

# Blackpool Council

20 September 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, 1 October 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 3 SEPTEMBER 2019** (Pages 1 - 6)

To agree the minutes of the last meeting held on 3 September 2019 as a true and correct record.

### **3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED**

The Committee to note that there have been no planning/enforcement appeals lodged or determined since the last meeting.

**4 PLANNING ENFORCEMENT UPDATE REPORT** (Pages 7 - 10)

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

**5 PLANNING APPLICATIONS AND APPEALS PERFORMANCE** (Pages 11 - 14)

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

**6 PLANNING APPLICATION 19 0278 - CARLETON CEMETERY AND CREMATORIUM, STOCKS ROAD, BLACKPOOL** (Pages 15 - 34)

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

**7 PLANNING APPLICATION 19 0477 - LAND TO REAR OF 1-7 WREN GROVE AND 23-25 ROYAL BANK ROAD, BLACKPOOL** (Pages 35 - 60)

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 0241 - FORMER BISPHAM HIGH SCHOOL, BISPHAM ROAD, BLACKPOOL** (Pages 61 - 108)

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

**9 DATE OF NEXT MEETING**

The Committee is asked to note the date of its next meeting as Tuesday 5 November 2019 at 6pm.

**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](mailto: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](http://www.blackpool.gov.uk).

### **Present:**

Councillor Owen (in the Chair)

Councillors

Baker	Critchley	O'Hara	Stansfield
D Coleman	Hobson	Robertson BEM	L Williams

### **In Attendance:**

Mrs Bernadette Jarvis, Senior Democratic Governance Adviser  
Mrs Clare Lord, Legal Officer  
Miss Susan Parker, Head of Development Management

### **1 DECLARATIONS OF INTEREST**

There were no declarations of interest on this occasion.

### **2 MINUTES OF THE MEETING HELD ON 31 JULY 2019**

The Planning Committee considered the minutes of the last meeting held on 31 July 2019.

### **Resolved:**

That the minutes of the meeting held on 31 July 2019 be approved and signed by the Chairman as a correct record.

### **3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED**

The Planning Committee received a report on the planning appeals lodged and determined since the last meeting.

The Committee noted that three appeals had been lodged against the decision of the Council to refuse permission for the following:

- A certificate of lawfulness existing for the use of ground floor of premises as two self-contained permanent flats at 8 Yates Street, Blackpool.
- The erection of 1.83m high fencing to Warbreck Drive boundary and part of Shaftesbury Avenue boundary at 31 Shaftesbury Avenue, Blackpool.
- The erection of one dwellinghouse on the land between Longfield and No. 21 Robins Lane, Carleton.

The Committee also noted that there had be no appeals determined since the last meeting.

**Resolved:** To note the report.

#### 4 PLANNING ENFORCEMENT UPDATE REPORT

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

The report stated that 50 new cases had been registered for investigation, 16 cases had been resolved by negotiation without recourse to formal action and 31 cases had been closed as there had either been no breach of planning control found, no action was appropriate or it had not been considered expedient to take action.

It was noted that no formal enforcement, Section 215 or breach of condition notices had been issued in July 2019.

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.

#### 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.

The report outlined the performance for August 2019 as 100% for major development decisions against a target of 60% and 90% for minor development decisions against a target of 70%. The overall performance for the period July to September 2019 was 100% for major development decisions and 93% for minor development decisions. No appeals had been determined in August 2019 or during the period July to September 2019.

**Resolved:** To note the report.

#### 6 PLANNING APPLICATION 16/0267 - LAND ADJACENT TO WHALLEY FARM, WHALLEY LANE, BLACKPOOL

The Committee considered planning application 16/0267 for the use of land as a travelling showperson's site for up to five caravans (three static and two tourers), two single storey amenity buildings, parking areas and a 2 metre high boundary fence.

Miss Parker, 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. She informed the Committee that the application was a retrospective application for two showpersons' plots in addition to seeking permission for a further plot. The Committee was referred to the Update Note which clarified that the land was located outside the Marton Moss Conservation Area but within the Marton Moss Strategic Site. The Update Note also proposed an amendment to condition 3 which would require that there would be no window in any static or touring caravan facing towards the properties fronting Southbank Avenue for reasons of privacy.

Miss Parker acknowledged the restrictions of Policy CS26 due to the location of the proposal on Marton Moss Strategic Site, however, considered that this was outweighed

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 3 SEPTEMBER 2019

by Policy CS16 which required the local authority to identify sufficient land to meet the needs of travelling showpersons. It was confirmed that, if approved, the proposal would fulfil the requirement over the plan period. Miss Parker advised that the consultation period for the application expired on 6 September 2019 and therefore the recommendation was to delegate approval to grant the application to the Head of Development Management, subject to no new material objections being received.

Ms Jameson, on behalf of the applicant, spoke in support of the application and advised on her view of the improvements made by the current occupiers around the area of the site and the safety reasons that had necessitated the removal of trees. She also indicated her willingness to consider if necessary a higher boundary fence and the removal of the existing spotlights.

The Committee considered the application and noted that proposed conditions 6 and 7 that would be attached to the permission, if granted, included the requirement for a scheme to be submitted setting out soft landscaping, boundary treatments and an external lighting scheme.

**Resolved:** To delegate approval to grant the application subject to conditions including the amended condition 3 as outlined in the Update Note, to the Head of Development Management, subject to no new material objections being received prior to the end of the consultation period.

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

### 7 DATE OF NEXT MEETING

The Committee noted the date of its next meeting as Tuesday 1 October 2019 at 6pm.

### Chairman

(The meeting ended 6.20pm)

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

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**Application Number 16/0267 – LAND ADJACENT TO WHALLEY FARM, WHALLEY LANE, BLACKPOOL, FY4 4PW**

Use of land as a travelling showperson's site for up to five caravans (three static and two tourers), two single storey amenity buildings, parking areas and a 2 metre high boundary fence.

**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 amended proposed site layout plan and location plan, recorded as received by the Council on 16 August 2019.

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 site layout plan recorded as received by the Council on 16th August 2019.

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. No window in any static or touring caravan shall face towards the properties fronting Southbank Avenue.

Reason: In the interests of privacy and in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012 - 2027 and Policy BH3 of the Blackpool Local Plan 2001 - 2016.

4. 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.

5. 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.

6. a) Within three months from 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, hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

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

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

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

7. Within three months from the date of this permission, an external lighting scheme shall be agreed in writing with the Local Planning Authority and shall thereafter be implemented in accordance with the agreed scheme. No external lighting other than that forming part of the approved scheme shall be erected on the site.

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



**Report to:**

**PLANNING COMMITTEE**

**Relevant Officer:**

Tim Coglan, Service Manager, Public Protection

**Date of Meeting**

1 October 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 August 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, 41 new cases were registered for investigation, compared to 50 received in August 2018.

#### 5.1.2 Resolved cases

In August 2019, 7 cases were resolved by negotiation without recourse to formal action and 11 for August 2018.

#### 5.1.3 Closed cases

In total, 27 cases were closed during the month (32 in August 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 / BCNs

- No enforcement notices authorised in August 2019 (none in August 2018);
- No s215 notice authorised in August 2019 (1 in August 2018);
- 1 Breach of Condition Notice authorised in August 2019 (none in August 2018);
  
- No enforcement notices served in August 2019 (1 in August 2018);
- No s215 notices served in August 2019 (none in August 2018);
- No Breach of Condition notices served in August 2019 (none in August 2018);
- No Community Protection Notice served in August 2019 (none in August 2018).

