PLAN PART 2: PROPOSED SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES

The Blackpool Local Plan Part 2 has been subject to an informal consultation exercise and will be subject to formal consultation later this year. At this point in time limited weight can be attached to the proposed policies. The policies in Part 2 that are most relevant to this application are -

Policy DM19 -Extensions and Alterations

Policy DM21- Public Health and Safety

ASSESSMENT

Impact of residential amenity- the proposal has raised a number of objections, concerns and queries relating to the impact of the proposed lighting. The club is long established, it is understood it will shortly be celebrating its centenary. The proposed lighting will allow bowls matches to take place into the evening during hours of darkness. This would not affect play during the summer months when natural light should usually allow play to continue without the aid of artificial lighting. It is considered that the principle of allowing the club to make some limited use of the bowling green in hours of darkness during the bowling season of April to September is acceptable, subject to those hours being limited to 9pm and the fitting of the lights being in accordance with details to be agreed on site with officers and the height of the

lights being limited to 7metres. This will ensure that light does not shine into adjoining houses and the impact on residential amenity kept to a minimum. The proposal, subject to these details is therefore considered to comply with Policies BH3 and BH4 of the Blackpool Local Plan and Policy CS7 of the Core Strategy and para 180 of the NPPF.

Impact on visual amenity- lighting columns are a feature within any streetscene, within car parks and within the grounds of sport clubs and therefore the addition of four lighting columns is not considered to be out of character with either the club itself or the surrounding residential area. The relevant issue relates more to the hours of use and agreeing details of how the lights are fitted which is dealt with elsewhere in this report. It is therefore considered that the application is consistent with Policies LQ1 and LQ14 of the Blackpool Local Plan and Policy CS7 of the Core Strategy.

Other issues- the proposal will enable the club to make better use of the bowling green and hence there are sporting, community and health benefits to be had and the proposal will strengthen the viability of the club at a time when a number of social clubs and sports clubs are closing or are under pressure to close.

The level of car parking demands at the club should not be increased as a result of the proposal though the times when car parking is in demand would increase with the bowling green being used more frequently but the club has its own car park for approximately 30 spaces which should be sufficient for most of, if not all of, its car parking requirements.

With reference made to a bat colony it is not known whether this is correct although given the level of use of the floodlights until 9pm during evening bowls matches on some nights between April and September the proposal is unlikely to have a significant impact

CONCLUSION

The application is recommended for approval subject to an appropriate condition being attached to any planning permission. This will limit the height of the lights, their hours of use and ensure that the light are fitted and angled in such a way as to minimise their impact on adjoining residents. Subject to this condition the proposal is considered acceptable.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

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) 19/0093 which can be accessed via the link below:

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

Recommended Decision: Grant Permission

Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority including the following plans:

Plans received by the Council on 12th, 19th and 20th February and 6th March 2019.

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 first use of the lighting hereby approved the following details shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.

- the exact height, angling, shading, brightness, colour of the lighting.

In addition the lights be fitted no higher than 7metres above the bowling green and the lights shall not be in use after 9pm on any given evening.

Reason: In the interests of residential amenity and the appearance of the locality, in accordance with Policies BH3, BH4 and LQ14 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

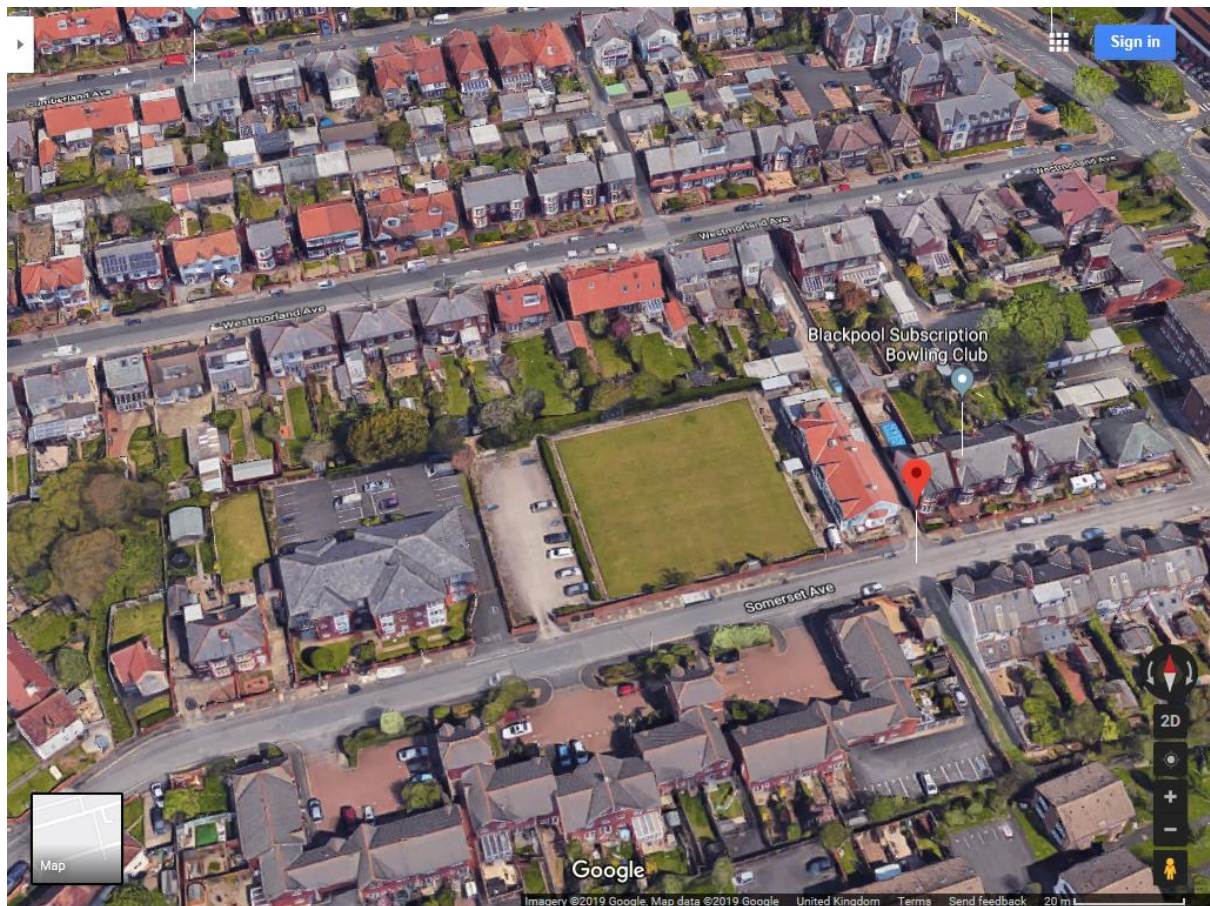
Advice Notes to Developer

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.

SITE LOCATION PLAN
AREA 2 HA
SCALE 1:1250 on A4
CENTRE COORDINATES: 331920, 435415



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COMMITTEE DATE: 04/06/2019

Application Reference: 19/0132

WARD: Bispham

DATE REGISTERED: 26/02/19

LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission

APPLICANT: NORTHERN NIGHTS LTD

PROPOSAL: Use of hotel as a single holiday letting unit with associated external alterations to the front elevation.

LOCATION: 238 QUEENS PROMENADE, BLACKPOOL, FY2 9HA

Summary of Recommendation: Grant Permission

CASE OFFICER

Mark Shaw

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

The proposal is considered an appropriate use of a vacant hotel within the block of hotels within a Holiday Accommodation Area notwithstanding the objections raised and the location of the property on the end of the hotel block next door to a residential property.

INTRODUCTION

Members may recall that they dealt with an application to use part of the ground floor and part of the basement of the property as a restaurant/cafe in November 2016 (16/0469). Following the opening of the restaurant there were issues with a hot food take away service being operated and an external flue at the rear. This culminated in enforcement notices being served in July 2017. Since then the property has changed hands.

SITE DESCRIPTION

The application property is a four storey, with basement, end terraced hotel within a terrace of five properties, all of which are in use as holiday flats or hotels. Adjoining to the south is a detached two storey house and several other houses. The existing hotel has 16 bedrooms.

The open forecourt to the front of the hotel can accommodate approximately six vehicles, there is also a ramped access into the building on the front elevation. To the rear of the hotel are staff parking facilities for approximately three vehicles.

The site has no allocation on the Proposals Map to the Local Plan although the property forms part of a Main Holiday Accommodation Promenade Frontage as part of the Holiday Accommodation Supplementary Planning Document. The application property is located 60 metres north of the Red Bank Road District Centre.

DETAILS OF PROPOSAL

Conversion of existing 16 bedroom hotel into an eight bedroom, three lounge, one kitchen/dining room, four bathroom (two en-suite) single holiday let over five floors, including basement, with external alterations to the front elevation to give a modern contemporary appearance. Car parking is available on the open forecourt to the front and there is also car parking available to the rear.

The application is accompanied by a Management Statement, a copy of which is attached at Appendix 8(a).

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle of Use
- Impact on Residential Amenity
- Highway Safety and Car Parking
- Other Issues

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

CONSULTATIONS

Head of Highways and Traffic Management: I do not have any issue with this except for the parking arrangement. The text says six to nine spaces. The form says seven. The drawing shows seven - although one at the front is sideways and impractical. So it has to be six. I would want the forecourt to be limited to, say, 6 metres to preclude tandem parking. Given the number of bedrooms I would have thought that six spaces would be in use typically. There is room for three at the back and that would leave three at the front and would avoid the shuffling of cars when the sideways one is blocked in. The gated back street is clearly left open for commercial access at most working day times.

Service Manager Public Protection: I have looked at the application and the use is currently that of hotel accommodation, therefore moving to holiday let accommodation will not impact the local community.

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 6 March 2019

Neighbours notified: 27 February 2019

Objections

228 Queens Promenade, Bispham - I am writing to voice my objection to the proposed planning application to convert North Grange Hotel, 238 Queens Promenade to a 16 bed Airbnb premises. Despite the carefully laid out reasons for the application I cannot see that the supposed clientele that they are aiming for are the ones that would book this accommodation, no matter how luxurious.

They say the target market will be wealthy and spend high amounts of money in the region and discover Red Bank Road's desirable restaurants. May I respectfully suggest that this type of clientele would more likely book to stay in Lytham St Annes. Whilst I appreciate there are some very good quality restaurants here there are many more fast food takeaways and fish and chip shops. Not really what the 'wealthy' are looking for. With the best will in the world Blackpool does not cater for Chinese tourists, high end business clients and visitors looking for 'cultural amenities'. It is a family destination.

What type of visitors to the area are going to come in groups of 16? Party goers, hen and stag dos, to be honest anyone who wants a good time in Blackpool. They have rented accommodation together to do just that. They are presuming that the 'wealthy' in large groups do not go out and get drunk, make a noise or cause a nuisance. Large groups whether rich or poor have the capacity to cause problems. Business conference delegates will stay in the hotels near the conference centre that are presently being built, not in Bispham. Are there many Chinese families in the area expecting large parties of their relatives over on a regular basis? I cannot see it somehow.

Bispham is a family tourist area, the type of visitor that the Council has repeatedly said they want to attract to the area. Not large groups that this type of application is encouraging. It is a quiet area as well and I certainly do not want the midnight tram stopping at Bispham unloading 16 people walking straight past our house having had a drink or two in Blackpool.

This application is, in essence, a house of multiple occupancy, with no supervision, with groups staying any period of time. If someone can pay they can book! I am also concerned that it will set a precedent for future development of the adjacent hotels which I believe are owned by family members. I certainly have no objection to three or four high quality self-contained, self-catering units which would be far more appropriate to the area and Blackpool Council's tourism plans.

97 Ingleway Road, Blackpool - I am a taxi driver in Blackpool and I have had direct experience of the problems that Air BnBs create to local residents. I recently dropped off two young girls at an address on Newton Drive dressed in pyjamas. Although I thought it was odd at the time, it was only the following week when I collected a lady from a neighbouring property that I became aware of the story. The lady explained that a flat in her building is let out as an Air BnB and that the previous week it had been rented out for one

night only and it was used to house an unofficial party venue. The police were called three times during that night and groups of revellers caused considerable damage and disturbance to the local area, including excessive noise and throwing up all over the pavements.

In my view, Air BnB's are an unnecessary curse in Blackpool and should be discouraged at all costs and I hope very much this application is rejected. All the above details can be checked with the police, as I am sure it is a matter of police record.

236 Queens Promenade, Blackpool - I have lived next to 238 Queens Promenade for many years and my family have lived in harmony with our hotel neighbours. I am very concerned about the change of use of this building from a managed hotel to an Air BnB. The proposed change of use to a single holiday unit would significantly change the type of holiday maker that we will be living next door to; previously, we have enjoyed the company of family tourists that we have met over the years staying at the subject property when run as a hotel.

I am extremely concerned that the use of the property as a large Air BnB, likely targeting groups of up to 16 youths at a time, will cause real problems of noise and disturbance. I am uncomfortable with the lack of any on-site management that significantly increases the risk of poor behaviour. Even natural exuberance of large groups can significantly impact a local area and there is considerable experience of that already in Blackpool. I am also concerned that there will be excessive alcohol consumption and drug use in the property given the lack of on-site management. I am pleased that the current Queens Promenade area enjoys family tourism, which I believe will be jeopardised if this application was to be permitted.

I would respectfully request that this application be rejected on the grounds that it is likely to lead to increased local disturbance from anti-social behaviour caused by its target market of large groups of young people, compounded by its proposed management strategy that I believe will be ineffective to avoid those predictable issues. The consequences of this application will be borne by local residents and would likely need to be resolved by the overstretched local authority and police resource.

I would like thank the applicant for providing some additional commentary in respect of her application to use my neighbouring property as an AirBnB to accommodate groups of up to 16 people; although there is no way this occupancy can be controlled once the keys have been given to the first person. Despite her assurances to the contrary the lack of on-site management and using an AirBnB business strategy is highly likely in my view to bring the unintended consequence of anti-social behaviour to the local residential community, who have universally objected to this application.

I would also like to provide some points of clarification on the specific comments made. The subject property has operated successfully as a hotel for many years and was operated successfully until the end of 2018, when my neighbours moved to their father's larger hotel 50m away. Accordingly, I would certainly dispute that the subject property is in anyway derelict as described and could, in fact, employ more people if used as a conventional hotel.

In relation to the enforcement notices they are a matter of record and historical in nature and I would suggest not relevant to this application.

I note the applicant has indicated that there is an even split between supporters and objectors to this application. In numerical terms that may be the case; however, I trust that the views of neighbours will carry more weight than people living 2-3 miles away from the property in question.

234 Queens Promenade, Bispham - I have just moved to this property around six months ago and I am a little concerned regarding the recent planning application. Could it be confirmed that restrictions will be in place as to who occupies the property. The area seems to attract families, for a quieter holiday break and it would nice if it continued.

236 Queens Promenade - After careful consideration, I am compelled to object to the application as currently presented.

As a local resident I have lived next to the subject property as a hotel without any issue for over 16 years. The property is adjacent to four residential properties, so it has always been a compromise as a shared residential and hotel area. However, the proposed change of use to a single holiday unit would significantly change that balance. Despite the best attempts of the applicant to conceal the reality, the business model is one of deliberately attracting large groups to be accommodated in effectively an unsupervised property. This is highly likely to result in considerable impact on local residents through excessive noise and disturbance. With no on-site management it will be left to the currently overstretched Police and Local Authority to deal with those issues as they arise.

The local Government Plan is indeed to encourage high value tourism, and that is a positive aspiration, this proposal appears to me to be specifically encouraging large groups rather than high value family tourism. I suspect the real target market is Hen and Stag Party Revellers.

It is unlikely that the use of the Air BnB management route, as stated in the application, is designed to attract Chinese tourists and is more likely a method of achieving a low cost, hands-off management solution that would be a cheaper alternative to conventional hotel management. Unfortunately, this is likely to come with substantial cost to the local community of increased noise and anti-social behaviour including drug use, excessive drinking and congregating of large groups outside the residential properties. The claim that clients will be vetted as part of the Air BnB process is hollow in my view, out of a party of 16 there is likely to be one with a previously reasonable Air BnB rating, who could book the accommodation; what about the other 15?