#### Breach of Condition Notice Authorised in August 2019

Reference	Address	Case	Dates
18/8420	Land at Coopers Way, Blackpool.	The following conditions attached to planning permissions 05/0705 condition 6, 07/0453 condition 4 and 09/1580 condition 4 have not been complied with.	Breach of Condition Notice authorised 07/07/2019. The conditions attached to the planning permissions have been satisfied and it is no longer necessary to issue the notice.

Does the information submitted include any exempt information? No

**5.2 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

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<b>Report to:</b>	<b>PLANNING COMMITTEE</b>
<b>Relevant Officer:</b>	Susan Parker, Head of Development Management
<b>Date of Meeting:</b>	01 October 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? Yes

3.3 Other alternative options to be considered:

None the report is for information only.

### 4.0 Council Priority:

4.1 The relevant Council Priority is both

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

### 5.0 Background Information

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

currently:

**Speed of major development decisions** – 60% within 13 weeks or an agreed Extension of Time - for the period October 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 less than 10% of appeals

**Quality of minor development decisions** – Loss of less than 10% of appeals

- 5.2 Figures are submitted quarterly to the Ministry of Communities and Local Government.
- 5.3 Performance for July 2019 is shown as is performance for the second quarter – July to September 2019.
- 5.4 The last full year performance figures for applications (1 April 2018 – 31 March 2019) were:  
**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 as:  
**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 6 non major appeals were lost (21% of the total appeal decisions) NB There were no major appeal decisions.**
- 5.7

	<b>Government Target</b>	<b>Performance August 2019</b>	<b>Performance July-Sept 2019</b>
<b>Major development decisions</b>	>60%	100%	100%
<b>Minor development decisions</b>	>70%	81%	92%
<b>Quality of major development decisions</b>	>10%	No major appeals determined	No major appeals determined
<b>Quality of non major development decisions</b>	>10%	No non-major appeals determined	No non-major appeals determined

- 5.2 Does the information submitted include any exempt information? No
- 5.3 List of Appendices 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:** [01/10/2019](#)

**Application Reference:** 19/0278

**WARD:** Greenlands

**DATE REGISTERED:** 23/04/19

**APPLICATION TYPE:** Full Planning Permission

**APPLICANT:** Blackpool Council

**PROPOSAL:** Use of land as extension to existing cemetery.

**LOCATION:** CARLETON CEMETERY AND CREMATORIUM, STOCKS ROAD, BLACKPOOL,  
FY6 7QS

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**Summary of Recommendation:** Grant Permission

## **CASE OFFICER**

Miss. S. Parker

## **BLACKPOOL COUNCIL PLAN 2015 -2020**

The Council Plan sets out two priorities. The scheme is considered to accord with Priority Two, which relates to Communities: Creating stronger communities and increasing resilience, as it would increase cemetery provision within Blackpool to meet an identified future local need.

## **SUMMARY OF RECOMMENDATION**

The application seeks permission to extend the Carleton Cemetery site to the south on land that is currently used for open grazing. This extension to the existing cemetery is considered necessary to meet future needs. In terms of planning balance, the contribution the scheme would make towards meeting future needs for cemetery facilities in the borough weighs heavily in favour of the proposal. No issues have been identified that would weigh significantly against the scheme. On this basis the proposal is judged to represent sustainable development and Members are respectfully recommended to grant planning permission subject to the conditions listed at the end of this report.

## **INTRODUCTION**

This application is before Members because it is a Council scheme of wide public interest.

## **SITE DESCRIPTION**

The application relates to 3.1ha of land immediately to the south/south-west of the existing cemetery. The land is currently open and used for some grazing. A small area on the western boundary of the site falls within flood zone 3. The site falls within the Carleton Cemetery Pond Cluster which is a Biological Heritage Site. There are two ponds just outside of the site on the northern and western boundaries and a pond within the site. There are additional ponds outside of the site to the north-east and south. Mature hedgerows follow the southern and western boundaries. The northern boundary runs alongside a pond and the existing cemetery. The site boundary to the east bisects the existing field and ditch and does not follow any discernible physical feature. The site falls within Green Belt. The information submitted with the application states that the site is grade 3 agricultural land.

## **DETAILS OF PROPOSAL**

The application seeks planning permission for the extension of the existing cemetery. The scheme would include the provision of pathways around the burial areas and 10 parking spaces. The southern, western and north-eastern areas of the site are proposed to be used for cremated remains. A 10m landscaped buffer would be provided around the pond within the site with buffers separating the ponds to the north and west from the nearest pathways. Two drainage basins are proposed along the northern boundary. New hedgerows would be planted along the southern and eastern boundaries and new trees would be planted throughout the site.

The application has been supported by:

- Planning statement
- Heritage statement
- Archaeological Record
- Design and access statement
- Landscape and Visual Impact Assessment
- Landscape Management Plan
- Ecological Appraisal
- Flood Risk Assessment
- Environment Agency Audit

## **RELEVANT PLANNING HISTORY**

19/0239 – planning permission granted for the erection of a floral- tribute shelter and the provision of 20 no. additional car parking spaces within the existing main body of the cemetery site.

## **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- The principle of the development in the Green Belt
- The impact on residential amenity
- Visual and heritage impact
- Ecological impact
- Drainage and flood risk
- Impact on environmental quality

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

## **CONSULTATIONS**

**Environment Agency (initial response):** in the absence of an acceptable flood risk assessment (FRA) an objection is raised. The site falls partly within flood zone 3 and so the application should be accompanied by an appropriate FRA. The FRA submitted does not comply with the relevant guidance in the Planning Practice Guidance. The FRA assumes that fluvial flooding would be contained within the 30m no-burial buffer zone along the watercourse but it does not define the extent of flooding for a 1:100year event in relation to the proposal. Detention basins are proposed to attenuate surface water. One is shown in flood zone 3 but this is inappropriate as it may already be full when storage is required. No attenuation ponds should be proposed within flood zone 3 or within 8m of the bank of Bispham Dyke. The FRA should be revised to address the above and to demonstrate that the development would be safe for its lifetime, including an allowance for climate change, without increasing flood risk elsewhere. If possible, flood risk should be reduced. There should be no ground raising within the fluvial floodplain. The FRA fails to identify Bispham Dyke which is a main river. The applicant should demonstrate the relationship between the development and this main river and an 8m easement should be allowed with no planting and no structures to be erected without a permit. No attenuation ponds should fall within 8m of the Dyke. A Flood Risk Activity Permit would be required for excavations within 16m of the main river. The development should accord with the sequential test. An Environmental Permit may be required.

**Environment Agency (final response):** the revised plans and Flood Risk Assessment (FRA) have been considered and the Environment Agency concerns previously raised have been satisfactorily addressed. The development would be safe without exacerbating flood risk elsewhere and so the previous objection is withdrawn. The development must proceed in strict accordance with the revised information. Any changes would require a revised FRA. The applicant must be aware of the flood risk and be satisfied that it would not adversely affect their proposals. With regard to groundwater, the submitted audit report is accepted and no concerns are raised subject to the development complying with the submitted plans and information. The site is adjacent to Bispham Dyke which is a main river. An Environmental Permit may be required and the developer should contact the Environment Agency to establish this at the earliest opportunity. The grant of planning permission does not

necessarily mean that an environmental permit will be granted. An Environment Agency access strip of 8m to the main river should be maintained.

**Greater Manchester Ecology Unit (GMEU) (initial response):** an ecological appraisal has been submitted that identifies the site as falling within a Biological Heritage Site. As the proposals have the potential to affect great crested newt habitat, further survey work is required. As great crested newts are statutorily protected, this work must be carried out prior to determination. If newts are found then a licence would be required to carry out the work and the tree statutory tests would have to be met. The additional survey work should be carried out by a licensed ecologist at an appropriate time of year. If newts are found, appropriate mitigation would be required to safeguard their conservation status at the site.

**Greater Manchester Ecology Unit (GMEU) (final response):** the submitted newt surveys found 15 ponds to be negative for newt DNA with results for only one pond being inconclusive. As this pond is just under 250m from the site, and as precautionary measures are proposed, even if newts were present the risk to them would be low. Overall the scheme would not result in the loss of a pond and would provide measures to enhance pond and grassland habitats. As such the scheme would not have a negative impact on biodiversity. The development should be carried out in accordance with the submitted Ecological Appraisal, the Landscape Management and Maintenance Plan and the proposed Planting Plan. A Construction Environmental Management Plan should be secured through condition. Appropriate wording is provided.

**LCC Archaeology Service:** the Heritage Statement notes the presence of ridge and furrow associated gullies representing former field boundaries. Fossilised agricultural earthworks indicate that these likely originated in the medieval period and there is a strong possibility that the land has been in agricultural use since the late medieval period. Such features are not rare but are sufficiently scarce to be of local significance. The site also contains part of the historic boundary between Great Carleton and Little Carleton dating to the late 12<sup>th</sup> Century. However, as the boundary is marked by an active drain that has been repeatedly cleared and scoured, it is unlikely to contain archaeological evidence. The headland running along the southern side may however retain evidence of earlier land uses. Prehistoric activity is recorded in the wider area and so the site may have been used in earlier periods. In light of the above, a programme of archaeological investigation should be undertaken and an appropriate methodology is specified. Any discoveries arising from this initial investigation should then be subject to further investigation to be agreed. An appropriately worded condition is recommended.

**Blackpool Civic Trust:** the application is supported.

**Head of Highways and Traffic Management:** no objection raised but a detailed Construction Management Plan would be required.

**Lead Local Flood Authority:** no objection raised. This proposal can be supported now from a drainage perspective subject to the imposition of conditions to address the Environment Agency concerns.

**Built Heritage Manager:** the submitted Heritage Statement and Historic Environment Record make it clear that the area has a long history of agriculture with associated archaeological evidence. There have been spot finds dating back to the Bronze Age. As such, a scheme of archaeological recording should be undertaken if planning permission is granted, and a watching brief should be arranged to record and investigate any dateable material or artefacts discovered during the works.

**Head of Parks and Greens:** the proposals are supported. The Landscape Management and Maintenance Plan is very comprehensive and the proposals for planting and subsequent management are endorsed.

### **REPRESENTATIONS**

Press notice published: 4 July 2019

Site notice displayed: 15 May 2019

Neighbours notified: 29 April 2019

No representations received in time for inclusion in this report. Any comments that are received in advance of the Committee meeting will be reported through the Update Note.

### **NATIONAL PLANNING POLICY FRAMEWORK**

The revised National Planning Policy Framework (NPPF) was adopted in February 2019 and retains the key objective of achieving sustainable development. 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:

- Section 8 - Promoting healthy and safe communities
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

### **NATIONAL PLANNING PRACTICE GUIDANCE**

The National Planning Practice Guidance (NPPG) expands upon and offers clarity on the points of policy set out in the NPPF. For the purpose of this application, the following sections are most relevant:

- Conserving and enhancing the historic environment
- Design
- Flood Risk and Coastal Change
- Health and Well-Being

- 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:

- CS5 Connectivity
- CS6 Green Infrastructure
- CS7 Quality of Design
- CS8 Heritage
- CS9 Water Management

### **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
- LQ6 Landscape Design and Biodiversity
- BH3 Residential and Visitor Amenity
- NE1 Development within Green Belt
- NE5 Other sites of Nature Conservation Value
- NE6 Protected Species
- NE7 Sites and Features of Landscape, Nature Conservation and Environmental Value
- 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. Nevertheless, the following draft policies in Part 2 are most relevant to this application:

- DM20 Landscaping
- DM21 Public Health and Safety
- DM29 Archaeology
- DM33 Biodiversity
- DM39 Transport Requirements for New Development

## **ASSESSMENT**

### **Principle**

Carleton Cemetery is the only burial ground in the borough that is available for new burials. At the current rate of interment, there is only two years of capacity available at Carleton. There is therefore a pressing need for new provision.

Policy CS6 of the Core Strategy relates to Green Infrastructure including Green Belt. It is clear that national policy will be applied to Green Belt areas within the borough in order to protect their openness and character. Section 13 of the National Planning Policy Framework (NPPF) relates specifically to the protection of Green Belt land. It explains that Green Belt serves to restrict urban sprawl; prevent the merger of settlements; safeguard the countryside; preserve the setting of historic towns; and promote urban regeneration. The essential characteristics of Green Belts are stated to be their openness and permanence.

The application proposes the extension of the existing cemetery. This would include the provision of footpaths, carriageways and parking, and the erection of headstones and associated street-furniture. None of these features, either in isolation or cumulatively, would compromise the general openness of the Green Belt. The NPPF at paragraph 145 is supportive of appropriate development within the Green Belt and lists facilities for cemeteries and burial grounds as suitable, as long as they preserve openness and the function of the Green Belt. On this basis, no unacceptable harm to the Green Belt is identified.

The application site will fall within Agricultural Classification Grade 3 which is good to moderate quality but not the best or most versatile which would fall within grades 1 and 2. Paragraph 170 of the NPPF requires planning decisions to take account of the wider benefits of the best and most versatile agricultural land. As the application relates to only 3.1ha of grade 3 land which is used for rough grazing rather than pastoral or arable farming, the loss of agricultural land as proposed is considered to be acceptable.

As a small part of the site to the west falls within flood zone 3, the proposal must pass the sequential test. No sequential appraisal has been submitted, but this is nevertheless considered to be the most appropriate site for the development proposed. Blackpool is a very densely developed urban area with relatively little open space of the size required. The majority of undeveloped, Council-owned land that is available in the borough is safeguarded as public open space or for recreation. The extension proposed would be able to make use of the existing chapel, reception, café and parking facilities whereas a new burial ground would require new provision. Furthermore, the area falling within flood zone 3 would not be hard-surfaced or used for burials, but would instead be landscaped to provide a buffer to the pond to the west. On this basis, the proposal is considered to satisfy the sequential test. As there is a clear public need for the increased provision, and as development would be restricted to the area of the site outside the flood zone, the exceptions test is also considered to be passed.

## **Amenity**

There are residential properties fronting Meadow Crescent to the east, and properties fronting Coriander Close to the north-west, but these are at some distance. There would be no structures on site that could have an impact through over-looking or over-shadowing. The operation of the extension would not have an undue impact through noise or activity. Any disturbance during construction could be limited through a Construction Management Plan. As such, no unacceptable amenity impacts are anticipated.

## **Visual and Heritage Impact**

As no buildings are proposed on site, and as substantial landscaped buffers are proposed along the northern, western and southern boundaries, the proposal would have a limited visual impact. The materials to be used in the carriageways, footpaths and parking bays could be agreed through condition, as could the planting specifications for the landscaped areas. The provision of any street furniture such as benches, bins, bollards and lighting columns could equally be agreed through condition. As such, no unacceptable visual impacts are expected.

The chapel within the existing cemetery ground is Locally Listed, however, as the burial ground provides the current setting for this asset, the extension proposed would not detract from its character, appearance or heritage value. There is some potential for historic artefacts to be buried on the site. As such, any permission granted should be subject to a condition requiring agreement and implementation of a full scheme of archaeological surveying and recording. Subject to this condition, no unacceptable heritage impacts are anticipated.

## **Highways**

The proposal has been considered by the Council's Head of Highways and Transportation and no objection has been raised. The extension would not be expected to have an undue impact on highway function or safety.