I would encourage this application to be rejected on the grounds it presents a high risk of anti-social behaviour that can't be managed by an on-site management team, as they will be not be present. The application is contrary to the Local Authority Plan, as it is deliberately targeting large groups rather than the return of family tourism to the town. The cost of any inadequate management of the clients to the property will be borne by local residents and further drain the overstretched resources of the Police and Local Council.

228 Queens Promenade - The "year round occupation", "affluent guest list", and "aspirational nature of the project" as hoped for by the applicant, do not indicate that the guests will behave in an acceptable manner. I believe groups of up to 16 people, whatever their purpose for visiting the area, will create an unacceptable amount of noise and disturbance in the immediate area.

The target market of high-end customers is a very grey area and I do not believe achievable which then begs the question of what if the clientele has to change to keep the property operating (stag and hen parties come to mind). What restrictions, if any, are there to control the kind of clientele? Could it be setting a precedent for the adjoining hotels to be converted in the same way?

I also appreciate that the high quality of the premises is aimed at professional groups - having been on many professional outings (seminars) both here and abroad I have never known a group of people that may work together actually end up living together, which this proposed application would be suggesting is likely. One kitchen for all occupants according to the plans submitted would never have worked for me.

Having looked at the present Government policy and local planning guidelines I note that one of the bulleted points to be taken into account is the "Impact on the residential amenity of local residents ... noise and disturbance". This is an important point considering what is being planned. The testimonials supplied seem to indicate the presence of an individual to welcome and service guests. A key collection and drop off service with CCTV security is not the same and a lack of supervision is worrying. If the application allowed for multiple groups of smaller numbers with their own kitchens I feel this would be more acceptable.

Support

9 Beaufort Avenue - no objection whatsoever to somebody wishing to improve the area.....good luck with your project.

240 Queens Promenade - I definitely support the planning application. What the applicant wants to do with her property is very beneficial for Blackpool to be turned back from a deprived sea side town to a thriving holiday destination. Due to the Supplementary Planning Document it is within the "Main Holiday Accommodation Promenade Frontage 2 (PF2) - area. This area is determined to be used for holiday accommodation and there should be no reason not to grant planning permission.

75 Victoria Road West- supports the proposal.

376 North Drive- lovely to put buildings to new use.

50 Red Bank Road- we have no objections.

Applicant's response

As the applicant, I would like to explain why I fully believe in them, and would like to deliver them. The local government plan for this area is to encourage both tourism and conference guests, and the Supplementary Planning Document Main Holiday Accommodation Promenade Frontage 2 (PF2) has informed every aspect of our planning. This proposal will significantly improve the tourism offer and improve the infrastructure of the area, in line with Council objectives, especially those connected with high value visitors.

When 238 Queens Promenade was built in 1929 it was built for the capacity of visiting tourists I am proposing (6-16 guests). We are returning it to these original large grand proportions for this lower capacity. It will transform a run down and partially derelict property subject to an enforcement notice. The renovation of this high profile, sea front property will have a positive impact on the entire neighbourhood and is completely consistent with the Local Authority Plan.

I have read the comments online, which are an even mixture of supporting and objecting comments. However, the objecting comments are mostly related to concerns about hen and stag parties. I appreciate that if we were to be building a party venue for young revellers this would indeed be a problem for local residents and something I am so keen to avoid, due to the associated risks attached. We will avoid this through many different strategies.

As an experienced lettings manager and as someone who has taken training in the leisure, hotel, and licensing trade, I am aware that there are many ways in which careful, hands on management can set expectations and signal to guests the type of clients that the property is marketed towards, as well as the standards of behaviour associated with the choice of holiday.

This property will be generating five local jobs, and this large team of staff will be able to supervise the property and ensure that the environment is well cared for. They will be charged with both the interior and exterior upkeep of the property and guest management. The property is constantly supervised. We will be meeting clients and attending the property regularly and frequently to troubleshoot any issues that arise, including any concerns that local residents raise.

Online marketing is an important part of all leisure and tourism trade nowadays. We will be using our internet presence to project a classy, high quality image that will ensure that the property will be attractive to our target guests. We will also set the price appropriately high and minimum stay policies appropriately. Further, we will check and vet our guests and get testimonials prior to agreeing to a booking. This is a higher standard of security than most hotels can currently offer. Online reputation is important in today's marketing, and we will check our guests, as they will also use feedback systems to check us. We only want to attract high quality guests.

We have considerable experience with security systems, including low key 24/7 surveillance, especially through the use of CCTV on site. This will provide a high degree of traceability and accountability for our guests, and they will be aware that they are answerable for their

behaviour within the property, and in the surrounding environs. Again, this is something that is not always available within a traditional family hotel environment and will result in a higher degree of transparency and considerate behaviour.

The guests attracted to large rentals often travel from within and outside the UK to visit families, and typically spend time (and money) in holiday destinations such as Blackpool with their extended families sharing a home and cooking facilities. We have researched this market carefully and have designed the house in line with their needs. In our experience, these guests are highly rated by neighbours.

We have designed the house from the ground up to attract family guests, rather than the hens and stags that some residents are concerned about. We have thought carefully about the layout, design, and flow of the bedrooms and bathrooms with an especial eye for multi-generational family groups, as this is especially attractive to our target guests.

Our rental property accommodation is clustered, bedrooms are carefully paired, with a double bedroom, a twin bedroom and a bathroom, so a small nuclear family can stay in pairs of bedrooms with a location which is slightly off the main thoroughfare, and where they will not disturb grandparents should the children wake early. These more private area groupings, with four clusters planned around the family market, and this is reinforced through the use of two living rooms, two TV spaces, including the upstairs, quieter grown up lounge. This is a targeted design for multi-generational families, holidaying together.

We will reinforce the impression of this as a child-friendly venue by provision of child-friendly furnishings, which will be clearly visible on our advertising. We will supply plastic crockery, cots, wipe clean table cloth, and stair gates. These are strong signals that we are a family friendly venue.

The design is also carefully planned around the needs of conference guests, who often wish to have a small hub so training and reflection can continue informally after the daily session has concluded. We will be attracting these guests by the provision of business-class accommodation. We have also had enquiries from other businesses which are interested in booking this development, such as yoga retreats and charity groups.

We will reinforce this, and also provide a friendly environment for our neighbours by removing the porch adjoining land at 236 Queens Promenade and avoiding outdoor space, roof gardens, and terraces in the development. This will have a further effect of ensuring that guests concentrate their leisure time in the accommodation, or visiting further afield with positive knock on effect for the area as well as benefits for neighbouring properties.

Local architect RDJ Creative Ltd and I have re-designed this building to suit an established market, which I have four years experience in. With my track record in business I have no intention of seeking fast or short term financial returns. My goal is to establish a modern business that I am proud to own and that adds value locally to Bispham and to the Blackpool tourism industry.

To take each comment in turn, and to respond.

"The target market will be wealthy and spend high amounts of money in the region and discover Red Bank Road's desirable restaurants. May I respectfully suggest that this type of clientele would more likely book to stay in Lytham St Annes. Whilst I appreciate there are some very good quality restaurants here there are many more fast food takeaways and fish and chip shops. Not really what the 'wealthy' are looking for."

We agree that there is a slight problem with attracting the sort of guests whom Bispham deserves. That's why we want to expand the provision! The need for high class accommodation is a major barrier to the expansion of high-spend guests in Bispham and we will thus develop the area and make things better through this development.

"Presently families of 2, 3 and perhaps 6 individuals may well stay at a hotel with several other families also being in residence and from the testimonials supplied by the applicant, all have a wonderful time in excellent accommodation with friendly hosts. As families they are also very likely to communicate with other families over breakfast but would not all congregate outside the hotel (emergency situations excluded); or off the tram; or along the pavement at all times of the day and night. Each family having its own itinerary. The group numbers involved is my main concern regarding this application."

We agree with the description of how families tend to co-ordinate in holiday environments, and understand why neighbouring properties are keen for this sort of travel arrangements by guests. This is something we would like to see in our venue too. With multi-generational families, it is also highly likely. It is also very likely that conference guests will move in small groups of 2-3 individuals. We will expect our guests to move around the area considerately and respectfully.

"I am a taxi driver in Blackpool and I have had direct experience of the problems that Air BnB's create to local residents. I recently dropped off two young girls at an address on Newton Drive dressed in pyjamas"

We agree that this is an undesirable sort of guest, and it's not our target market and do not think all holiday rentals should be tarnished by a single experience. Our guests will be checked and subject to a high degree of traceability, giving significant security around the property.

We too would like to see family tourists, and especially, repeat family tourists. We believe that the presence of a property with the potential for multi-generational groups will improve the offering that Bispham has to meet these desirable tourists. We will be placing restrictions about who occupies the property and prefer guests seeking a quieter holiday break.

"I suspect the real target market is Hen and Stag Party Revellers."

We understand and share the concerns and will only accommodate visitors who behave well. Our research has shown many visitors to the area cannot currently find a large enough

high quality property for their visits. We will indeed enjoy making this a thriving holiday destination!

In conclusion, I regard this development as a highly desirable and attractive improvement, with huge potential for positive impact on the local area, the local tourism industry, and the available infrastructure. We will be creating jobs, increasing revenues, and making a lovely place which will be an asset to the local area. It is in line with the local authority planning and legislation, and it will target groups who will bring prosperity to Bispham.

NATIONAL PLANNING POLICY FRAMEWORK

The revised National Planning Policy Framework (NPPF) retains the key objective of achieving sustainable development and hence there is a presumption that planning applications proposing sustainable development will be approved. It provides advice on a range of topics and is a material planning consideration in the determination of planning applications. The parts most relevant to this application are -

- 6 - Building a strong, competitive economy
- 8 - Promoting healthy and safe communities
- 9 - Promoting sustainable transport
- 11 - Making effective use of land
- 12 - Achieving well-designed places

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 -

- CS3- Economic Development and Employment
- CS7 - Quality of Design
- CS9 - Water Management
- CS10 - Sustainable Design and Renewable and Low Carbon Energy
- CS21 - Leisure and Business Tourism
- CS23 - Managing Holiday Bed Spaces

Holiday Accommodation Supplementary Planning Document - November 2017.

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
LQ14- Extensions and alterations
BH3- Residential and visitor amenity
BH4- Public health and safety
AS1 - General Development Requirements

BLACKPOOL LOCAL PLAN PART 2: PROPOSED SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES

The Blackpool Local Plan Part 2 has been subject to an informal consultation exercise and will be subject to formal consultation later this year. At this point in time limited weight can be attached to the proposed policies.

The policies in Part 2 that are most relevant to this application are -

DM17 -Extensions and Alterations
DM39 - Transport Requirements for New Development

ASSESSMENT

Principle of Use - the application property forms part of a stretch of Queens Promenade directly to the north and south of Red Bank Road which is protected for holiday use under the Council's Holiday Accommodation Supplementary Planning Document (SPD) and where investment and upgrading of the accommodation is encouraged. This is re-inforced by Policies CS21 and CS23 of the Core Strategy.

The application property was taken over sometime around 2016 and partly renovated, the then managers obtained planning permission for a restaurant/ cafe under planning reference 16/0469 in order to supplement the hotel business. Unfortunately there were enforcement issues arising from the running of the hotel at this time and by 2018 the management changed hands again. The current application represents a further opportunity at investment and up-grading the property, and whilst the management model of a single large holiday let may be fairly new to Blackpool it operates successfully in many other locations catering for a range of clientele including extended family groups and business groups. The management of the property is however a key matter and it is suggested that any approval is conditioned to the implementation and operation of the submitted management statement. The proposal represents an appropriate use of the property and will add to the range of quality visitor accommodation available within the town. Accordingly there are no objections to the application in principle.

Impact on Residential Amenity - the capacity of the property is actually reducing by approximately half from 16 to eight bedrooms which may reduce the potential impact below what it was when in use as a hotel. It is not accepted that just because the proposal involves a single holiday let that the business will be aimed at a stag and hen clientele any more than a corresponding hotel also undergoing substantial refurbishment and investment would be aimed at a similar clientele, Any approval will be conditioned to the management

statement submitted with the application, which incorporates a management plan, and appended to this report. Incidentally there were recorded residential amenity issues arising from the management of the hotel around 2016 prior to the hotel reverting back to the North Grange Hotel. It is clearly in the applicant's interests to properly manage the property given the level of investment involved.

Highway Safety and Car Parking - the frontage of the building has capacity for approximately six vehicles although this involves tandem parking with one car blocking in another, this type of arrangement can be seen outside most hotels on the Promenade with off street parking. There are a further three spaces available to the rear, so effectively the proposal would provide one parking per bedroom. The detailed parking layout, in accordance with the comments of the Head of Highways and Traffic Management, will be dealt with as a condition on any approval.

Other Issues - the front elevation of the property will be transformed with a re-rendering and installation of large centrally positioned picture windows at first, second and third floor levels. The third floor window will extend up into the gable and include a Juliette balcony. This is reflective of the applicant's business ambitions for the proposal and will give a quality contemporary appearance to the property.

CONCLUSION

The application property forms part of Queens Promenade within Bispham which is protected as holiday accommodation where investment in up-graded visitor accommodation is actively encouraged. The proposal represents such investment and as such is supported. There is no evidence of the worst fears of some of the objectors relating to up to 16 youths booking the accommodation, unsupervised resulting in anti-social behaviour and associated problems. Holiday accommodation, across the UK and abroad, where owners do not live on site is commonplace and with adequate management in place there are no amenity issues for the neighbourhood. There is nothing to suggest this will not be the case here.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

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) 19/0132 which can be accessed via the link below:

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

Recommended Decision: Grant Permission

Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority including the following plans:

Drawings numbered B/19/46/01, B/19/46/02, B/19/46/03

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 the car parking provision shall be laid out and made available for use in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority. This provision 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.

4. The accommodation hereby approved shall not be occupied until all of the external alterations and the internal layouts and arrangements have been provided in accordance with the plans hereby approved. The layout of the accommodation and arrangements hereby approved shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the accommodation accords with the Council's approved Supplementary Planning Document to provide quality visitor accommodation and to improve the external appearance of the property in accordance with Policies LQ1, LQ14 and BH3 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS21 and CS23 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. The approved use as managed holiday accommodation shall solely be used for this purpose in accordance with the submitted Management Plan; and shall not be used at any time for permanent residential occupation.

Reason: The accommodation shown on the approved plans is unsuitable for permanent residential use, is located within one of the protected holiday accommodation areas and to safeguard the amenity of adjoining residents in accordance with Policies BH3, BH4 and HN5 of the Blackpool Plan 2001-2016, Policies CS7, CS21 and CS23 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, the Holiday Accommodation Supplementary Planning Document and the New Homes from Old Places Supplementary Planning Document.

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.

Management Statement: Conversion Proposal for 238 Queens Parade

Vision

Our vision for 238 Queens Parade is to create a superb holiday property designed around the aspirations of family and business travellers, who are seeking high end accommodation in the Blackpool region.

We anticipate making 238 Queens Parade a destination venue, with a high level of repeat custom, year-round occupancy, and affluent guest list, due to the luxury and aspirational nature of the project. We want to create a light, airy, and spacious environment offering generous and beautiful self-catering accommodation for groups of guests, accommodating six to 16 guests with exclusive use of the property, while they check in to stay with us for periods of two nights to three weeks, while exploring the local area.

We will attract clientele who are looking to spend quality time together in the Blackpool area, enjoying the local leisure and tourism facilities, the views of the Irish Sea, and the cultural amenities on their doorstep. We anticipate guests will visit the promenade, Blackpool tower, illuminations, pleasure beach, local events, shows, piers, and use the tram lines, or accommodate those who are spending time in the region for conference and business travel.