As part of permission reference 19/0239, twenty additional car parking spaces have been approved within the existing cemetery site. A further ten car parking spaces are proposed as part of this application. The Council does not have any published standards that relate specifically to parking provision for cemetery and crematorium uses. However, the current scheme has been designed and proposed by Council officers who are familiar with the operation and needs of the site. Whilst it is appreciated that some funerals can generate particularly heavy demand for car parking, the existing provision is sufficient to support general operation. On this basis, the creation of ten spaces to serve the proposed extension is considered to be proportionate and acceptable.

## **Drainage and flood risk**

The application has been considered by the Environment Agency. Subject to adherence to the submitted Flood Risk Assessment, no undue flood risk is anticipated and the development



should not exacerbate flood risk off site. The proposal has been considered by the Council in its capacity as Lead Local Flood Authority and, subject to the imposition of the conditions listed at the end of this report, no drainage concerns are raised.

### **Biodiversity and Landscaping**

The application has been considered by Greater Manchester Ecology Unit and by the Head of Parks and Green Environment. Subject to the development proceeding in accordance with an agreed Construction Environmental Management Plan and with the submitted Ecological Appraisal, Landscape Management Plan and Planting Plan, the proposal should not have an unacceptable impact upon biodiversity. The proposals include ecological enhancements as required by the NPPF. The proposed landscaping and planting plans are considered to be acceptable and should help to enhance habitat benefits on the site as well as provide appropriate screening and an attractive setting for the extension. The scheme would not result in the loss of established trees or important hedgerows. As such, no issues relating to biodiversity or landscaping are anticipated.

### **Environmental Quality**

The Environment Agency has not raised any concerns relating to water quality and United Utilities has not commented on the application. The site does not fall within a Source Protection Zone for drinking water. The potential for land contamination arising from the use has also been considered by the Environment Agency. As long as the proposal is developed in accordance with the submitted flood risk assessment, the audit prepared by Cemetery Development Services, and an agreed Construction Management Plan, contamination of surface or sub-surface water bodies and land in the vicinity should be avoided and environmental quality safeguarded.

The scheme would not affect air quality or be at undue risk from such.

### **Sustainability Appraisal**

Sustainability comprises economic, environmental and social components.

Economically, the loss of the site as agricultural land is considered to be acceptable and the use proposed would have a very limited economic impact.

Environmentally, no unacceptable visual impacts or impacts on environmental quality are anticipated. Biodiversity and landscaping would be appropriately safeguarded and enhanced. No drainage concerns have been raised. The character and function of the Green Belt would be adequately protected.

Socially, the scheme would meet an identified and reasonably immediate need for more burial ground space within the borough and this weighs heavily in favour of the scheme. No unacceptable impacts on amenity or on the heritage value of the locally listed chapel would result. The archaeological potential of the site could be suitably safeguarded through

condition. The site would not be at undue risk from flooding and would not exacerbate flood risk elsewhere. No impacts on highway capacity or safety are anticipated.

### **CONCLUSION**

In terms of planning balance, the contribution the scheme would make towards meeting future needs for cemetery facilities in the borough weighs heavily in favour of the proposal. No issues have been identified that would weigh significantly against the scheme. On this basis the proposal is judged to represent sustainable development and Members are respectfully recommended to grant planning permission subject to the conditions listed below.

### **LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION**

None required.

### **FINANCIAL BENEFITS**

The scheme would not deliver any financial benefits but, in any event, this has not been taken into account as part of the consideration of the planning balance and merits of the scheme.

### **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) 19/0278 which can be accessed via this link:

<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:

Site layout plan ref. CDS\_PBL\_CAR\_03 Rev 03  
Burial layout plan ref. CDS\_PBL\_CAR\_06 Rev 01  
Drainage details drawing ref. CDS\_PBL\_CAR\_15 Rev 00  
Drainage plan ref. CDS\_PBL\_CAR\_05 Rev 03  
Annotated planting plan ref. CDS\_PBL\_CAR\_10 Rev 02  
Planting plan ref. CDS\_PBL\_CAR\_20 Rev 00

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. Prior to the laying down of any final surface treatments, details of those surface treatments shall be submitted to and agreed in writing by the Local Planning Authority prior and the development shall thereafter proceed in full accordance with those agreed details.

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

4. Details of any street furniture to be provided on the site shall first be submitted to and agreed in writing by the Local Planning Authority prior to installation and the development shall thereafter proceed in full accordance with those agreed benefits. For the purpose of this condition, street furniture is taken to include but not be limited to benches, bins, signage and life-saving equipment.

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

5. Prior to the installation of any external lighting, details of that lighting 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 details of the lighting shall include the position and appearance of the lighting columns and lamps and details of the lux level, angle and spill of any lighting.

Reason: In the interests of the appearance of the site and locality and to prevent any detrimental impact on biodiversity arising from light-spill in accordance with the provisions of paragraph 170 of the NPPF, Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ1 of the Blackpool Local Plan 2001-2016.

6. a) The landscaping of the site shall accord in full with the Landscape Management and Maintenance Plan and the Planting Schedule recorded as received by the Local Planning Authority on 25 Apr 2019 and the Proposed Planting Plan reference CDS\_BPL\_CAR\_10 Rev 02.

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

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

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

7. The development hereby approved shall proceed in full accordance with the recommendations set out in the Preliminary Ecological Appraisal Report prepared by Milner Ecology and referenced ME/18/515.00 and the Great Crested Newt eDNA Analysis prepared by Syntegra Consulting and referenced 18-5039.

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

8. Prior to the commencement of development, 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 the approved details:
- a tree survey identifying the trees and hedgerows to be retained
  - a tree protection plan to set out how the trees and hedgerows to be retained would be protected during construction

Reason: In order to safeguard trees and hedgerows on the site in the interests of biodiversity and the appearance and character of the area in accordance with the provisions of paragraph 170 of the NPPF, Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, and Policies LQ1, LQ6 and NE7 of the Blackpool Local Plan 2001-2016.

9. No development shall take place (including demolition, ground works and vegetation clearance) until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following.
- Risk assessment of potentially damaging construction activities.
  - Identification of "biodiversity protection zones".
  - Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
  - The location and timing of sensitive works to avoid harm to biodiversity features.
  - The times during construction when specialist ecologists need to be present on site to oversee works.
  - Responsible persons and lines of communication.
  - The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of safeguarding environmental and ecological quality in accordance with the provisions of paragraph 170 of the NPPF and Policy LQ6 of the Blackpool Local Plan 2001-2016.

10. 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.

11. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. The programme of field investigation should include:

- i) A record of the visible traces of ridge and furrow and former field boundaries, using a combination of field survey and plotting of aerial photographs, to record the location, direction and scale of earthworks;
- ii) A strip map and record exercise of any intervention which affects the gully (no 9) and the headland (no 18 in field survey);
- iii) A strip map and record exercise of any groundworks which disturb the ridge and furrow.

This should be followed by such subsequent work as required to investigate and record any remains encountered. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

Note: This work should be carried out by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance set out by the Chartered Institute for Archaeologists ([www.archaeologists.net](http://www.archaeologists.net)).

12. The development hereby approved shall proceed in full accordance with the report and recommendations set out in the Flood Risk Assessment and SUDS Design prepared by Cemetery Development Services (CDS) in July 2019 and the email dated 13 August 2019 from the Technical Director of CDS.

Reason: In order to ensure that the development would not be at undue flood risk and would not exacerbate flood risk off site in accordance with the provisions of section 14 of the NPPF and Policy CS9 of the Local Plan Part 1: Core Strategy 2012-2027.

13. The development hereby approved shall proceed in full accordance with the report and recommendations set out in the "Report to Blackpool Borough Council on the suitability of a site as an extension to Carleton Cemetery as part of an Environment Agency T2 Audit" prepared by Cemetery Development Services (CDS) in August 2016, including the following provisions:

- the scheme shall adhere to the zoning shown on the layout plan
- the normal double grave depth shall be 1.8m below ground level

Reason: In order to safeguard water quality in accordance with the provisions of paragraph 170 of the NPPF and Policy CS9 of the Local Plan Part 1: Core Strategy 2012-2027.

14. Notwithstanding the information submitted, a continuous 8m wide buffer shall be retained and maintained at all times in an unobstructed manner alongside Bispham Dyke which is designated as a Main River. This buffer shall be kept free of cremated or interred remains and of memorialisation at all times.

Reason: The Environment Agency has permissive powers for access to the Main River at all times and this may necessitate the use of plant, vehicles and equipment that could have a detrimental impact upon the land within 8m of the Main River.

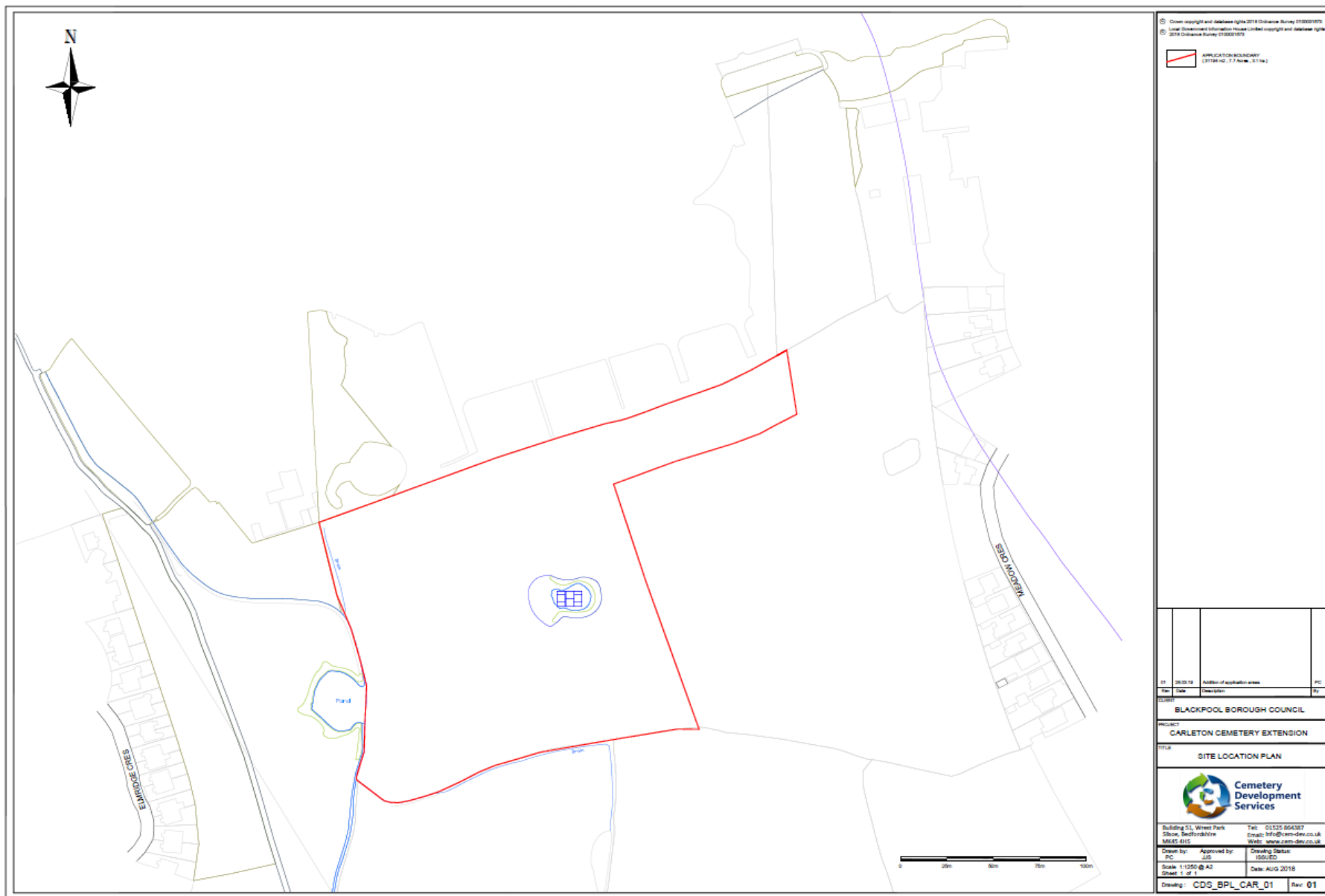
### **Advice Notes to Developer**

1. Bispham Dyke which runs adjacent to the application site is designated as a Main River.

A permit would be required from the Environment Agency for any activities which take place within 8m of a Main River (16m if tidal). The grant of planning permission in no way indicates that a permit will be granted and the applicant is advised to contact the Environment Agency to discuss the need for any permit at the earliest opportunity.

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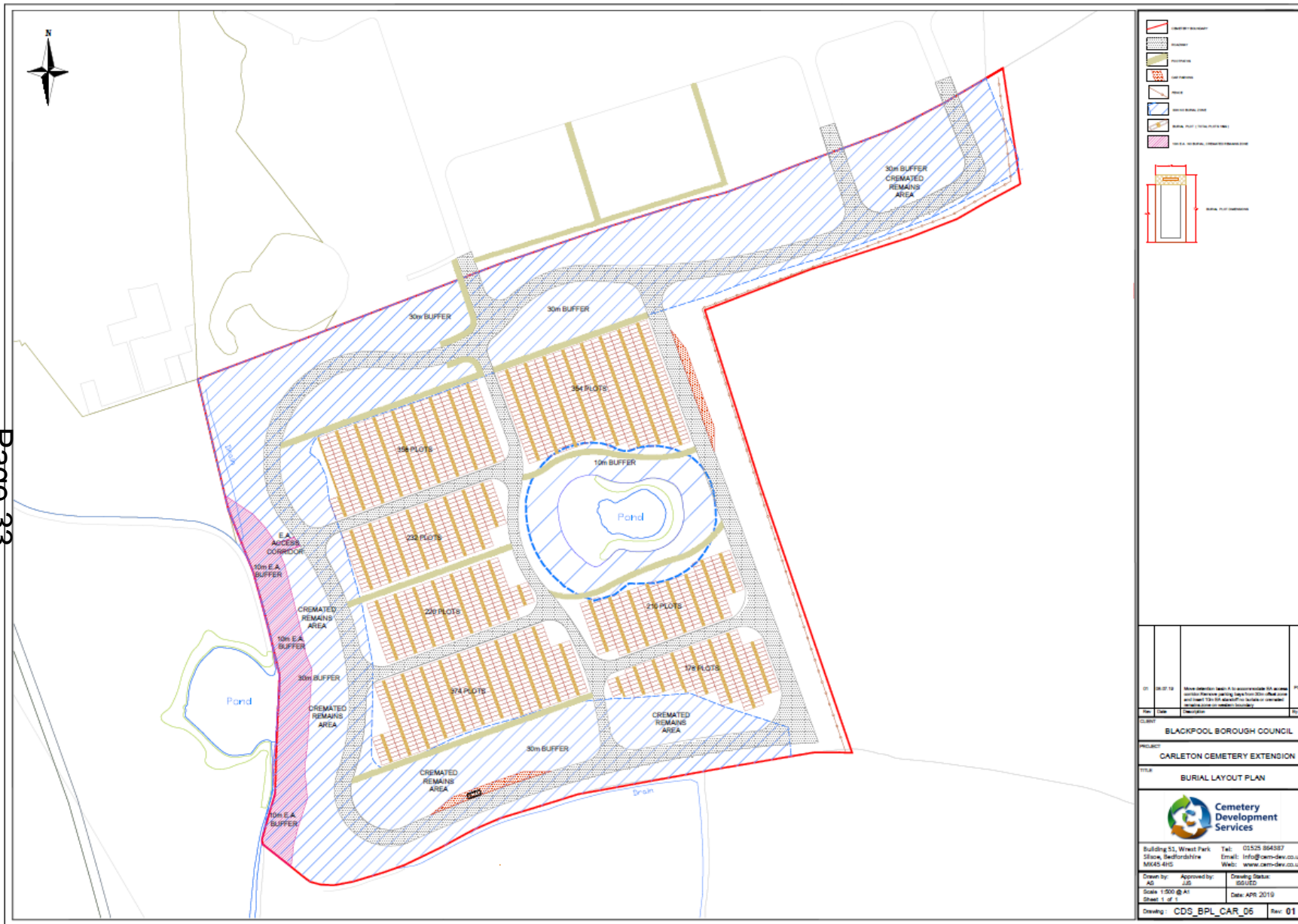