We will achieve this with a complete refurbishment and redesign of the property. We propose to create an aspirational and luxury sense throughout the entire building, maximising the light and design of the original building with generous rooms and high class fittings. In particular, we will create a large storm porch, increase bedroom sizes from an average of 9m² to 18m², create a double height mezzanine dining area with an open-plan kitchen, add a library room and a champagne lounge with a vaulted ceiling, skylights, views of the Irish sea housing a collection of single pod chairs, all of which face towards the sea. Bathrooms will be completely redesigned throughout the property, to become spacious and glamorous, with high class worktops, stools, and vanity areas integral to the redesigned space. The entire property will be spacious, luxurious and aspirational.

Company and Personnel

Northern Nights Ltd has been trading since 2014 and was incorporated in January 2018. It is part of a portfolio of businesses owned by Sophie Macaskill and managed by Alan Bellwood. Both are local to the region, with Sophie living in Cleveleys and Alan in Blackpool. We have included a list of previous clients and testimonials in this proposal as an appendix.

Sophie Macaskill

Sophie is a professional landlord with considerable experience of renovation and management of accommodation. She has been an investor in the property market since 2001, and currently owns a high specification, well managed portfolio of properties, with a network of clients and contacts throughout the region. Her Manchester business, Loaf Living, has over 100 student tenants and three employees. She has four years' experience of running holiday accommodation. She has had a personal license for the sale of alcohol since 2017. She has been a member of the National Landlords Association since 2005, Federation for Small Business since 2012 and is a registered data protection officer for the ICO Register for GDPR compliance. She is also a member of the Government approved Tenancy Deposit Scheme. Her reputation has been built through high standards and a professional approach towards her stakeholders.

Alan Bellwood

Alan has a strong hospitality background, including working for the McCoy Brothers at the Tontine, a Michelin Star, and Egon Ronay, in a variety of front of house duties for over ten years. He has worked with Sophie since 2014. Prior to that, he worked with Marketing Manchester as part of the Commonwealth Games of 2002, ETOA, IGTLA, MIPIM, and the North West Tourism Awards Gala Dinner.

Bringing new tourist business to the area

We anticipate that, when refurbished and under our management, 238 Queens Parade will attract new clients and different demographics to the existing accommodation offerings available within Blackpool. This will result in new visitors to the area and help drive expansion in tourism business.

Our research suggests that there is plenty of local hotel and B&B accommodation, especially during the quiet months of the winter. However, we have uncovered a demand for self catering luxury accommodation, especially for large groups, who currently cannot always find quality rental properties, especially offering sea views.

Northern Nights is popular with the Chinese market, where families who are travelling to visit relatives in the UK often seek large self-catering houses for short term rental and spend large amounts of money on high class accommodation. We will use the automatic translation facilities available from AirBnB to ensure that booking from abroad is easy and we may employ a Mandarin speakers if this area grows. We have also sought advice from a Chinese Accommodation Advisor about how best to communicate with Chinese visitors and have included a Mandarin welcome notice in our properties to help expand our offering to this market.

We are also keen to drive showbusiness/theatre and media clients. These guests are especially attracted by the quality of fixtures and fittings which our properties are renowned for. We have had our properties used for photo shoots by magazines and hosted a variety of television performers in the past and we anticipate expanding this aspect of the business.

Conference travellers are a core part of our target market. We have considerable experience of providing accommodation for corporate clients. Our reputation with both organisers and delegates to conferences and training events will ensure that repeat business provides business generation in quieter times of the year.

We project that 238 Queens Parade will have a high level of occupancy, as our clients are likely to visit across the entire year. Our holiday business had an occupancy rate of 70% and we anticipate that the demand for these facilities will be strong, even in the winter months.

This target market are likely to be wealthy and spend high amounts of money during their visit to the region and discover the Bispham high street upon arrival, with it's desirable restaurants and growing cafe culture. They will be attracted to the area by the luxury accommodation and spend highly on a range of attractions, with the convenient travel connections.

Supporting local businesses and creating local employment opportunities

We will work with a network of local businesses to ensure that our properties are well managed and to encourage commerce in the region. We will also generate new jobs on a variety of family-friendly hours.

We will work with local florists to ensure that the property has a constant supply of fresh flowers in the reception areas. We will employ local security, building, and gardening professionals to help

manage the property on an outsourced basis. We will supply guests with details of local catering companies and restaurants to encourage them to sample local cuisine and spend money in the Blackpool Chamber of Commerce group.

We will also employ a team of cleaners and property hosts. We anticipate creating 5 jobs on part time basis to ensure that clients have a fantastic welcome to the property. We are looking to create a fabulous guest experience, so employees will be trained in ensuring excellent customer service which goes beyond the basics and emanates luxury.

Management of the property

In managing the property, we will pay especial attention to issues of noise, alcohol, and security. There are currently six to nine private parking spaces, thus providing plenty off-road parking for guests. The property is well networked, with a nearby tram and bus stop at Bispham, which is likely to be a major pull for many guests. London and international guests will be especially attracted by the transport links, with Euston train arriving in central Blackpool in sub three hours. We will further encourage the use of public transport through provision of information and signposting of services throughout the Fylde Coastline. Prior to arrival guests receive a full welcome pack (PDF in email format) from us full of information relating to their stay.

Upon check in, from 3pm on their arrival day, guests will be greeted and given an induction to show them how the heating, appliances, and technology work. We will use this encounter to establish expectations during their stay, as well as promote local restaurants and attractions through personal recommendation, based upon their preferences. We encourage guests to use the large storm porch to leave luggage, buggies and outdoor gear while we welcome them and prior to them choosing bedrooms. This allows us to welcome them in the beach room with less distractions. In the event of an early bag drop (or late bag collection), there is an allocated area for luggage on the ground floor in our large store cupboard. Tea, coffee and biscuits are ready for guests in the accommodation for their immediate needs upon arrival.

We will be renting high quality accommodation and require our guests to behave well within it. Guests with bad or neutral feedback from other AirBnB hosts will have their booking requests rejected. Guests with zero feedback will be politely quizzed prior to booking about the purpose of their trip and the members of the group, to ensure their expectations meet ours and the booking will go smoothly. We have found managing client expectations is of premier importance in establishing a positive guest experience. We also realise the importance of hands-on management and having a nose for trouble. This message of behaving respectfully is constantly reinforced, through initial advertisement on AirBnB, the welcome information received ahead of stay, our arrival text messages, our greeting at the property, the layouts and design of the building, We will enforce our good behaviour policies through CCTV in communal and entrance areas. We have a zero-tolerance policy towards drugs and illegal activities. We have a 24/7 phonenumber to troubleshoot issues.

Upon exiting the property 11am usually (or 12noon on Sundays and holiday days), guests are required to hang their three sets of keys to their wall location and we request that washing up is complete. Our cleaning team then enter to service the accommodation.

Booking will be predominately be done through the AirBnB system, which provides an excellent level of traceability and accountability. We have considerable experience of AirBnB, having been hosts on their system since 2014 with over 300 visitors and being awarded Super Host status. Staff will not be involved in any cash payments as this is done automatically and includes a deposit payment held against a payment card (thus enforcing good behaviour), a cleaning fee, and a service fee to AirBnB.

Prior to booking, we can also assess the reviews and feedback about proposed guests to ensure that their testimonials are attractive. As well as the standard AirBnB rules we will enforce our own additional house rules. Currently these include:

1. Parking in the allocated areas, careful not to block pathways
2. No additional overnight guests above number of guests booked
3. All guests are under supervision of the person who booked the accommodation
4. Always maintain house security, locking ground floor doors and close all windows and doors by 10pm
5. Respectful noise levels after 11pm inside and outside property
6. No smoking in the property, smoking in allocated outdoor zone only
7. No additional speakers or sound equipment on property
8. Zero tolerance on illegal drugs
9. Check out at 11am, or 12 noon on Sundays + bank holidays.
10. Treat the property respectfully

During their stay guests will be encouraged to recycle and we will do this through clear use of bins for the purpose. We have a high expectation for recycling within our business and will be passing this on to our guests. Our cleaning team will work to support the guests with recycling to ensure a high rate of success.

Appendices

Previous clients

- ITV, multiple stays for their iceskating cast (Dancing on Ice Professional Partners)
- Freddie's Flowers, booked for preparing flowers at conferences
- Musicians in Blood Brothers, stayed while performing in Manchester
- Knitting Magazine, rented accommodation for interesting photo shoots, based upon our unique design specification
- Co-operative Bank, booked accommodation for training new staff
- Chinese tourist board, booked our accommodation to run the Terracotta Army exhibit.
- Icelandic ladies rollerskating team, stayed with us while completing

Testimonials

Jon

Ideal location for our working project in the area Sophie is a great host with good communications The house is situated close (2 mins walk) to supermarkets pubs and takeaways There is everything we needed as a group in the house Would stay again when in the areaThanks Jon and the lads

Arnold

This is an amazing place to stay. the house is so great, closer to major things, very beautiful. we had a brilliant time at this house, you wont regret it

Alana

Sophie's place is fantastic. We were a group of 6 attending a conference and the house was very spacious and comfortable for all of us - the separate sink, shower and toilet made getting ready in the morning very easy.

Alex

We loved Sophie's place :) it felt warm and emanated love. Sophie was really easy, efficient, and great to communicate with. The interior design was especially nice, and well put together, making it a very nice space to enjoy with friends and family. The house was well stocked and very comfortable. We also enjoyed a few laughs with the neighbours. It was a very lovely experience, i would highly recommend, and would certainly stay again. Thank you Sophie :)

Frederik

very clean, Sophie was very friendly. Big house, lots of space to chill.

Jamie

Fantastic place to stay and a great host! Would highly recommend.

Ryan

Stayed here comfortably for 11 nights. Everything we ever needed was there. Sophie is lovely and made sure our needs were satisfied. Thank you.

Dave

Great place with everything you need at a fantastic location.

Jean-Carlos

Sophie's place was amazing love the house, very cozy! Reasonable price. She's also very quick to respond with text messages which is always good. Modern home.

Emma

Great place so comfy and spacious and light and in a top location

Elizabeth

Sophie's place was absolutely perfect for our group. Perfectly central to everything and the bus was really close if you wanted to go further. The apartment had everything to make our stay comfortable and all communication with Sophie was very easy if we did need anything. I definitely recommend this place.

Pamela

Perfect location, so central with restaurant, shops & station all within walking distance. Very comfortable and quiet apartment with plenty space to unwind in. Definitely recommend.

William

Great location and setup. Communication and local information excellent. Would recommend.

Paul

a great space to work from during the day with a couple of colleagues. From details like freshly cut flowers to the milk in the fridge the place had a real boutique hotel feel. amazing bath tub and separate shower in the main bathroom. Great place and Sophie was very responsive and helpful. i wouldn't look elsewhere in manchester - bed was very comfortable too so all the essential boxes ticked, which is a rare thing.

Kate

Fantastic stay - we stayed here for a group business trip and would definitely recomend staying here. Hope to stay again in the future!

Jan

Great space for 7 adults and 2 children. The place was well kept with all the essential item. Great view. The children loves and room and also the tidbits provided.

Eloise

Stylish spacious clean home. Wonderful host and private place to stay. Really overall enjoyed it and will definatly stay again.

Mieke

It was our second time here, and again we loved it very much! Great location, wonderful penthouse and a magnificent host. Thanks Sophie!

Jo

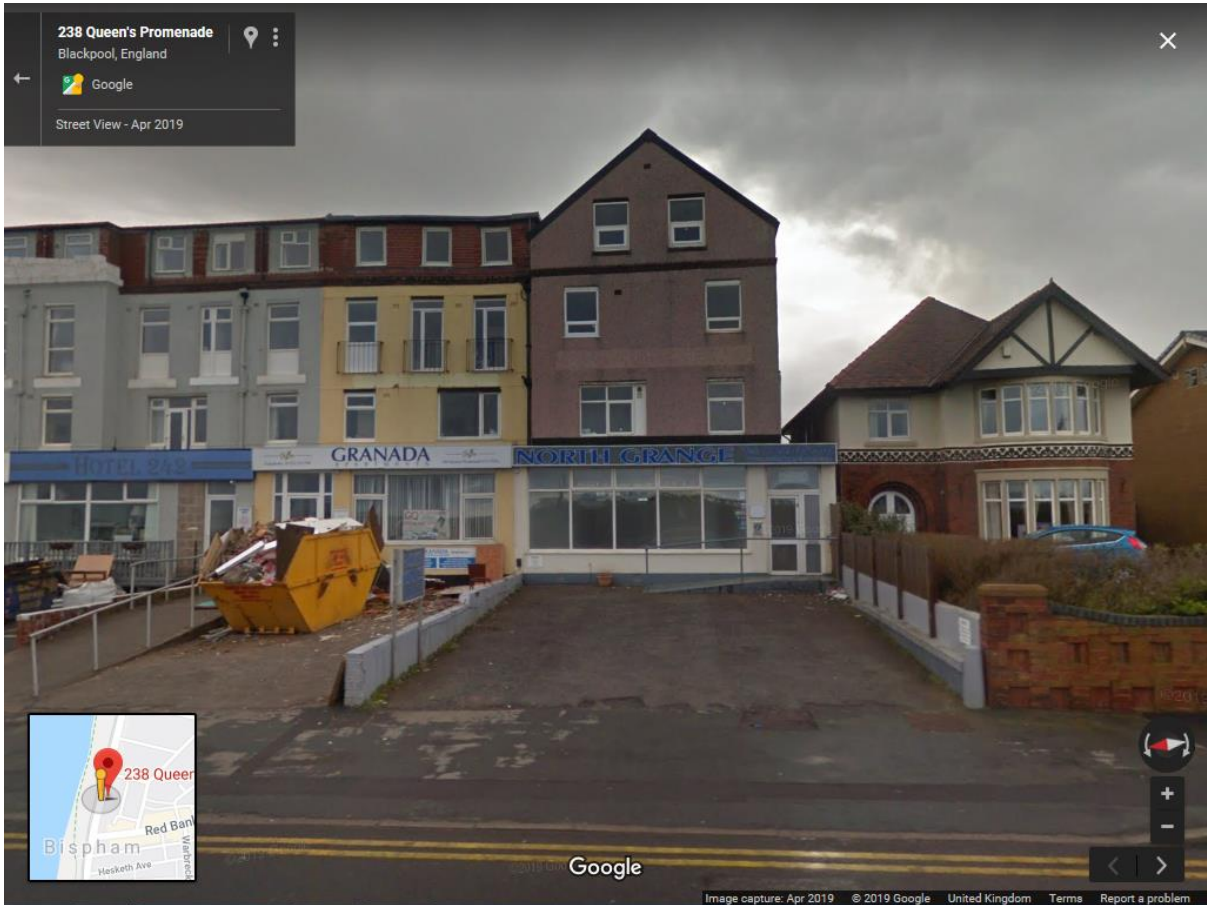
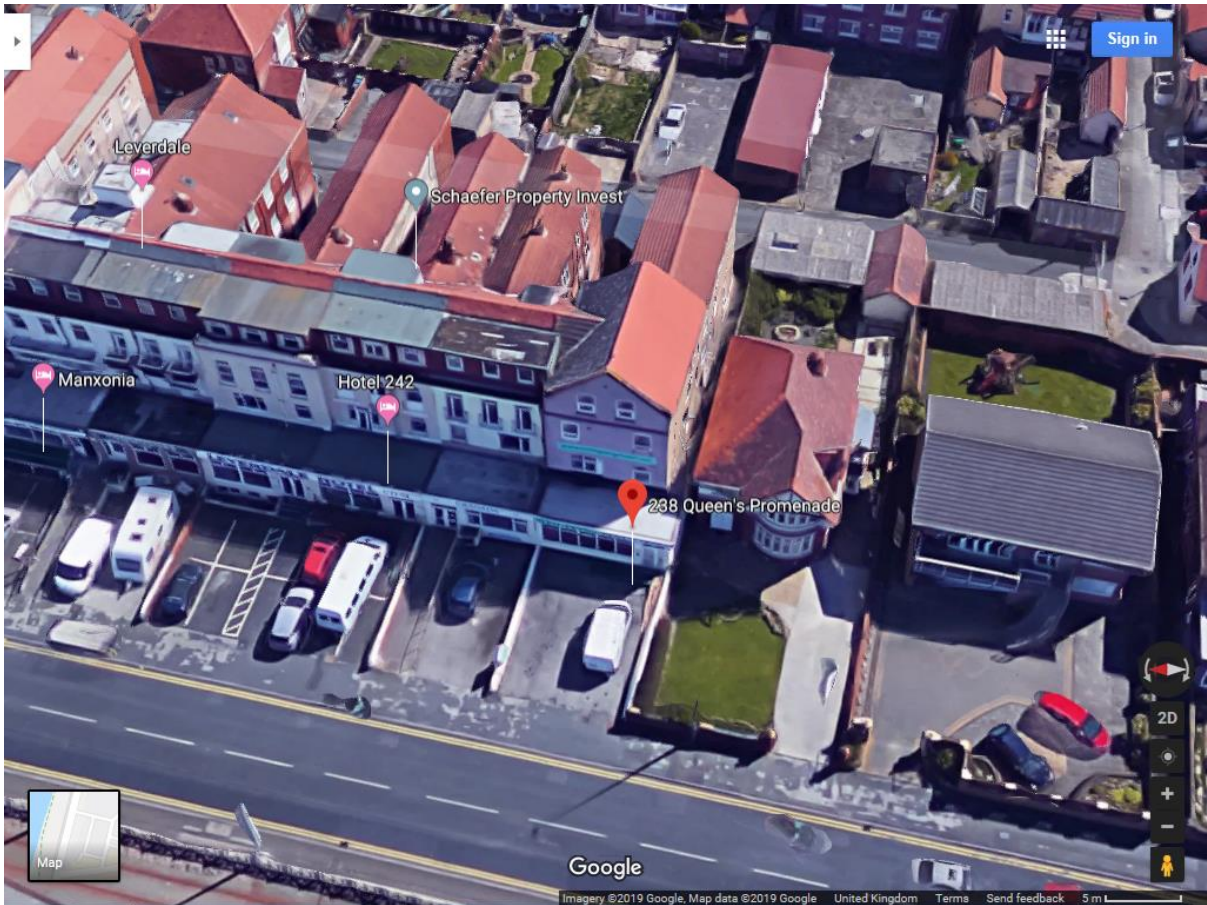
This place is perfect - great location and looks as good as the pictures. What you can't see in the pictures is how well equipped it is - several hair dryers, plenty of towels, pillows etc, usb chargers, i-docks. If we needed it, it was there. And it really is beautiful, so stylish and spacious- the fresh flowers and welcome prosecco made our trip feel so luxurious. I can't recommend enough.

Location plan
SITE LOCATION PLAN
AREA 2 HA
SCALE 1:1250 on A4
CENTRE COORDINATES: 330868, 439865



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COMMITTEE DATE: 04/06/2019

Application Reference: 19/0144

WARD: Clifton

DATE REGISTERED: 07/03/19

LOCAL PLAN ALLOCATION: Protection of Public Open Space

APPLICATION TYPE: Full Planning Permission

APPLICANT: Blackpool Council

PROPOSAL: Erection of residential development comprising 75 dwellings (56 houses and 19 flats) in two and three storeys, with associated landscaping, public realm and highway works.

LOCATION: LAND AT TROUTBECK CRESCENT BLACKPOOL FY4 4SX

Summary of Recommendation: Grant Permission

CASE OFFICER

Pippa Greenway

BLACKPOOL COUNCIL PLAN 2015 -2020

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

SUMMARY OF RECOMMENDATION

Part of the site constitutes 5 three storey blocks of derelict flats, now considered unfit for purpose, which do not make a positive contribution to the character or appearance of the wider area. Residential redevelopment on this part of the site is therefore considered to be acceptable, despite the restrictions set out under Policy CS6 of the Core Strategy, in order to improve the appearance of the site and the quality of the open area and in order to secure housing provision designed to meet a need for identified, affordable housing for rent. As set out in the report, the scheme is judged to constitute sustainable development.

As the proposal is a major application and a departure from the Development Plan (in part, as it proposes loss of some of public open space) and the recommendation is for approval, it has been assessed under The Town and Country Planning (Consultation) (England) Direction 2019. The conclusion is that there is no requirement to consult the Secretary of State on the scheme.

On this basis, Members are recommended to grant planning permission subject to the conditions listed below.

INTRODUCTION

The Mereside estate is situated approximately 4 miles south-east of Blackpool Town Centre, bound by Preston New Road to the east and Clifton Road to the south. Mereside is Blackpool's second largest residential estate and is comprised predominantly of family accommodation, alongside a smaller number of flats and bungalows. There are numerous areas of green space across the estate, and Little Marton Windmill north of the application site is a key gateway feature into Blackpool along Preston New Road. Troutbeck Crescent currently consists of 81 residential units across five three-storey blocks. Blackpool Council retains the freehold title for the land whilst the properties and associated social rented tenancies are managed on its behalf by Blackpool Coastal Housing (BCH). Four of the flats are currently under individual leasehold ownership.

The aim of the project is, following demolition of the existing 81 flats (prior approval granted 18/0817), to replace them with a scheme of new build, affordable rent homes. The redevelopment addresses the continuing unpopularity of the existing flats by Council tenants and seeks to improve the condition and quality of the accommodation available for social rent in the Borough. The predominance of family sized two and three bedroomed properties within the scheme responds to an identified need for affordable housing of this type. Mereside is considered to be an appropriate location for this development due to it already being characterised by housing of this size and tenure.

The overall objectives of this development are to:

1. Address the need for more high quality affordable housing in Blackpool;
2. Deliver a development which is sustainable in the long term;
3. Provide an attractive environment that integrates with the surrounding suburban area of Mereside and the Whyndyke Farm development creating an inviting gateway into Blackpool;
4. Promote a strong community by helping existing residents remain in the area, providing a mix of housing types to meet the needs of households with different incomes, provide opportunities for surrounding residents to give their views and engage in the redevelopment process and balance working people and people with the greatest housing needs in letting the new homes;
5. Make good use of financial resources by delivering a cost effective development that can be funded from rents received at the development over the next 35 years; and
6. Support the local economy by maximising the use of locally-based building contractors and local labour and by providing training opportunities to young people in the area.

The proposed development has been the subject of detailed discussions between the applicant and their design team to ensure the proposed development meets the identified need for housing in this location. The scheme has also been the subject of pre-application discussions with the Local Planning Authority last October and December, and public consultations in November 2018 and January 2019. The conclusions of these meetings have

been taken on board in preparing the final design proposals and supporting submission documents.

SITE DESCRIPTION

The application site (approximately 2.3 hectares) is bound to the east by Preston New Road and to the south by Clifton Road, within the Mereside area of Blackpool and approximately 4 miles to the south-east of the town centre. The site currently comprises 81 residential units, consisting of 50 one-bed flats and 31 bedsits. The residential units are divided across five blocks, four 'T' shaped blocks and one linear block, with a communal garden to the rear. There is a vegetated area between Troutbeck Crescent and Preston New Road to the east and Clifton Road to the south, which is currently designated as Public Open Space. The residential units are primarily let by Blackpool Coastal Housing Association, although a small number are under individual leaseholds.

Troutbeck Crescent runs directly through the site in a semi-circular route, linking up on both sides to Langdale Road to the west. Across Langdale Road is existing residential development within Mereside, primarily terraced and semi-detached properties. To the south are employment and retail uses, including a Tesco Superstore, Matalan and Glasdon UK Limited headquarters. To the east, on the opposite side of Preston New Road is the Whyndyke Garden Village site (reference: 11/0314), which has outline planning approval for a mix of residential and employment uses alongside a primary school, two local neighbourhood centres, an A4 drinking establishment, D1 health centre and D1 community building; and to the north of this is The Harbour, a mental health hospital.

DETAILS OF PROPOSAL

The proposal is for the construction of 75 terraced properties, accessible units and flats for affordable rent, with highway, landscaping and public realm works. The application is accompanied by:

- Planning Statement
- Design and Access Statement
- Proposed Surface Water Drainage Scheme
- Ecological Statement
- Noise Impact Assessment
- Tree Survey
- Flood Risk Assessment
- Lighting Assessment
- Land Contamination Assessment

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle
- Loss of Public Open Space
- Housing Density and Mix

- Design
- Amenity
- Highway Safety and Parking

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

CONSULTATIONS

Built Heritage Manager:

Provided the additional housing is screened with trees as indicated, the development is unlikely to exacerbate the impact on the setting of Little Marton Mill created by the existing housing in the vicinity, so I have no objection to the development.

Blackpool Civic Trust:

No objections.

Lancashire Archaeological Advisory Service:

The proposed development site lies adjacent to an area of considerable archaeological interest, with known prehistory and peat basins. However Google Street view shows the development site has been planted with trees, which would suggest it has been sufficiently disturbed, making it improbable that significant archaeological remains will survive in situ. We therefore would not recommend any formal archaeological conditions be attached to any permissions.

Head of Highways and Traffic Management:

I have no objection in principle to the development or the site layout proposed. The waste collection routes may require tight turns on feature paving at junctions. This needs further assessment since it could materially reduce the life of the paving or dictate the use of more robust materials. Materials and specification are a matter of concern on any development where there are highways to be adopted or works to adopted highways. Equally we recognise the architect's desire to integrate the highway's appearance into the general appearance of the development as much as possible. In order to achieve the optimum design, from both points of view, it would be necessary to research further the options for footway and carriageway materials and the details of junction designs. There may also be swept path issues to resolve. Accordingly I would request that, notwithstanding the details for highway and other infrastructure currently submitted, a detailed infrastructure scheme is required by condition.

The parking provision included in the scheme is considered to be proportionate to the likely demand. Household sizes are not likely to be large and car ownership per household is not expected to exceed the level of provision. In the event that car ownership increases in future years among tenants the landlord has the opportunity to manage lettings in such a way as to match parking supply and demand sufficiently for this not to become a problem. There is no obvious purpose in requiring a travel plan for this proposal. The site is reasonably accessible and well served by public transport.

Head of Coastal and Environmental Partnership Investment (Drainage Officer):

I have no issue with the foul drainage proposal. The surface water drainage scheme is identified on the drawing as for planning purposes. Essentially I would look for a scheme that better addresses the draft national standards and the anticipated mandatory standards, specifically in relation to SuDS NS5 and SuDS NS7. I would also expect to see the system incorporating means of delaying flow to the pipe and tank system and initial filtration of first run-off. Notwithstanding what has been submitted I would request that a surface water drainage scheme is conditioned compliant with the Draft National Standard and Specified Criteria for Sustainable Drainage (DEFRA 2014) or any subsequent amendment of national guidance or requirements. I have in mind that the mandatory standard may well be published prior to discharge of the condition.

Waste Services Manager:

The waste operator is happy with the reverse distances, if turning heads are not to be provided in the culs de sac. The reverse manoeuvres are feasible subject to the detailed design of the junctions, which will be subject to a highways agreement.

Service Manager Public Protection (Contaminated Land):

There is no significant likelihood of contamination being present. I agree with the submitted gas protection measures based on the Carbon Dioxide readings. A report of the installation will need to be provided, and I would like to be on site to see those works in progress. No further investigation is required for land contamination as it falls below the criteria.

Police - Secured by Design:

The Crime Impact Statement takes into account local crime figures and incidents reported to the police and community knowledge gathered from local policing teams. It is with this knowledge and policing experience that the recommendations made are site specific, appropriate and realistic to the potential threat posed from crime and anti-social behaviour in the immediate area of the development. During the period 1st November 2017 - 31st October 2018, a high number of crimes were recorded within the Police incident location that encapsulates the proposed development, such as burglary, thefts from vehicles, stealing of vehicles, assaults, criminal damage and theft from the person. Therefore, I would strongly advocate that crime reduction measures are incorporated into the final design - a list of measures is suggested for incorporation into the design. The rationale is to keep people safe and feeling safe by reducing crime and anti-social behaviour across Lancashire.

United Utilities:

Recommends conditions for both surface and foul water.

Head of Leisure, Catering Services and Illuminations:

We do not feel that new play provision is required at Troutbeck due to the proximity to the existing play area off Bowness Avenue. The play offer here is currently receiving improvements through the Better Start Parks and Open Spaces development programme. Any additional future funding for play in Mereside area would best complement this, rather than create isolated new areas.

Blackpool Airport:

Requires an aerodrome safeguarding condition to be imposed.

NATS:

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

Education - Property and Development Officer:

Under the Education methodology for infrastructure contributions that is currently being revised, a calculation has been developed that will be used to assess the impact a development will have in a school planning area. This is utilised when an assessment has taken place which uses the forecasted pupil projections to ascertain if the development will cause a shortfall of places in that school planning area. It relates to primary schools within a 2 mile radius and secondary schools within a 3 mile radius.

As this development consists of 32 two bed and 20 three bed dwelling the calculation would yield approximately 16 places required. Following an assessment of the number of pupils this development could bring to the schools within the specified area and the current availability of spaces in this area, the number of pupils could be accommodated within the schools in this area. On this basis the Local Authority as Education Authority would not request a developer contribution.

Head of Property and Asset Management:

No comments have been received at the time of preparing this report. Any comments received before the Committee meeting will be reported in the update note.

Service Manager Public Protection:

No comments have been received at the time of preparing this report. Any comments received before the Committee meeting will be reported in the update note.

Electricity North West Ltd:

No comments have been received at the time of preparing this report. Any comments received before the Committee meeting will be reported in the update note.

PUBLICITY AND REPRESENTATIONS

Press notice published: 14 March 2019

Site notice displayed: 12 March 2019

Neighbours notified: 8 March 2019

The proposal was advertised as a Departure from the Development Plan. No representations have been received at the time of preparing this report. Any comments received before the Committee meeting will be reported in the update note.

NATIONAL PLANNING POLICY FRAMEWORK

The revised National Planning Policy Framework (NPPF) retains the key objective of achieving sustainable development and hence there is a presumption that planning applications proposing sustainable development will be approved. It provides advice on a range of topics and is a material planning consideration in the determination of planning applications. The parts most relevant to this application are:

Chapter 5: delivering a sufficient supply of homes.
Chapter 8: promoting healthy and safe communities.
Chapter 11: making effective use of land.
Chapter 12: achieving well-designed places.
Chapter 15: Conserving and enhancing the natural environment.

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
CS6: Green Infrastructure
CS7: Quality of Design
CS12: Sustainable Neighbourhoods
CS13: Housing Mix, Density and Standards
CS25: South Blackpool Housing Growth

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.

LQ1 Lifting the Quality of Design
LQ2 Site Context
LQ3 Layout of Streets and Places
LQ4 Building Design
LQ5 Public Realm Design
HN4 Windfall Sites
BH3 Residential and Visitor Amenity
BH5 Protection of Public Open Space
BH10 Open Space in New Housing Developments
AS1 General Development Requirements
AS3 Provision for Walking and Cycling
AS7 Aerodrome Safeguarding

BLACKPOOL LOCAL PLAN PART 2: PROPOSED SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES

The Blackpool Local Plan Part 2 has been subject to an informal consultation exercise and will be subject to formal consultation later this year. At this point in time limited weight can be attached to the proposed policies. The policies in Part 2 that are most relevant to this application are:

DM2: Housing for Older People

DM5: Design Requirements for New Build Housing Developments

DM20: Landscaping

DM21: Public Health and Safety

DM25: Public Art

DM36: Community Facilities

DM39: Transport requirements for new development

ASSESSMENT

Principle

The aim of the project is to redevelop the site for new build, affordable rental homes, primarily for family dwellings, although a proportion of the development has also been designed for apartment use and as accessible units for the elderly and those with specific health requirements. The overriding aim of the NPPF in regards to housing is to significantly increase the supply of homes through the provision of a sufficient amount and variety of land which can come forward where needed to address the needs of groups with specific housing requirements. In-line with the brownfield focus set out within the NPPF, the priority in Blackpool is to support regeneration and economic growth and one way in which to enable this is to direct new housing development to the established urban area and within outer estate priority neighbourhoods, such as Mereside, where the application site is located. The development of the application site would make a notable contribution towards meeting an identified housing need in Blackpool for modern homes which are available at an affordable rent. The current housing on site is considered undesirable to modern day tenants due its restricted size and age. The site is partially brownfield and where areas of public open space are to be developed upon appropriate compensatory provision is proposed.