Site location plan



Aerial photograph



Burial layout plan



# Agenda Item 7

**COMMITTEE DATE:** 01/10/2019

**Application Reference:** 19/0477

**WARD:** Marton  
**DATE REGISTERED:** 15/07/19

**APPLICATION TYPE:** Full Planning Permission  
**APPLICANT:** Zell-am Group

**PROPOSAL:** Erection of three, two storey terraced houses with associated parking and landscaping and vehicular access from Wren Grove and Royal Bank Road.

**LOCATION:** LAND TO REAR OF 1-7 WREN GROVE AND 23-25 ROYAL BANK ROAD,  
BLACKPOOL, FY3 9PN

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**Summary of Recommendation:** Grant Permission

## **CASE OFFICER**

Miss. S. Parker

## **BLACKPOOL COUNCIL PLAN 2015 -2020**

This application accords with **Priority Two of the Plan** - Communities: Creating stronger communities and increasing resilience in that it would replace a redundant industrial use within a residential area with residential accommodation that would help to meet the borough's housing needs.

## **SUMMARY OF RECOMMENDATION**

The loss of the existing, redundant industrial use is considered to be acceptable and its replacement with residential housing the most appropriate solution. The accommodation proposed would be of a satisfactory standard of design and amenity and would not have any unacceptable impacts upon surrounding neighbours or the highway network. As such, and as will be set out below, Members are respectfully recommended to grant planning permission for the proposal.

## **SITE DESCRIPTION**

The application relates to a back-land site that is currently occupied by a warehouse unit. There is an alleyway immediately to the south of the site that runs between Royal Bank Road

and Wren Grove and behind the properties fronting Preston Old Road and the Boars Head Public House. This latter is a Locally Listed building. The site is surrounded by residential properties to the east, south and west and by industrial units to the north.

The site falls within the setting of a Locally Listed building and within flood zone 1. There are no ecological features on site but the existing building has the potential to support nesting birds or roosting bats. The site is not otherwise subject to any designations or constraints.

### **DETAILS OF PROPOSAL**

The application seeks permission for the erection of a terrace of three, two-storey houses with associated parking and landscaping. Each property would offer a lounge, kitchen and WC at ground floor level. The end properties would provide three bedrooms and a bathroom whilst the central property would provide two bedrooms, a bathroom and a study at first floor level. A walkway would run along the back of the rear gardens to the properties to connect the gardens to the alleyway. Five off-street parking spaces would be provided to serve the development.

The application has been supported by a Bat Survey and Heritage Statement.

### **PLANNING HISTORY**

07/0063 – outline planning permission granted for the erection of a two-storey building to provide four self-contained flats.

### **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- the acceptability of the loss of the industrial use
- the impact of the proposal on residential amenity
- the suitability of the design of the scheme
- the adequacy of parking and access arrangements

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

### **CONSULTATIONS**

**Lancashire County Council Archaeology Service** – the site is on the fringes of the settlement of Great Marton which was noted in the Domesday survey. Buried remains of medieval or earlier times may be present. As such, a scheme of investigation and a watching brief should be maintained. An appropriate condition is recommended.

**Built Heritage Manager** - the proposal would improve the setting of the Locally Listed Boar's Head Hotel and so no objection is raised. It would further enhance the setting if additional interest could be added to the south elevation, such as decorative barge boards.

**Blackpool Civic Trust** - no response received in time for inclusion in this report. Any comments that are received in advance of the meeting will be reported through the Update Note.

**Local Highway Authority** - the proposal appears to be workable although improved parking provision would be preferable. That said, it is comparable to that available in the general area. The practicality of the scheme depends upon the demands on the shared access. It is acknowledged that the gating of the alleyway has reduced nuisance but it would be logical to expect a removal of the gates to the alleyway to allow for the passage of traffic from the development. Traffic generation would be no greater than the previous use of the site or any alternatives. The scheme would not constrain the width of the access. As such, no objection is raised.

**Lead Local Flood Authority** - no response received in time for inclusion in this report. Any comments that are received in advance of the meeting will be reported through the Update Note.

**Environmental Protection (land contamination)** - no response received in time for inclusion in this report. Any comments that are received in advance of the meeting will be reported through the update note.

**Environmental Protection (amenity)** - no response received in time for inclusion in this report. Any comments that are received in advance of the meeting will be reported through the update note.

**United Utilities** - foul and surface water should be drained separately. Surface water should drain in the most sustainable manner in accordance with the established hierarchy. Any assets proposed for United Utilities adoption must be to United Utilities standards. The developer should contact United Utilities at the earliest opportunity. The Lead Local Flood Authority or the Environment Agency should be consulted on discharge rates. The developer should contact United Utilities regarding the provision of a water supply. A public sewer crosses the site and a 6m access strip centred on the sewer must be maintained. Either the site layout must enable access or the sewer must be diverted at the developer's expense. Again early consultation with United Utilities is recommended. Levels of access and cover must be maintained. Deep rooted shrubs should not be planted near the sewer. If a sewer is discovered during construction, a Building Control body should be consulted.

## **PUBLICITY AND REPRESENTATIONS**

Site notice displayed: 23/07/19

Neighbours notified: 18/07/19

A letter has been submitted by the occupants of No. 24 Preston Old Road. This letter also bears the supporting signatures of the residents of Nos. 18, 30 and 32 Preston Old Road and No. 23 Royal Bank Road. Further representations have also been made from Nos. 20, 22, 24, 28 and 38 (The Boars Head) Preston Old Road, No. 7 Wren Grove, and No. 280 Park Lane, Preesall. The representation from No. 24 claims to make comment on behalf of the occupant of No. 16.

These representations raise the following issues:

- over-use of the site
- would lead to over-crowding and excessive built density
- impact on the character of the area and residents mental health
- impact on human rights
- loss of privacy
- increase in noise and disturbance
- noise, disturbance and damage during construction
- impact on highway safety including pedestrian safety
- increase in traffic
- existing lack of parking in the area
- limited on-street parking in the area
- insufficient parking proposed
- impact on existing access
- existing road surfaces poor
- area used for parking by commercial vehicles and shoppers from Whitegate Drive
- impact on security from opening up the rear alleyway
- potential for increased criminal and anti-social behaviour
- alleyway is in poor condition as it is unadopted
- impact on drainage
- increase in pollution
- loss of trees and wildlife
- impact on the continued business operations of the local Public House
- site should be used for other purposes
- inadequate publicity and notices served late
- ownership issues

The Committee is respectfully reminded that land ownership issues and preference for alternative schemes cannot be taken into account as valid planning considerations. The application has been publicised in accordance with the statutory requirements. The serving of a 21-day notice on potentially affected land-owners is a responsibility of the applicant. In this case it is claimed that the notices were dated 19 July 2019 but were not received until 29 July 2019, and that this delayed postage has significantly impacted upon the notice period.