Under Policy CS12 of the Core Strategy, within the outer estate priority neighbourhoods, support will be given to opportunities for selective intervention to improve the quality and mix of existing housing stock. The existing housing stock on site is undesirable due to its age and size. The proposed development would improve the quality and mix of dwellings on site by providing some modern apartment units, alongside more family home style dwellings and accessible units. This would help to create a more balanced community, which fits alongside the existing residences within Mereside.

Blackpool currently has a five-year housing land supply from 2015 to 2020 of exactly five years. It is considered that redevelopment of the site with modern, affordable rent

residential scheme, would be a beneficial addition to the available housing stock within Blackpool. The scheme will provide 100% affordable units. The net loss of six apartments is immaterial given Blackpool's current housing supply and the overwhelming benefits of the scheme. There are no concerns over the deliverability of this development, as the Council is the engine for development of this scheme. As such, the principle of redeveloping the site for housing is considered appropriate.

Loss of Public Open Space

Land to the east side of Troutbeck Crescent, including part of the area proposed for development, is designated as Public Open Space and further defined as 'amenity green space' associated with Preston New Road, described as containing grassed areas with shrubs/trees and pathways, within Blackpool's Open Space, Sport and Recreation Audit and Position Statement of 2014.

In terms of Policy BH5 of the Local Plan which sets out the criteria for appropriate development within areas of Public Open Space the following is of relevance:

Criterion a) requires the proposal to support existing sport or recreational uses, or to provide facilities for new sports or recreational uses. The land is overgrown, with vegetation, shrubs and trees growing without constraint, and there is a lack of controlled or long-term maintenance taking place. The area of public open space as existing is not capable of supporting any sport or active recreational uses and there would be no loss of sport or recreational facilities. The area of open space within the proposed development would not be suitable for formal sports use, as it is not of the size or configuration required. In addition, Mereside Park lies to the west of the application site and has the facilities available to accommodate these uses if required by future occupiers. Notwithstanding this, the proposed area of open space would provide opportunities for informal recreational use, such as walking and cycling, with multiple pathways connecting outside of the site to attract users. Grassy areas would also be available as informal play space, which would be well drained and have appropriate lighting. Provision would also be made for pathways to be constructed to a specification which allows everyone to have suitable access.

The Head of Leisure, Catering Services and Illuminations has confirmed that he does not require a new children's play area to be included within the development proposals for Troutbeck Crescent, due to the close proximity of existing play area facilities off Bowness Avenue. This existing play area is currently receiving improvements through the Better Start Parks and Open Spaces development programme and the Parks department has advised that any future funding/provision of children's play facilities in Mereside would be most appropriate where it complements this existing provision, rather than creating new isolated areas. As such, the type of open space provision proposed is considered appropriate and will facilitate modest informal recreational use and has taken into consideration the needs of the local area. Criterion (a) is therefore satisfied.

Criterion (b) requires new development to be incorporated sensitively into its surroundings, maintaining or enhancing the character of the open space. The area designated as open space is currently of very poor character, being overgrown and poorly maintained. The

opportunity is therefore available for substantial improvement to its character. Although the proposed built development will primarily be located upon the footprint of the existing flats, additional dwellings have been proposed within part of the area currently designated as public open space. The wider area consists predominantly of built development associated with the residential estate and nearby commercial and industrial uses but does include better maintained areas of open space. The proposals reflect a clear extension of the Mereside estate into the existing public open space. It is considered that the replacement open space is of improved quality resulting in an overall improvement in character and visual amenity. New pathways, planting and areas of green space would be provided and maintained appropriately in the long term to ensure their continued use.

The existing public open space on site is maintained twice yearly, during which the grass is cut. Should this development be approved, the scheme of maintenance for the amenity green space would include fortnightly visits from mid-March to the end of October to include litter picking, mowing, amenity / edge strim, shrub bed maintenance and brushing of tarmac paths; and from the end of October through to mid-March the programme of works would include trimming shrub beds, tree works and general tidying. The proposals represent an improvement in the quality of open space with management in place to ensure its longevity and facilitate informal recreational use.

Whyndyke Garden Village, a significant major mixed use scheme, has been approved on the opposite side of Preston New Road, creating an urban extension to Blackpool by introducing new dwellings, employment use, a local centre, school and substantial areas of open space. The open space proposed within the current application would be of a quality in keeping with this neighbouring development, which together would create an inviting gateway to Blackpool from the motorway. The proposed open space within the Troutbeck Crescent scheme would be accessible to all and provide useful and useable links between the site and the wider area. All of the properties proposed within the scheme include private outdoor amenity space, by way of gardens or terraces, which will add to the overall character of the area. Criterion (b) is therefore also satisfied.

Criterion c) requires provision of a replacement area of open space that is at least as accessible to current and potential users, and is at least equivalent in terms of size, usefulness, attractiveness and quality. The total area of public open space within the site as existing is 1.52ha. It is proposed that an area extending to 0.68ha of this will be developed upon, resulting in a proposed area of public open space of 0.84ha. This is a reduction in the level of public open space when compared against existing provision. However, as previously discussed, the existing area of public open space on site is not utilised, is overgrown and unconnected. The proposed area of open space would be of a better quality, featuring legible pathways and maintained grassland (and possible provision for public art), which would be more in keeping with the development as a whole, as a modern family-orientated scheme. The open nature of the space and the orientation of proposed dwellings would improve surveillance and a well-designed lighting scheme would improve accessibility and usability, overall resulting in a more attractive space than is currently available.

As such, it is considered that the proposals meet the requirements Criterion (c) of Policy BH5.

Paragraph 97 of the NPPF requires that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

An Open Space Assessment (December 2018), which updates in part, the existing Open Space, Sport and Recreation Audit and Position Statement, states that the quality of amenity greenspace at Preston New Road (which includes the existing public open space within the application site), is fair. However, the assessment combines this area with other parcels of amenity greenspace along Preston New Road and bordering the Mereside estate. There is a juxtaposition between the current condition of the public open space at Troutbeck Crescent, as opposed to other areas of public open space along Preston New Road which are more intensively maintained, such as adjoining Little Marton Windmill. At Troutbeck Crescent, scattered and overgrown trees and vegetation prevent use of the land for formal sports and recreation, with unmown grass and poor drainage. There is a lack of pathways within the open space for users, and there is no provision for users with limited mobility to make use of the space. In comparison, the public open space to the north of Troutbeck Crescent is open, with little vegetation and well maintain grassland. The public open space currently present at Troutbeck Crescent is of poor quality when compared to the fair quality neighbouring areas along Preston New Road. The assessment states that there is a total of 6.42ha of amenity greenspace within Clifton ward (in which this proposal sits), with a population of 6,786. This amounts to the provision of 0.95ha per 1,000 population against a proposed standard of 0.2ha. Even with a reduction in the amount of amenity green space proposed, the provision in Clifton would still be substantially above the standard level.

The proposed open space provision represents a betterment when compared to the current provision, as required by the NPPF. Whilst there would be an overall reduction in the quantity of open space, the quality would be greatly improved, resulting in a substantial improvement overall. In respect to location, the replacement provision is considered to be appropriately located as it is within the existing area of public open space and will directly serve the future residents of the scheme. The benefits of the proposals are multiple, creating an accessible area of open space, which is well drained, appropriately lit and surveillanced. Formal pathways and maintained grassland areas will be provided as part of a formalised landscaping scheme, which will enhance the residential development. Through this enhancement, the open space will better integrate to the built development than it has previously, creating a welcoming and attractive gateway into Blackpool. As such, all three criteria of Paragraph 97 of the NPPF are positively addressed.

Policy CS6 of the Core Strategy requires the protection of existing green infrastructure unless in exceptional circumstances, whereby alternative provision is made for appropriate compensatory measures, mitigation or replacement. As identified, the proposals

incorporate improved quality replacement open space provision within the site. In replacing the provision of open space within the site the scheme has sought to improve the quality, accessibility and functionality of the space, through improved design, appropriate landscaping and consideration of the requirements of all members of society. The public open space will maintain pathways through to the open space to the north as well as incorporating new pathways linking out to Clifton Road and Preston New Road, including the approved Whyndyke Garden Village. A high level of planting is proposed to replace that lost through the development which will result in the enhancement of biodiversity. Therefore, the proposals meet the requirements of Policy CS6.

Saved Policy BH10 of the Local Plan relates to the provision of public open space as part of new housing developments and Supplementary Planning Guidance Note 11 sets out the amount of public open space required per property based on the number of bedrooms. The previous built development on the site did not have a set aside area of open space, although the area to the south and west of Troutbeck Crescent was designated as such, this was not formally set out. Under the current proposals an area of open space is provided which is considered to be a fundamental improvement upon the current situation, more suited to the proposed development and of benefit to the wider community.

Policy DM36 of the Draft Local Plan (Part 2), states that for developments which would lead to the loss of a community facility, such as open space, to be supported it should provide a replacement, more accessible facility which will serve the same community. The new open space provision will be located on the same area as the existing, allowing it to serve the same community as the existing, as well as the new residents who would occupy the proposed residential development. As previously stated, the newly provided area of open space would have multiple benefits, including improved accessibility, better maintenance and more attractive landscaping. As such, it is considered that suitable replacement provision is included within this scheme and the requirements of Policy DM36 have been adhered to.

In conclusion, it is considered that the proposal conforms with the requirements of national and local policy regarding public open space and green infrastructure. The common thread running through all of the policies has been that where existing public open space / amenity greenspace is to be lost, it should be replaced by provision of suitable size, quality and use. The current proposals include a well-maintained, landscaped and usable area of public open space within the scheme which will be in keeping with the appearance of the development. The existing public open space is unsightly, not maintained and has a very low level of usage. The proposals therefore represent an overall betterment in the provision of public open space / amenity greenspace within the site.

Housing Density and Mix

The proposals have a density of just over 32 no. dwellings per hectare due to the requirement to provide alternative provision of public open space within the site and taking into account the boundaries with Preston New Road and Clifton Road and the need for an appropriate separation distance to address potential noise and visual impacts. Of the 9988sqm proposed development site, 43%, is to be public open space, with the remainder

made up of residential units, highway, pedestrian routes, parking and private amenity space. The density proposed is considered to be in keeping with that of the existing development within Mereside and appropriate for a site in this location.

There would be 19 x 1 bedroom 2 person units (25%), 36 x 2 bedroom 4 person units (48%), and 20 x 3 bedroom 6 person units (27%). When considered against the flats which are currently located within the development site, the net accommodation mix resulting from the scheme would be:

- minus 31 no. bedsits
- minus 31 no. 1-bed flats (50 no. existing units - 19 no. new units)
- plus 36 no. 2-bed units and accessible units
- plus 20 no. 3-bed units and accessible units

All flats are to be 1-bed units as this reflects a higher need within the area. 25% of the proposed units are 1-bed units, which will replace a portion of those which are being demolished. These units will be of a more modern appearance and style which it is considered will be favourable to tenants. The proposals are still considered to show a broad mix of housing accommodation which makes better use of the site than the existing, by locating flats above the parking areas. The placement of the units, distributed across a larger family orientated scheme, will also improve the setting of the units and prevent an amalgamation of units of one type within the site. As such, the higher proportion of 1-bed units compared to Policy CS13 maximum of 10% is considered acceptable. The 2 and 3-bed properties represent family sized dwellings for which a need has been identified within the Borough. The percentage of each of these units proposed within the site, meets the requirements of Policy CS13. An appropriate proportion of the units will be accessible or adaptable, in line with Policy DM2 of the Local Plan Part 2.

Design

Mereside is a post war social housing estate built in the late 1940s, comprising mainly two storey houses arranged in pairs of semi-detached houses and terraces ranging in length from four houses up to eight houses with one instance of a nine house. Mid terraced units have shared ginnels to access rear gardens. There are also a number of three storey blocks of flats with one block of four storeys with retail on the ground floor which defines the local centre. The general road arrangement is for wide primary road connections with narrower cul-de-sacs serving between six and 14 houses. Junctions are defined by areas of informal public open space and front gardens are defined by low walls reinforced in places by planting beds or hedges with railings in a limited number of situations.

The general form of the buildings is brick under a tiled hip or gabled roof with areas of the roof extending down to lower levels around in particular over porch areas. There are a mixture of brick styles from buff, to red/brown brick to cream coloured render; with newer infill developments using a mix of render, brickwork and horizontal timber boarding. Key features common to the original housing and which give the area a defined character include feature panels of stack bonded brickwork to door surrounds and side entrances. Another detail common is the use of window details which break the eaves line and project

above the roof plane. Mereside Park is a significant area of public open space on the opposite side of Langdale Road less than 100m from the site; with other local green spaces including the Little Marton Windmill green and the Mereside Green opposite the local centre, both of which are criss-crossed with defined footpaths adding to their amenity value.

The development has been set out to make the most efficient use of space available on the site, providing residential accommodation and associated parking and servicing facilities, whilst incorporating appropriate landscaping treatment where possible. Whilst the majority of the development would be two storey in height, there would be some provision of three storey units which would be located on the key visual elevations. The development uses a plain light grey brick as the base material with feature coloured panels of brickwork or cladding around the projecting bay windows. The roof forms the main design feature and uses a polychromatic blend of roof tiles. This material also transitions to the wall cladding and frames out bookends of blocks and drops to accentuate the entrances. Living accommodation would be across either one, two or three storeys. Each unit would have a private rear garden or terrace to provide occupiers with sufficient outdoor amenity space. All units would have either a combined kitchen / dining / living space or a separate lounge, alongside a bathroom and the specified number of bedrooms. The design provides level access to all houses especially designed for those with specific needs as they provide dedicated ground floor bedrooms which are adjacent to the main bathroom for ease of access and convenience.

Both the NPPF and local planning policies state that new development must show good design and enhance the quality of the local area. Overall, it is considered that the development is well laid out, of an appropriate scale and density and of a modern design to fit well alongside the existing residential accommodation in Mereside. Whilst the Draft Local Plan (Part 2) document currently carries little weight in the decision making process, the proposal is compliant with the principles of the policies it contains.

Amenity

In terms of the impact on residential neighbours, the scheme has been designed to minimise any issues with privacy and overlooking both within the development and with existing neighbours. There are a couple of properties in the scheme which could be improved in terms of reducing their dominance and overlooking on existing residents and amended plans have been received to address this.

Highway Safety and Parking

The existing highway, Troutbeck Crescent, would be retained through the proposals. Properties would be accessed by vehicles either directly off this road or via one of two proposed spur roads. Footpaths and shared surfaces are proposed across the site to enable linkages to the wider estate, retail and employment uses to the south and the approved Whyndyke Garden Village to the east. Appropriate traffic calming would be incorporated into the scheme to allow safe access and egress within the site. The eastern and southern edges of the site are affected by the highway scheme approved in the planning approval for

the Whyndyke Farm development, however, the effect is not sufficient to require any material changes to this project.

In respect of parking provision within the site, there is close to 200% provision, with 124 spaces within the site. Parking will generally be provided in carports and driveways, directly adjacent to the residential accommodation. The Local Plan Parking Standards require a provision of one car space for one bedroomed properties and two spaces for two and three bedroomed property. As such, there is a slight reduction (seven spaces) in provision for this development. It is considered that this level of parking is justified as the site is located within a highly sustainable location with good connections to facilities, services and public transport routes. The type of housing proposed historically does not necessitate a high level of parking as most households will only have one car.

Other Issues

Open Space in new developments

In terms of Policy BH10, there is a requirement to provide 24 square metres of open space per person on site, with a minimum of 15 sq. m. on-site and 9 sq. m. offsite for sites between 2 - 4 hectares. The application of this policy is contained within SPG11 Open Space: provision for new residential development. For a scheme of this size, the requirement is for $(20 \times 72) + (36 \times 48) + (19 \times 36) = 3,988$ square metres of open space. As mentioned earlier, the amount of open space on site is in the order of 9,988 square metres, which far exceeds the minimum requirement in terms of the quantity of area. As there will also be significant enhancement of the quality and a wider usability of the space, and there is sufficient children's play facilities in close proximity, it is considered that in this instance, there is no need for any additional open space, nor a commuted sum towards provision elsewhere.

Drainage and Flood Risk

The site falls within flood zone 1 but as it is over 1 hectare in area, a Flood Risk Assessment was submitted. This assessment concluded that due to the surface level of the land in this area the site is not at significant risk from tidal, fluvial or groundwater flooding. As the site was previously mainly residential, the proposed development will utilise the existing drainage system. To comply with current SuDS practice, it is proposed to attenuate all surface water from the development prior to discharging into the mains sewer. A surface water drainage scheme drawing was submitted in support of this application which indicates how this attenuation would be accommodated within the site.

Noise

A noise assessment report relating to the potential impact of existing noise sources on the proposed dwellings has been submitted. The noise surveys carried out indicated that the main noise source was road traffic at all locations and at all times, with the worst cases being in close proximity to Preston New Road. The report recommends the construction of acoustic barriers to screen all external amenity areas from road traffic on the main roads; and also provides advice on the build materials of the barriers (close boarded weather-treated timber fences, masonry walls or landscaped bunds with fences on top) and the external walls, roofs and glazing of the affected dwellings. These have been incorporated

into the scheme's design. With all the recommended measures in place (building envelope design and boundary treatments to gardens), the report concludes that noise intrusion will be controlled to meet the criteria agreed with the Local Authority and that planning permission should not be refused on noise grounds.

Trees and Landscaping

An arboricultural assessment has been submitted with the application. A total of eight individual trees, 11 groups of trees and a hedge were surveyed. The development would require the removal of two moderate quality trees, one moderate quality group, three low quality trees, four low quality groups and part of two further low quality groups. Additionally, one group considered unsuitable for retention is recommended for removal due to poor structural condition. The landscaping scheme proposes, where practicable, good quality young trees in group G4 are to be translocated elsewhere on site. A suitably detailed Arboricultural Method Statement, conditioned to a planning approval, should be carried out in order to ensure their survival. Whilst the landscaping proposals for the areas of public open space aim to utilise translocated trees as far as is practicable, replacement planting with new trees is to be undertaken where trees from group G4 do not fulfil the landscaping requirements. A further detailed landscape proposal plan is therefore required with specific details regarding tree planting through the imposition of a condition. The appraisal also identified several instances where proposed roads and footpaths encroach into the root protection areas (RPAs) of several retained trees, and that it will therefore be necessary for the proposed hard surfaces to be designed and constructed using 'no dig' methods and materials in accordance with BS5837: 2012, this would be included in a detailed Arboricultural Method Statement and Tree Protection Plan condition.

Ecology

A Preliminary Ecological Assessment accompanies the application. All bat species and their roosts are protected under Schedule 5 of the Wildlife and Countryside Act (1981) (as amended). Confirmed bat roosts were found in two of the buildings (no. 23 and 25) to be demolished and the appropriate bat licence under the Conservation of Habitats and Species Regulations 2017 has been granted by Natural England. This allows up to three common pipistrelle bats to be captured and relocated. Nesting birds are afforded statutory protection under the Wildlife and Countryside Act (1981) (as amended). House Martins were confirmed as nesting around the eaves of building no. 21 and appropriate measures would be taken to ensure their survival. Mitigation measures in the form of replacement nesting provision within the site are required and the report recommends that ten House Martin nest cups should be added to the proposed housing that will be located on a similar footprint to the existing B2 (No.21). The developed site can be further enhanced for breeding birds by erecting bird boxes on retained trees/new buildings e.g. two Schwegler 1SP Sparrow Terraces on each new building, and two Schwegler 1B nest boxes and two Schwegler 2H Robin Boxes erected on retained trees. In terms of other mammals, the site is suitable for hedgehogs and recommendations are made within the assessment to mitigate any harm during development works. As invertebrate habitat would be destroyed during the development, the report recommends that insect towers and wildflower borders should be incorporated into the developed site and the developed site should also incorporate long grass areas around the site boundaries. The Local Planning Authority has a duty to ask for enhancements under the NPPF and Circular 06/2005: Biodiversity and Geological

Conservation, paragraph 99, and the above recommendations by the ecologist could be included as a condition on the planning permission.

Contaminated Land

Preliminary work has been carried out; assessing geological mapping and identifying the sub-soil as boulder clay, which initial borehole tests have then confirmed. No peat deposits have been found within close proximity of the site and it is not anticipated that any issues would arise from ground gases emanating from the sub-soil. A report addressing this matter is submitted in support of this application and the Council's Contaminated Land Officer agrees with the gas protection measures based on the Carbon Dioxide readings, but requires a copy of the installation report to be provided.

Sustainability and Planning Balance Appraisal

Sustainability comprises economic, environmental and social components.

Economically, the site is not safeguarded for employment use and the part of open space to be developed has little value as public open space. Some limited employment would be generated through the construction process and future residents would help to support local shops and services.

Environmentally, the design of the proposal is considered to be acceptable. The current flats are in poor condition and due to be demolished and so its redevelopment with modern housing and apartments would impact positively upon the appearance and quality of the wider streetscene. No significant impacts on biodiversity or trees would result as long as suitable mitigation and enhancement measures are implemented. An acceptable drainage scheme could be secured through condition and, subject to the imposition of appropriate conditions, air land and water quality would be adequately protected. The site is in an accessible location, with bus stops in close proximity, so residents would not need to rely on private car use.

Socially the scheme would deliver accommodation aimed at affordable housing for rent, together with some specialist housing which would meet identified needs in the borough. It would also make a modest contribution towards meeting the Council's general housing requirement. This weighs notably in favour of the scheme. No unacceptable amenity impacts are anticipated (subject to amended plans) and no undue impacts on flood risk or highway safety are expected.

In terms of planning balance, the conflict with Policies CS6/BH5/BH10 regarding the loss of open space is acknowledged. However, the development proposed seeks to qualitatively improve the remaining open space and make it accessible to all; and the remaining space would easily exceed the minimum requirement of green space for Clifton Ward. The development would meet an identified housing need, including specialist provision, and would bring a disused site in poor condition back into beneficial use. This would have a positive impact on the appearance and quality of the area. No other material planning considerations have been identified that would weigh against the application. On this basis, the scheme is considered to represent sustainable development.

CONCLUSION

Part of the site constitutes five three storey blocks of derelict flats, now considered unfit for purpose, which do not make a positive contribution to the character or appearance of the wider area. Residential redevelopment on this part of the site is therefore considered to be acceptable, despite the restrictions set out under Policy CS6 of the Core Strategy, in order to improve the appearance of the site and the quality of the open area, and in order to secure housing provision designed to meet an identified, affordable housing for rent, need. As set out above, the scheme is judged to constitute sustainable development.

As the proposal is a Major application and a Departure from the Development Plan (in part, as it proposes loss of some of public open space) and the recommendation is for approval, it has been assessed under The Town and Country Planning (Consultation) (England) Direction 2009. The conclusion is that there is no requirement to consult the Secretary of State on the scheme.

On this basis, Members are recommended to grant planning permission subject to the conditions listed below.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

The necessary off-site highway works would be secured by condition but would be delivered through an agreement under S278 of the Highways Act.

In terms of Policy BH10, there is no requirement for additional play facilities on site as there is adequate provision in close proximity. Nor is there any commuted sum requirement towards open space provision as the scheme proposes a significant uplift on site. There is no requirement for a contribution towards affordable housing, as the scheme itself is for social, affordable housing to rent. The Council's Education Officer does not require any contribution towards educational facilities in the area.

FINANCIAL BENEFITS

The development would create 75 new dwellings and so would generate some Council Tax income for the Council. However, this is not a material planning consideration and has no weight in the planning balance.

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 19/0144 which can be accessed via the link below:
<https://idoxpa.blackpool.gov.uk/online-applications/search.do?action=simple>

Recommended Decision: Grant Permission

Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority, including the following plans:

9313/L01 Location Plan
9313/P01 Existing Site Plan
9313/P02 Proposed Site Plan Rev B
9313/P03 Building Identification Plan Rev B
9313/P04 Constraints + Opportunities Rev A
9313/P06 Hard Landscaping Site Plan Rev A
9313/P07 Hard Landscaping Details Rev A
9313/P08 Landscaping Details
9313/P09 Boundary + Bin Store Details
9313/P10 Street Sections - Sheet 1
9313/P12 3D Visuals - Identification Plan
9313/P13 3D Visuals - Sheet 1 Rev B
9313/P14 3D Visuals - Sheet 2 Rev B
9313/P15 3D Visuals - Sheet 3 Rev B
9313/P16 3D Visuals - Sheet 4 Rev B
9313/P17 3D Visuals - Sheet 5 Rev B
9313/P18 3D Visuals - Sheet 6 Rev B
9313/P19 3D Visuals - Sheet 7 Rev B
9313/P20 3D Visuals - Sheet 8 Rev B
9313/P21 3D Visuals - Sheet 8 Rev B
9313/P22 3D Visuals - Sheet 10 Rev B

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

3. If any demolition works take place during the nesting bird season (March - August inclusive) a nesting bird check shall be carried out within the 24 hour period prior to demolition of the building(s) by a licensed ecologist. If nesting birds are found then the building will have to remain in place until the young have fledged and left the nest.

Reason: To ensure that there are no adverse effects on the favourable conservation status of birds and to protect the bird population from damaging activities and reduce or remove the impact of development, in accordance with Policy LQ6 of the Blackpool Local Plan 2001 - 2016 and The Wildlife and Countryside Act 1981 (as amended).

4. (a) No operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any operations involving the use of motorised vehicles or construction machinery) until a Construction Exclusion Zone and tree protection works for the retained trees, as detailed in the Arboricultural Impact Assessment Report (Bowland Tree Consultancy March 2019) submitted with the application, are in place. Any construction activities within the root protection areas of those trees shall be carried out in accordance with a detailed Arboricultural Method Statement and Tree Protection Plan, which shall first be submitted to and agreed in writing with the Local Planning Authority.

(b) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved scheme are in place.

(c) The fencing or other works which are part of the approved protection scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior written agreement of the Local Planning Authority has first been sought and obtained.

Reason: To secure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, having regards to Policy CS6 of the Blackpool Local Plan: Part 1 - Core Strategy and Policy LQ6 of the Blackpool Local Plan 2001-2016.

5. The construction of the dwellings hereby approved shall not commence until details of the provision to be made for bat roosting opportunities as recommended in the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech Consulting Ltd 02/08/2018) and Bat Survey - Emergence and Activity Surveys (Arbtech Consulting Ltd 12/10/2018), and replacement nesting bird habitat have been submitted and approved by the Local Planning Authority. For the avoidance of doubt, this shall include permanent replacement roosting provision incorporated into the new dwellings, comprising bat tubes inserted into the fabric of the new dwellings during construction (positioned high on the buildings, close to the eaves, away from artificial light sources), replacement nesting provision in the form of House Martin nest cups, Sparrow terraces, nest boxes and insect towers and details of the siting of these; and the incorporation of wild flower borders and long grass areas within the landscaping scheme, as also recommended. The approved works shall be implemented in full before the development is first brought into use, unless otherwise agreed in writing by the Local Planning Authority, and maintained thereafter. Provision shall also be made to mitigate any impact on hedgehogs during the construction phase.

Reason: To ensure that bat and bird species are protected and their habitat enhanced in, accordance with the Wildlife and Countryside Act 1981, as amended, the Conservation [Natural Habitats] Regulations 1994, Policy CS6 of the Core Strategy and Policy LQ6 of the Blackpool Local Plan 2001 - 2016.

6. (a) Notwithstanding the submitted landscaping plans, no development shall take place until a detailed landscaping proposal plan has submitted to and approved in writing by the Local Planning Authority. This scheme shall include planting plans, specifications and schedules to include plant size, species and number/densities. For the purpose of this condition, the scheme shall include specific details of the trees to be transplanted and new native trees to be supplemented, and shall include provision for wild flower borders and long grass areas within the soft landscaped areas, as recommended in the Preliminary Ecological Assessment.

(b) The agreed 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 ecological enhancement 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.

7. No development shall take place until a plan to identify those areas of the site to be adopted by the Local Highway Authority, those areas to be managed and maintained by third parties, and a Highway Management Plan for those areas of the site to be managed and maintained by third parties, has been submitted to and agreed in writing by the Local Planning Authority. The Highways Management Plan shall:

- Identify the third parties responsible for management (e.g. Site Management Company).
- Set out a regime/timetable for inspections and regular repair or maintenance works.
- Explain how issues can be reported, assessed and resolved.

The Highway Management Plan hereby approved shall be implemented in full at all times when any part of the area to which it relates is occupied or in use.

Reason: In order to ensure that safe and convenient access is available to the development by a range of transport modes in accordance with the provisions of Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and saved Policy AS1 of the Blackpool Local Plan 2001-2016.

8. No development shall take place until a detailed infrastructure scheme has been submitted to and agreed in writing by the Local Planning Authority. The scheme should include:

- Works to existing highways
- Works to construct new areas of highway for adoption including SuDS drainage approach
- Works to construct other infrastructure in those areas of the site proposed to be managed and maintained by third parties including SuDS drainage approach

The infrastructure scheme shall thereafter be implemented, in defined phases as appropriate and agreed, prior to first occupation of dwellings and thereafter maintained for the life of the development.

Reason: In order to ensure that safe and convenient access is available to the development by a range of transport modes in accordance with the provisions of Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and saved Policy AS1 of the Blackpool Local Plan 2001-2016.

9. The recommendations and mitigation measures identified in the Noise Assessment report (Ecus Environmental Consultants January 2019), shall be implemented in full before first occupation of the affected dwellings, and thereafter retained.

Reason: In the interests of residential amenity, 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.

10. Foul and surface water shall be drained on separate systems.

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

11. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge into the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

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

NOTE: Geological conditions suggest that infiltration may be a suitable method of surface water disposal and this should be fully explored. In addition there are a number of surface water drains / ditches located to the east of the site which drain directly to watercourse. The Planning Authority would expect investigations to be carried out to determine whether the site can drain to watercourse.

12. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

a) Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Residents' Management Company; and,

b) Arrangements for inspections and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To manage flooding and pollution and to ensure that management arrangements are in place for the sustainable drainage system for the lifetime of the development in accordance with Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

13. 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.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no enlargement of the dwellings the subject of this permission shall be carried out without the written approval of 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.

15. 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.

16. 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.