However, as a period of substantially more than 21 days will have elapsed by the time a decision is made, no prejudice to any party is identified.

The other issues raised will be considered as part of the assessment set out below.

## **RELEVANT PLANNING POLICY/LEGISLATION**

### **National Planning Policy Framework (NPPF)**

The National Planning Policy Framework (NPPF) was adopted in February 2019. It sets out a presumption in favour of sustainable development. The following sections are most relevant to this application:

- 5 - Delivering a sufficient supply of homes
- 6 – Building a strong, competitive economy
- 8 - Promoting healthy and safe communities
- 11 - Making effective use of land
- 12 - Achieving well-designed places
- 15 – Conserving and enhancing the natural environment
- 16 – Conserving and enhancing the historic environment

### **National Planning Practice Guidance (NPPG)**

The National Planning Practice Guidance (NPPG) expands upon and offers clarity on the points of policy set out in the NPPF.

### **Blackpool Local Plan Part 1: Core Strategy 2012-20**

The Core Strategy (part 1 2012-2027) was adopted in 2016 with policies from the former local plan (2001-2016) saved for continued use in the absence of an adopted part 2. The following policies are most relevant:

- CS2 Housing provision
- CS3 Economic development and employment
- CS7 Quality of design
- CS8 Heritage
- CS12 Sustainable neighbourhoods
- CS13 Housing density, mix and standards
- CS14 Affordable housing

### **Local Plan 2001-2016**

The Blackpool Local Plan was adopted in June 2006. A number of policies in the Blackpool Local Plan (2006) have now been superseded by policies in the Core Strategy (these are listed in Appendix B of the Core Strategy). Other policies in the Blackpool Local Plan are saved until

the Local Part 2: Site Allocations and Development Management Policies is produced. The following policies are most relevant to this application:

- LQ1 Lifting the quality of design
- LQ2 Site context
- LQ4 Building design
- BH3 Residential and visitor amenity
- DE4 Outside the defined industrial/business estates
- AS1 Access, parking and highway safety

### **Emerging 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 but the following are most relevant:

- DM1 Housing development in residential gardens, infill and backland sites
- DM5 Design requirements for new build housing development
- DM20 Landscaping
- DM21 Public health and safety
- DM28 Locally Listed buildings and other non-designated heritage assets
- DM29 Archaeology
- DM33 Biodiversity
- DM39 Transport requirements for new development

## **ASSESSMENT**

### **Principle**

Outline planning permission was granted in 2007 for the demolition of the existing industrial building and the erection of a block to provide four self-contained flats. Although this permission has lapsed, there have been no substantive changes in circumstance since that would preclude residential development. As such, this previous decision establishes some precedent. Policy DE4 of the Local Plan is supportive of the loss of employment uses outside of the designated estates where this would deliver environmental and amenity benefits. In this case the industrial unit has been vacant for a number of years but was last used as a warehouse. Given the proximity of residential accommodation, this use is not considered to be acceptable in this location. As such, the loss of this use to provide residential accommodation more appropriate to the character of the area is considered to be acceptable in principle.

Concerns have been raised by local residents that the development proposed would represent an over-development of the site harmful to the character of the area. It should be noted that, whereas the 2007 permission approved development of four self-contained flats,

this proposal is for three terraced houses which represents a reduction in unit numbers albeit that larger units would be provided. The surrounding housing is predominantly terraced with semi-detached properties fronting Royal Bank Road. As such, the provision of a small terrace on this site is considered to be appropriate to the character of the area. The issue of over-development will be considered below under the assessment of amenity impact.

The scheme would provide three new housing units that would make a modest contribution towards the borough's housing requirement. However, as current indications are that the Council can identify a five-year supply of housing land, this carries limited weight in the planning balance.

In terms of housing mix, the application proposes three terraced houses, two of which would offer three bedrooms with the third offering two bedrooms. Policy CS13 of the Core Strategy relates to housing mix, density and standards. This policy does not specify a housing mix for sites of this size but does expect all schemes to make efficient use of land. Given the nature of existing housing in the area, the type of housing and the mix proposed is considered to be acceptable in this location.

### **Planning Obligations**

Policy CS14 of the Core Strategy expects developments for between 3 and 14 units to make a financial contribution towards affordable housing provision within the borough. However, the policy states that the level of contribution will be identified in a Supplementary Planning Document. As no such document has yet been produced and adopted, the Council is unable to secure contributions towards affordable housing at the present time.

The scheme would not be of a scale to generate a contribution towards local education provision.

At present there is no mechanism in place for contributions towards local health care provision to be calculated or secured.

As the scheme proposes three new residential units but does not propose any public open space on site, a contribution towards the provision or improvement of off-site public open space would be required. The development proposed would generate a requirement for a contribution of £3,096. This would be secured by way of a condition attached to any permission granted.

### **Amenity**

Concern has been raised that the scheme would represent over-development of the site. At present the Council does not have adopted floorspace standards for new-build accommodation. However, the properties proposed would all meet the standards intended for adoption under Part 2 of the Local Plan. Nevertheless, the rear gardens would be 6.8m in length at the narrowest point and 9.5m in length at the greatest. The Council typically requires rear gardens to measure at least 10.5m in length with a 21m separation between

front/rear-and-front/rear elevations. The proposal would not achieve this. The separation distance between the rear elevations of the properties fronting Wren Grove and the front elevations of the houses proposed would be 17.5m at the closest point. The separation at the closest point between the rear elevations of the proposed properties and the single-storey rear extension of no. 25 Royal Bank Road is 9.3m but otherwise the main elevations would sit between 12.7m and 16.3m away.

Notwithstanding the shortfalls detailed above, the terrace now proposed would sit on the same footprint as the flat block approved under permission reference 07/0063, and on a much reduced footprint than the existing industrial unit. It is recognised that a degree of compromise must often be made in respect of infill sites in order to secure efficient use of the land, and that reduced separation distances are common in older residential areas. It is also noted that the properties fronting Royal Bank Avenue would be set at a slight angle to the application properties. As the extensions to the properties on Royal Bank Avenue are single storey, it is not considered that this pinch point of separation would have an unacceptable impact on privacy. Overall, given the slight angle between the properties and the realities of the existing situation, the separation distances achieved are considered to be acceptable. It is not considered that greater separation could be easily achieved through a reconfigured layout and so some allowance must be made in order to support redevelopment of the site. As such and on balance, the scheme is not considered to represent over-development. Given the size, scale and position of the proposed terrace relative to the existing building, no greater impacts on levels of daylight and sunlight to the neighbouring properties would result. To prevent further development on the site that could compromise levels of residential amenity, it is recommended that a condition be attached to any permission granted to remove permitted development rights.

Each property would have sufficient outdoor amenity space to meet the needs of occupants. The gardens would be large enough to accommodate the storage of cycles if desired along with room for refuse storage and the drying of clothes. An access pathway is proposed to the rear to enable the middle and northern properties to present their bins in the alleyway for collection.

It is appreciated that local residents consider that nuisance from patrons of the Boars Head Public House has diminished following the installation of alley-gates. However, the retention of gates would make vehicle manoeuvres within the site more difficult and it would be inappropriate for new dwellings to be behind and accessed through alley-gates. The new dwellings would provide some additional natural surveillance to off-set the loss of the alley-gates.

Given the long-established use of the property for warehousing, and the permitted development rights that would allow for a change to business use, the residential use of the site as proposed is considered to be far more suitable despite any shortfalls in separation distances. As such and on this basis, no unacceptable amenity impacts are anticipated. A construction management plan could be agreed through condition to prevent undue disturbance during construction.