Advice Notes to Developer

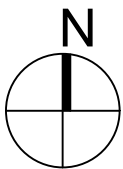
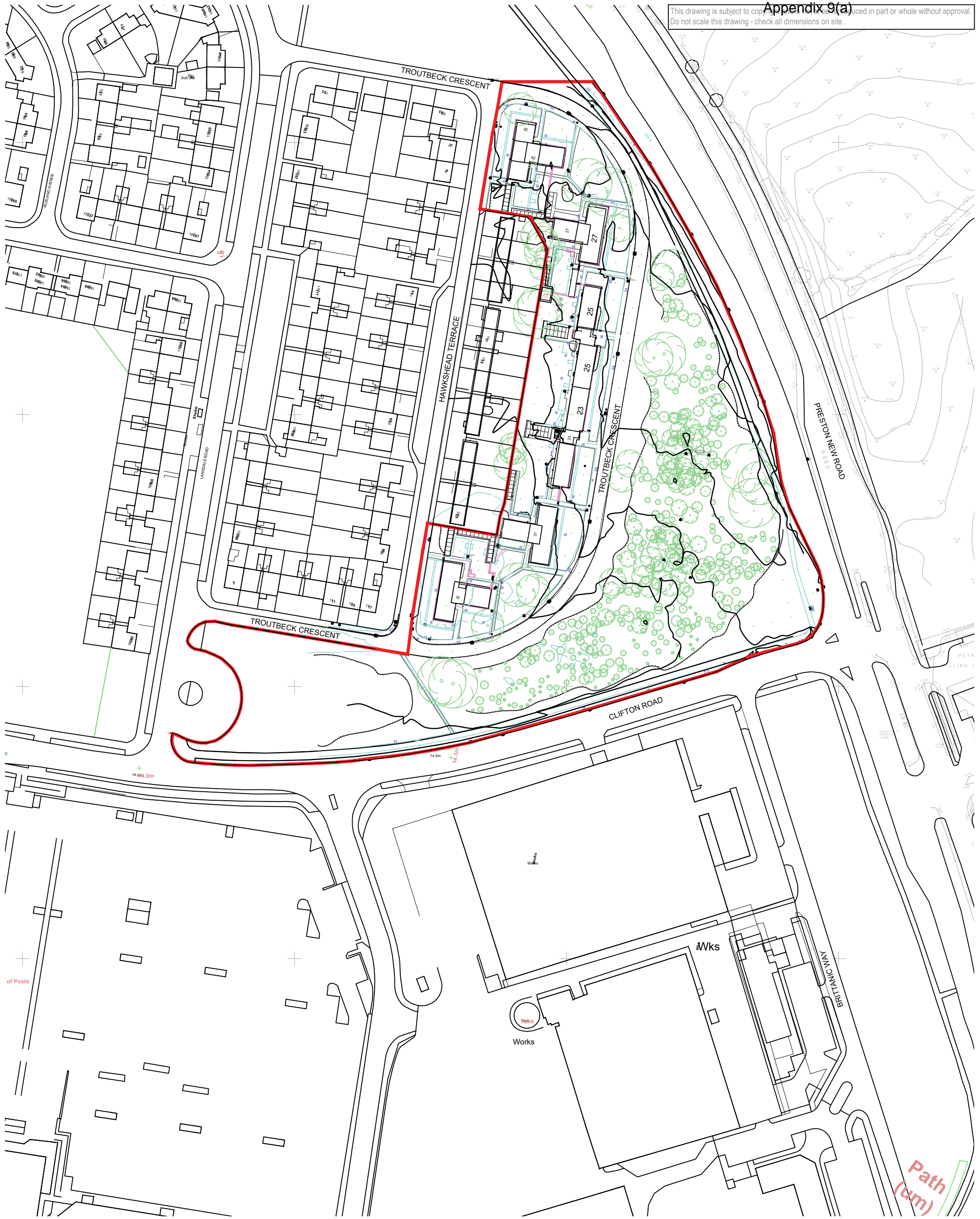
1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and 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. At least 30 days before commencement of the development, the developer must contact the Safeguarding Team, Squires Gate Airport Operations Ltd, Squires Gate Lane, Blackpool, FY4 2QY (Tel: 01253 472527 ATC or by email to safeguarding@blackpoolairport.com if any equipment to be used during construction will exceed the maximum height of the finished development (e.g. cranes, piling rigs). Notification of the equipment shall be made in writing and include:
 - its position (OSGB grid coordinates to 6 figures each of Eastings and Northings);
 - height above ordnance datum;
 - anticipated dates on site;

- emergency contact numbers for the crane operator and site manager.

The equipment must be operated in accordance with BS 7121 and further advice can be found in Civil Aviation Authority Advice Note 4 'Cranes and Other Construction Issues'.

3. The applicants attention is drawn to the recommended Crime Prevention Measures contained within the submitted Crime Impact Statement.

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<div><div>Cassidy+Ashton</div><div>www.cassidyashton.co.uk</div><div>Architecture + Building Surveying + Town Planning</div><div>7 East Cliff, Preston, Lancashire, PR1 3JE 0122 258 550</div><div>10 Hunters Walk, Canal Street, Chester, CH1 4EB 01244 402 900</div></div>		Client BLACKPOOL COUNCIL		Drawing Title LOCATION PLAN	
		Project TROUTBECK CRESCENT PROPOSED RESIDENTIAL DEVELOPMENT		Drawn by FW Checked by CH Date 23.11.2018	Status PLANNING Scale @ A3 1:1250
		Job no. 9313	Dwg.no. L01	Rev. -	

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COMMITTEE DATE: 04/06/2019

Application Reference: 19/0103

WARD: Bloomfield
DATE REGISTERED: 20/02/19
LOCAL PLAN ALLOCATION: Resort Core
Defined Inner Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: Hollingwood Homes

PROPOSAL: Erection of 59 houses, two and three storey houses and a part two/three and four storey block of 15 self-contained apartments with retail use on the ground floor with associated car parking, landscaping, means of access and public realm.

LOCATION: LAND BOUNDED BY RIGBY ROAD, TYLDESLEY ROAD, PRINCESS STREET AND BLUNDELL STREET BLACKPOOL FY1 5DE

Summary of Recommendation: Grant Permission

CASE OFFICER

Mark 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

This application is the sixth planning application involving one or both of the two sites fronting Rigby Road either side of Seaside's Way following the granting of the initial outline planning permission in March 2013 under reference 12/0803 for a maximum of 410 dwellings with associated development. This was followed by Reserved Matters application 13/0447 for 218 dwellings and more recent subsequent planning permissions reference: 15/0710, 16/0125 and 17/0688 have involved revisions to previously approved layouts. This current full planning application relates to phase 2 of the overall development and is in accordance with the parameters and design concepts set out under earlier applications and accordingly the application is supported as the latest addition to this attractive and quality residential development.

SITE DESCRIPTION

The application site is a rectangular plot measuring 63m x 170m occupying the western end of the western site and bounded by Tyldesley Road, Blundell Street, Princess Street to the north and Rigby Road to the south. Tyldesley Road has a mixed character of hotels and residential accommodation within period 3/4 storey terraced properties. The character of Princess Street and the adjacent Foxhall Square is mixed residential and commercial, Rigby Road to the southern boundary has a mixed holiday and commercial character and Blundell Street is part of this larger on going residential development.

DETAILS OF PROPOSAL

This is a full planning application for the erection of 59 two and three storey dwelling houses comprising of semidetached and terraced buildings fronting onto Blundell Street, Tyldesley Road, Rigby Road, and a short section of Stanley Matthews Way which runs diagonally across both sites from Foxhall Square to Central Drive. A number of dwellings will also front a new road within the site connecting Sir Stanley Matthews Way and Rigby Road. There would be 95 car parking spaces provide for the 59 houses.

Adjacent the junction of Princess Street, Sir Stanley Matthews Way and Tyldesley Road it is proposed to erect a part 2/ part 3/ part 4 storey block comprising a 159sqm retail unit, with 15 covered and secured car parking spaces accessed from Princess Street. On the upper floors would be 15 apartments (14 x two bed and 1 x one bed). 14 of the apartments will have private balconies and there will also be a communal roof terrace above the two and three storey sections of the building. Adjacent the apartment block would also be an area of public realm fronting onto Foxhall Square. The details as to what works will be carried out in this area is yet to be determined and therefore its treatment will be dealt with by a way of a condition to be imposed on any planning permission. The expectation, however, is that this will include a high quality treatment and feature for example, a piece of public art, which would serve as an entrance feature into the development from the Promenade. The application is accompanied by a Design and Access Statement.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle of Development
- Quality of Design
- Impact on Residential and Visual Amenity
- Highway Safety, Parking and Servicing Arrangements
- Public Realm
- Other Issues

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

CONSULTATIONS

Head of Strategic Housing: This application for the next phase of development at the Foxhall Village scheme is strongly supported in delivering the Council's housing priorities. The scheme is referenced as a priority in the Council's Housing Strategy 2018, and the Council has invested significant resources to assemble the site and prepare it for development by the applicant. The application is for the next phase of development of a 410 home housing scheme that is being developed by Hollinwood Homes under a Development Agreement with the Council. The Council has assembled the site and is responsible for ground remediation, providing access to services, and investing in the public realm, and Hollinwood Homes is responsible for undertaking the development and sales of the new homes. The Council used a Compulsory Purchase Order to assemble this part of the west site, and benefited from grant funding from Homes England to achieve this. Both the Council and Homes England have invested heavily in this development because of its strategic importance in establishing a new high quality housing offer in an area of inner Blackpool that otherwise offers a poor choice of homes and is characterised by concentrated deprivation. By delivering attractive new homes at scale, confidence is created in the neighbourhood that encourages wider investment. The proposed mix of new homes reflects the original plans granted outline planning approval and emphasizes family-sized houses to encourage a more balanced community in the area.

Flats are proposed only in the block facing onto Foxhall Square where good design and a view of the sea provides a much higher quality offer to owners than currently available. The exact tenure mix of the new homes is yet to be finalised, but under the terms of the Council's Development Agreement all homes for sale will only be sold to owner occupiers, helping to ensure that the new community is more stable than the surrounding area that is otherwise dominated by private renting. Some of the houses will also be available for affordable shared ownership, and others for affordable rent through Great Places Housing Association to provide choice and enable access by local residents.

The experience of affordable rented homes in Phase 1 of the development completed in early 2015 has been very positive, with high demand and new residents cherishing their homes, and very little turnover.

In conclusion, this application will help deliver the Council's most important strategic housing priority of establishing sustainable residential communities in inner Blackpool. The application is consistent with the original principles of the scheme ratified through the existing outline approval, and the Council will continue to work with Hollinwood Homes to ensure delivery of a high quality development.

Police Architectural Liaison Officer: This area of Blackpool is subject to continued regeneration to create safer places for residents and visitors. As a result I strongly recommend that it be designed and constructed to Secured by Design Homes 2019 security specifications to mitigate crime risks such as burglary and vehicle crime. The retail element at ground floor level under the apartments should be SBD Commercial accredited. Independent academic research shows that SBD reduces burglary by 75%, vehicle crime by 25% and

criminal damage by 25%. Housing schemes developed in this area in the last five years have been Secured by Design compliant creating safer environments for residents.

The overall development should be well illuminated. Good, even coverage of street lighting will enable views within the development when natural light is minimal. Landscaping should be designed so that trees and large shrubs will not grow to obscure lighting columns or impede natural surveillance as they mature, especially in the summer months or be utilised as a climbing aid to gain access to the vulnerable rear of dwellings. Planting and shrubbery to the front boundary of the houses should be below 1m high. Boundary treatments should be sufficient height and design to deter intruders. A height of 1.8m close boarded fencing is suitable for the perimeter of rear gardens and dividing rear gardens between houses. Access to the side and rear of the dwellings should be restricted by introducing a 1.8m high lockable gate as close to the front building line as possible. The gate should be capable of being locked from both sides and the side access area should be well-lit.

All external doors and windows must be certified or an alternative accepted security standard. Those that abut public areas should also include key operated window restrictors to reduce the opportunity of sneak-in type thefts. Ground floor glazing should be laminated. Plans show balconies on the first floor of some of the units. These should be carefully designed so they are not creating a climbing aid for an offender to gain access to first floor windows/doors. Doors leading from these balcony areas into the units must be Security Rated. Glazing should be laminated.

Open car park ports should be avoided in new housing developments and are not recommended from a crime prevention perspective. Parking for each dwelling should be within the curtilage of the property on a driveway or a designated closed garage with a clearly defined boundary from the public highway.

The apartment block should be fitted with an access control arrangement that restricts/limits access into the building and stairwells/lifts as well as each floor. The compartmentalisation of the apartment block that gives residents access to only the floors they live on should be undertaken in conjunction with the Fire Service. Emergency push to exit buttons should be fitted to allow access to stairwells from the corridors to allow emergency egress.

The communal entrance doorsets for the apartments should be certified. There should be anti-vandal proof access control arrangements on this doorset and a remote release facility for residents. The apartment building and retail unit should be covered by a CCTV system. The CCTV cameras should aim to capture clear full body and facial images of those entering or exiting the buildings. Cameras must not be located where they can be easily disabled or tampered with. CCTV recording equipment must be stored securely. Adequate clear signage should inform users of the site that CCTV is present and in operation.

Emergency exit doors can be vulnerable to intruder attack and vandalism and should be free from external hardware and kept clear at all times. They should be illuminated to promote natural surveillance and fitted with an alarm to deter crime and anti-social behaviour. External waste storage areas should be locked and secure to prevent unauthorised access,

and covered by the CCTV system. The area should also be well lit using anti-vandal photoelectric dusk until dawn fittings. Waste bins should have lockable lids to reduce the risk of arson and secured, especially those with wheels that can be used as climbing aids. The retail unit should be accredited to Secured by Design commercial standards. It should be fitted with a monitored intruder attack alarm, CCTV and Security Rated doors and windows. There have been reported thefts and burglaries at construction sites across all areas of Lancashire. High value plant machinery, hand and power tools, lead and metal piping, insulation materials, white goods and boilers have all been targeted, with some stolen items used to commit further criminal offences. This is placing additional demand on local policing resources. Therefore, the site must be secured throughout the construction phase with adequate security measures, including robust 2.4m high anti-climb weld mesh perimeter fence, monitored alarm system for site cabins, and monitored and/or recorded HD digital colour CCTV system. Any onsite CCTV recording equipment must be stored securely and located within an alarmed building/cabin.

I make the above comments and recommendations in order to keep people safe and feeling safe and in accordance with the National Planning Policy Framework - Promoting healthy and safe communities.

Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and
- c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Planning policies should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Environment Agency: 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.

Head of Highways and Traffic Management: Highways- Dealing first with parking: previously the area had roughly one space per property available, all on-street. Some of this was of limited duration and all was available to the public. In order to implement the proposal and make the proposed off-street spaces accessible it will be necessary to introduce waiting restrictions eliminating about half of the present kerbside spaces – a loss of about 30 spaces in the area.

Parking provision proposed for the development is at a level of one per dwelling on average. As with other phases of the Foxhall Village it is assumed that the developer and designer have evaluated the accessibility of the site and the need for spaces and/or can control occupancy to avoid a situation in which demand significantly exceeds supply.

Turning to the road/footway layout it is evident that the design will not meet adoption standards within the body of the site because of the geometric standards of the layout. If highway geometric standards were to be applied it is likely that the number of potential dwellings would reduce.

No details of construction standards or materials are provided.

The swept path analyses provided indicate that the site would be accessible to the refuse freighter – although the amount of space taken by the swept paths shows that the internal roads will require restrictions on waiting to avoid on-street parking preventing access for the refuse vehicles. This, in turn, impacts on the potential parking capacity of the proposal by removing kerbside space that would have added to the amount available. If the internal roads are not to be adopted the question arises as to the extent of any parking enforcement on them.

The accesses to the site from Blundell Street and Rigby Road are not satisfactory geometrically and will require refinement.

The Foxhall Square area was originally intended, as we understood, to be improved as part of the scheme. Highways comments on that aspect were provided some time ago. The scheme does not appear to offer any proposal covering that area which will otherwise stand as a barrier to the assumed main pedestrian route from the dwellings to the Promenade and transport links.

In view of the above comments it is assumed that the developer and designer anticipate a fairly standard set of conditions covering all of the highway and other infrastructure issues. Accordingly it is requested that any approval is subject to pre-commencement conditions covering the following:

- A plan to identify those areas of the site to be adopted by the Local Highway Authority, those areas to be managed and maintained by third parties, and a Management Plan for those areas of the site to be managed and maintained by third parties, to be submitted to and agreed in writing by the Local Planning Authority.
- A detailed infrastructure scheme to be submitted to and agreed in writing to include:

- Works to existing highways including accesses and off-site improvements including lighting
- Works to construct new areas of highway for adoption including SuDS drainage approach and lighting
- Works to construct other infrastructure in those areas of the site proposed to be managed and maintained by third parties including SuDS drainage and lighting
- The Infrastructure scheme to be implemented, in defined phases as appropriate and agreed, prior to first occupation of dwellings and the third party infrastructure to be maintained for the life of the development.

The appropriate elements of the above will be covered by agreements under the Highways Act.

Drainage: The application, if approved, should be conditioned to require a fully SuDS compliant surface water drainage scheme in accordance with the current DEFRA draft national standards. (A standard condition is now applied to relevant approvals.) The condition should cover design approval, construction and the establishment of a maintenance regime. The density of development and limited open space do not appear to lend themselves to such a scheme but the developer and designer will, no doubt, have a reasonably practicable approach in mind. Infrastructure drainage should also be SuDS compliant.

Service Manager Public Protection: A Phase 1 and Phase 2 have been undertaken on the site, these show that the site requires to be remediated. Remediation is out to tender and on completion of tendering the remediation strategy is to be submitted to Environmental Protection. A completion of remediation a validation report is requested.

United Utilities: With regard to the above development proposal, United Utilities wishes to provide the following comments:

Drainage Conditions- In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. We request that drainage conditions are attached to any subsequent approval to reflect this approach.

Numerous public sewers cross this site and we may not permit building over them. They appear to have previously serviced the old site and are now redundant. We would encourage the applicant to fully investigate these sewers and promote a scheme to abandon the sewers so that the proposed layout is not hindered. United Utilities are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

Management and Maintenance of Sustainable Drainage Systems- without effective management and maintenance, sustainable drainage systems can fail or become ineffective.

As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

Water Comments - As a multi-storey development is proposed we would recommend that the applicant install pump and storage of 24 hour capacity to guarantee an adequate and constant supply particularly to the upper floors. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for. Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

Supporting information - Drainage. If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for Adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

Blackpool International Airport: Unfortunately, the proposed development information has been considered and we find there is insufficient information for the application to be properly considered. We would bring your attention to the Town and County Planning (Safeguarding of Aerodromes, Technical Sites, and Military Storage areas) Direction 2002 which, at Annex1 paragraph 5, lists the information that should be provided. For this planning application the following information is missing:

We find that certain elements cause us concern and we require further clarification from the developer.

Obstacle limiting - confirmation of maximum heights is required (metres above ground level (AGL)) including all towers / aerals etc.

Note: In the event the application is granted and the operator wishes to use a crane on site, then at least 28 days before commencement of the development, the developer must contact the Operations Team, Blackpool International Airport. If any equipment to be used during

construction will exceed the maximum height of the finished development (eg tower cranes, piling rigs). Notification of the equipment shall be made in writing.

Electricity North West Ltd: 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.

Waste Services Manager: No comments 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.

County Archaeologist: Lancashire Archaeological Advisory Service has examined the documentation supporting this application and have checked the Lancashire Historic Environment Record and there are no significant archaeological implications in relation to the proposed development. We therefore would not recommend any formal archaeological conditions be attached to any permissions. Please note that the above comments have been made without the benefit of a site visit. If you need any further information or would like to discuss this further please do not hesitate to contact me.

PUBLICITY AND REPRESENTATIONS

Press notice published: 28th February 2019

3 site notices displayed: 21st February 2019

Neighbours notified: 21st February 2019. Three letters have been received in response which make the following comments:-

18 Princess Street, Blackpool - I think the new proposals are broadly acceptable and will blend well with the type of homes currently being constructed on the other side of Blundell Street and elsewhere in Foxhall Village. I trust that the proposed development will not encroach on existing public footpaths/pavements or have the effect of narrowing local roads such as Blundell Street. I welcome the "public realm" space on the Princess Street/Tyldesley Road junction and would seek further details of what this will actually entail and look like. Will use be restricted to residents of the new homes?

I agree with my neighbour when he refers to existing parking difficulties in Princess Street which are currently exacerbated by the temporary closure of Blundell Street. Whilst I acknowledge that residents currently have no parking rights outside their properties, you will be aware that none of the properties along Princess Street have garages or the possibility of off-road parking. It is to be hoped that, as the new homes will each have designated parking spaces within their property boundaries, the additional vehicles that will be parked in the area will all be parked off-road. However, even if that happens, it does not address the problem of non-residents using Princess Street as a free parking area. Has consideration been given to designating the area a controlled parking zone?

Craig-y-Don Hotel, 209-213 Promenade - Even though I have no objection to the erection of the houses I have real concerns about the parking situation. I hope the parking on Tyldesley

Road will still be available to visitors coming to Blackpool and staying at the block of hotels on Central Promenade. We have lost Blundell Street car park with the building of the previous phase, however guests could still park on Blundell Street and Tyldesley Road. It does look like Blundell Street will no longer be available when the site is complete. Can the council inform me what provisions are being made for visitors as if they cannot park in the area it will be detrimental to my trade. I know there are two very small car parks near Coop Street but they soon fill up and Central car park is too far away.

14 Princess Street, Blackpool - Could you please let me know if anything is going to be taken into account of the parking for the likes of us who actually live on Princess Street. It is already a nightmare for us for whenever the sun is out everyone decides to park on this street. I go to work in the early hours of the morning and only by luck when I come home can I get parked anywhere near my house. I find it laughable that there are car parks sitting half empty in the summer only a hundred metres away, the amount of revenue the Council must lose. But then again why use car parks when they can park on Princess Street or Blundell Street for free at the expense of us who live here

NATIONAL PLANNING POLICY FRAMEWORK

The revised National Planning Policy Framework (NPPF) was published in July 2018 and updated in February 2019. It retains the key objective of achieving sustainable development and hence there is a presumption that planning applications proposing sustainable development will be approved. It provides advice on a range of topics and is a material planning consideration in the determination of planning applications. The parts most relevant to this application are:

- 5 - Delivering a sufficient supply of homes
- 8 - Promoting healthy and safe communities
- 9 - Promoting sustainable transport
- 11 - Making effective use of land
- 12 - Achieving well-designed places
- 14 - Meeting the challenge of climate change, flooding and coastal change
- 15 - Conserving and enhancing the natural environment

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

The Blackpool Local Plan: Part 1 - Core Strategy was adopted by the Council in January 2016. The following policies are most relevant to this application are:

- CS1- Strategic Location of Development
- CS2 - Housing Provision
- CS6- Green Infrastructure
- CS7- Quality of Design
- CS9 - Water Management
- CS11 - Planning Obligations
- CS12 - Sustainable Neighbourhoods

CS13 - Housing Mix, Density and Standards
CS14 - Affordable Housing
CS15 - Health and Education

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
LQ3 - Layout of Streets and Spaces
LQ4 - Building Design
LQ6 - Landscape Design and Biodiversity
HN4 - Windfall Sites
BH3 - Residential and Visitor Amenity
BH10 - Open Space in New Housing Developments
AS1 - General Development Requirements (Access and Transport)

BLACKPOOL LOCAL PLAN PART 2: PROPOSED SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES

The Blackpool Local Plan Part 2 has been subject to an informal consultation exercise and will be subject to formal consultation later this year. At this point in time limited weight can be attached to the proposed policies.

The policies in Part 2 that are most relevant to this application are -

DM2 - Housing for older people
DM5 - Design requirements for new build housing development
DM20 - Landscaping
DM21 - Public health and safety
DM25 - Public art
DM33 - Biodiversity
DM39 - Transport requirements for new developments

ASSESSMENT

Principle of Development- the principle of constructing houses on the site was established in 2013 under outline planning permission 12/0803 and the current planning application is fully consistent with this initial planning permission. This outline planning permission also included a ground floor commercial use with apartments above adjacent Foxhall Square and again the current application is consistent with the outline approval.

Quality of Design- the design of the houses and the apartment block follows the design philosophy already established from the 210 houses already occupied/ completed or under construction using a variety of house types at two and three storey in height with a variety of 'ice cream colours' being used for the rendering, a varied materials palette of brick, rendering and cladding and including a number of roof terraces adding to the visual interest.

Impact on Residential and Visual Amenity- the proposed dwellings fronting Tyldesley Road are now primarily three storeys which is more compatible with the large period properties opposite the site. The corner plots are also three storey as built elsewhere within the development and there are also a number of single aspect dwellings with roof terraces reflecting the high density urban form, again, which is already well established elsewhere on the development.

The apartment block has been designed as a focal point for the development fronting onto Foxhall Square close to the Promenade and will also overlook the area of public realm. This building has been designed with a clearly defined base, middle and top and projecting bay windows and inset balconies all of which will break up the massing of the building giving the building visual interest and a good profile so that it does not appear as 'flat'. The top floor will appear as a roof level and the roof terraces above the two and three storey sections of the building will provide communal amenity space.

Highway Safety, Parking and Servicing Arrangements - a response to the Highways and Traffic Management comments are awaited and will be reported via the update note. However the scheme provides 95 car parking spaces (which includes four visitor spaces) for the 59 houses which means each house has either one or two spaces. The retail unit and the 15 apartments would have the sole use of 15 parking spaces. The proposal therefore is considered to satisfactorily provide for the off street car parking requirements of the development. It is also worth noting that the application site is in a sustainable location close to public transport, shopping, leisure, educational and other facilities and is also within walking distance of the Town Centre.

The concerns regarding on street parking facilities are noted, however the parking requirements for nearby hotels was addressed with the loss of the public car park on Blundell Street with a pedestrian access being constructed from the public car park on Seaside's Way 200m from Tyldesley Road down onto Princess Street to provide alternative access to public car parking facilities. There are some on street parking facilities available around the site but these are at a premium.

Public Realm - An area has been identified outside the proposed apartment block and adjacent Foxhall Square. This area measures around 300sqm and gives an opportunity to provide a high quality area of public realm at the entrance to the development from the Promenade. The details have not been finalised and therefore a condition will be included as part of any planning permission. One of the issues is understood to be the amount of services crossing the area which will influence what works are possible. This area of public realm was in part a replacement for the loss of some public open space elsewhere on the development with the omission of the 'pod parks'

Other Issues - Affordable Housing- a number of the existing dwellings on the development (in the region of 70) are already managed by a Housing Association which satisfies affordable housing policy relating to new housing developments.

Public Open Space- it has previously been accepted that standard public open space requirements for new developments would have to be relaxed to ensure the continuing viability of the scheme although the onsite provision would be high quality, as already provided on the east site. The area of public realm represents a further opportunity to provide a high quality area of public open space.

Drainage conditions have been included relating to foul and surface water drainage which will ensure the proposal meets the requirements for sustainable drainage. The comments of the Police ALO, and other consultations responses have been passed onto the applicants and comments are awaited which will be reported via the update note.

CONCLUSION

The proposal is consistent with the high quality residential development already under construction and a significant number of dwellings have already been finished and occupied on both the east and west sites which combine to make up the 410 dwelling development. The current application represents the latest phase of the on-going development on that part of the site closest to the Promenade and is to be supported subject to a standard range of conditions as set out.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

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) involving earlier phases of this residential development ref: 12/0803, 13/0447, 15/0710, 16/0125 and 17/688 which can be accessed via the link below:

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 18 February 2019

Drawings numbered 151.06HT.01 Rev B, 151.06.HT.02, 151.06.HT.03, 151.06.HT.04, 151.06.HT.05, 151.06.HT.06, 151.06.HT.07, 151.06.HT.08, 151.06.HT.09, 151.06.HT.10, 151.06.HT.11, 151.06.HT.12, 151.06.HT.13, 151.06.HT.14, 151.06LAY.01, 151.06.01.PLD01, 151.06.01.PLD02, 151.06.01.PLD03, 151.06.01.PLD04, 151.06.01.PLD05, 151.06.01.PLD06, 151.06.01.PLD07, 151.06.01.PLD08, 1 151.06.01.PLD09, 1 151.06.01.PLD10, 151.04.F.01, 151.04.F.02, 151.04.F.03, 151.04.F.04, 151.04.F.04, 151.06.01.PLS01, 151.06.01.PLS02, 151.06.01.PLS03.

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. 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.

5. 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.

6. 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.

7. 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.

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no enlargement of the dwelling/s the subject of this permission shall be carried out without the written approval of 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.

10. Prior to the commencement of any development details of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed prior to the first occupation of the building and maintained and managed in accordance with the approved details thereafter.

Reason: To secure proper drainage and to reduce the risk of flooding and pollution and to improve bathing water quality standards on the Fylde Coast in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016.

11. Prior to the commencement of any development, details of the foul drainage scheme to serve the development shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. The building shall not be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details. This development shall be completed maintained and managed in accordance with the approved details.

Reason: To secure proper drainage and to reduce the risk of flooding & pollution and to improve bathing water quality standards on the Fylde Coast in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016.

12. The area of public realm shown on the approved layout plan shall be laid out and made available for use in accordance with a scheme and a timetable to be submitted to and agreed in writing the Local Planning Authority. The agreed scheme shall be retained thereafter.

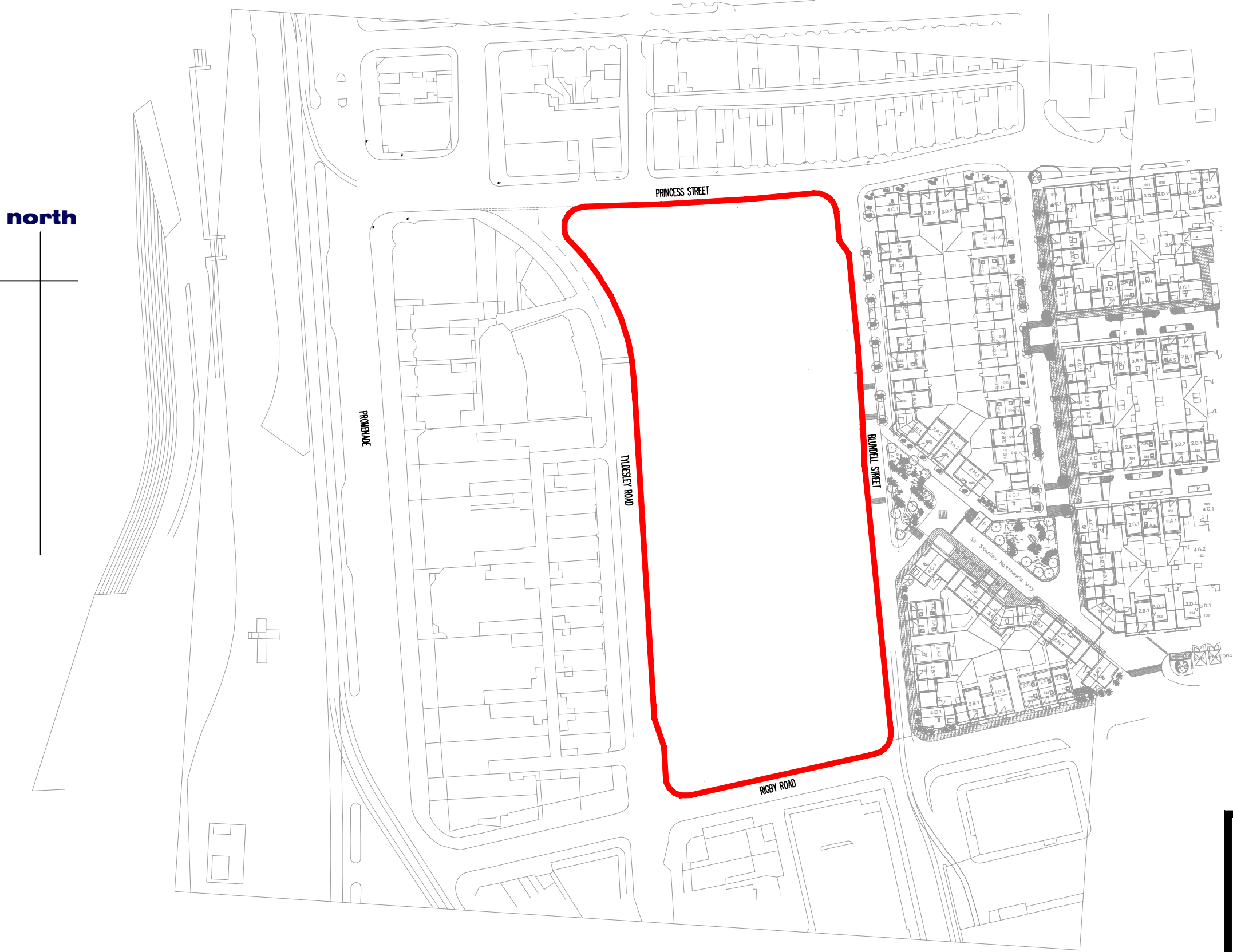
Reason: To ensure sufficient provision of or to provide sufficient improvements to open space to serve the dwellings in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development"(SPG11).

Advice Notes to Developer

Not applicable

FOXHALL VILLAGE , BLACKPOOL PHASE 3 - CPO LAND

Appendix 10(a)



LOCATION PLAN - 1:1250

grosvenor
architectural design

Duxbury Court, 42A Preston Road
Standish, Wigan WN6 0HS

Tel : 01257 473638
Web : www.GrosvenorArchitectural.co.uk
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