## **Design and heritage impact**

The scheme has been significantly amended since first submission to make it more in-keeping with its surroundings. Previously the use of quoins and various cladding materials was considered to be visually cluttered. The scheme has now been simplified such that the end houses would be faced in brick with the central, projecting house clad with render. This would effectively break up the mass of the building and both materials are evident in the wider area. The central house would have a gable front to create a focal feature and provide some verticality. The end properties would have smaller gables to either end to provide visual interest. Stone headers and cills to the windows and canopies over the doors to match the smaller front gables would add further interest and coherence to the frontage. At the rear, mono-pitch canopies would be provided over the doors and the windows would again have stone headers and cills. Rainwater down-pipes would be used to visually separate the block into three properties. Details of materials could be secured through condition. Overall, the block is considered to be of a good standard of design appropriate to the local area.

Details of boundary treatments and landscaping can be agreed through condition.

The site falls within the setting of the Boars Head Public House which is a Locally Listed building. A basic heritage statement has been submitted with the application. The Council's Built Heritage Officer and the Blackpool Civic Trust have been consulted and no objections have been raised. It is noted that additional features of detail have been requested, but the scheme now proposed is nevertheless considered to be suitable in the context. It is considered that the development proposed would have a lesser impact upon the quality, character and appearance of the setting than the existing industrial unit, and that the design of the scheme is appropriate to the location. As such, no undue impact on heritage value is identified.

## **Access, Parking and Highway Safety**

Access to the site would be from Preston Old Road via existing access points. The existing rear alleyway would provide a through route meaning that traffic to and from the development would not have to manoeuvre unduly within the site. Levels of visibility are acceptable. The level of increased traffic that would be generated by the development would be insufficient to have a material impact on the capacity or function of the local highway network. The Head of Highways and Transport Management has been consulted on the proposal and has raised no objections over the acceptability of the access or highway safety.

Five parking spaces are proposed to serve the development. There is no opportunity for further provision. The Council's adopted parking standards would expect a maximum provision of up to six spaces. It is recognised that on-street parking in the area is limited and subject to significant pressure. It is also noted that the proximity of the Whitegate Drive Local Centre adds to this pressure. However, the site is in an accessible location within easy walking distance of a range of shops and services and the local transport network. The proposed provision could be allocated such that the three-bed houses would each have two spaces and

the two-bed house would have a single space. On this basis and on balance, it is not considered that the Council could successfully resist the proposal on parking grounds.

### **Drainage and Flood Risk**

The site falls within flood zone 1 and so there is no requirement for the applicant to provide a site-specific flood risk assessment or demonstrate compliance with the sequential or exception tests. No undue flood risks are identified and, subject to appropriate surface-water drainage, the scheme should not result in flooding elsewhere. It is proposed that three conditions be added to any permission granted to require foul and surface water to be drained separately, and to require surface water to be drained in the most sustainable way in accordance with a scheme to be agreed. A plan for the future management and maintenance of the drainage scheme should also be agreed. Subject to these conditions, no unacceptable drainage impacts are anticipated.

### **Biodiversity**

As the existing building has the potential to support roosting bats or nesting birds, and as the Council is a Responsible Authority in respect of protected species, a bat survey has been commissioned. This survey was carried out by a suitably qualified and experienced ecologist in accordance with an appropriate methodology. It was found that, whilst the building offers some potential low-level roosting opportunities for bats, no evidence of current or historic bat use was identified. As such, the demolition of the building would not impact upon the conservation status of bats in the area. It is, however, recommended that development proceed in accordance with the recommendations set out in the report.

No mature trees of ecological significance would be affected by the works proposed. Landscaping is proposed as part of the development and ecological enhancement measures could be secured through condition.

### **Other Issues**

Local residents have expressed concern that the removal of the existing alley gates would impact upon security and safety and result in an increase in criminal and anti-social behaviour. As stated above, it is considered that the development of residential properties in place of the existing industrial unit would increase natural surveillance and domestic activity in the area and therefore adequately mitigate against the loss of the existing alley gates.

Concern has been raised that the introduction of additional residential uses could compromise the ongoing operation of the Public House. It is true that, if complaints relating to noise were made against the Public House from the occupants of the new properties, the Public House could be expected to make changes to its operation despite its prior existence on the site. However, this potential for nuisance cannot preclude redevelopment of the site as this would amount to sterilisation which would conflict with the NPPF's aims for efficient use of brownfield land. The Public House falls within a residential area and so reasonable precautions should be taken in any event to minimise noise nuisance.

Given its scale, the proposal would not be expected to have an undue impact on air quality. Water quality could be safeguarded through the agreement of a Construction Management Plan and drainage strategy. Due to the previous use of the site, a condition to require the submission of a phase 1 geo-technical report is considered appropriate to safeguard against potential land contamination. Subject to these conditions, no unacceptable impacts on environmental quality are anticipated and the development would not be expected to be at undue risk from such.

### **Sustainability and planning balance appraisal**

Economically, the loss of the existing use is considered to be acceptable. Future residents would support local shops and services and some limited employment would be generated during construction.

Environmentally, the design is considered to be acceptable. No unacceptable impact on biodiversity, drainage or environmental quality would result. There is no reason to suppose that future residents would be excessively dependent upon private car use.

Socially, although some issues are identified, overall it is considered that the scheme would offer an acceptable standard of residential amenity without unduly compromising the amenity of existing neighbours. No unacceptable security issues are identified. The scheme would sustain the heritage value of the nearby Locally Listed Public House. No unacceptable impacts on flood risk or highway safety would result.

In terms of planning balance, although the constraints of the site as a backland plot have raised some issues, the scheme overall is considered to be acceptable and to constitute sustainable development. No material planning considerations have been identified that would outweigh this view.

### **CONCLUSION**

On balance, the scheme is considered to represent sustainable development. As such, Members are respectfully recommended to grant planning permission subject to the conditions listed below.

### **LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION**

A financial contribution of £3,096 would be required towards the provision or improvement of off-site public open space. This would be secured through condition.

## **FINANCIAL BENEFITS**

The scheme would generate some Council Tax income but this has no weight in the assessment of 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(s) 19/0477 which can be accessed via this link:

<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:

Location plan ref. A019/000/S/10

Site plan ref. A006/169/P/03 Rev E

Floor plan ref. A006/169/P/02 Rev B

Elevations drawing ref. A006/169/P/01 Rev E

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 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.

4. 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 properties hereby approved shall at no time be used as serviced holiday accommodation without the prior written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and to safeguard the character and function of the borough's safeguarded holiday accommodation areas in the interest of the health of the resort, in accordance with Policies BH3 and AS1 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS23 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. 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.

6. Prior to the commencement of any above ground construction, the details of the materials to be used on the external faces of the dwellings 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 Policy LQ14 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

7. Prior to the laying down of any final surface treatments, the details of the final surfacing materials to be used within the site 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 Policy LQ14 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. Before any of the houses hereby approved are first occupied;

(a) details of boundary treatments in terms of position, design and materials shall be submitted to and agreed in writing by the Local Planning Authority; and

(b) the boundary treatments agreed pursuant to part (a) of this condition shall be installed in full and in full accordance with the approved details.

The agreed boundary treatments shall thereafter be retained and maintained as such.

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

9. (a) 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 as such.

(b) The parking spaces shall be marked and allocated such that each three-bed property has two parking spaces and the two-bed property has a single space.

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

10. a) No development shall take place until full details of soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include areas of soft landscaping and planting plans, specifications and schedules. These shall include plant sizes, species and numbers/densities.

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

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

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

11. Prior to the commencement of any above ground construction, a scheme of ecological enhancement shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then proceed in full accordance with these agreed details. For the purpose of this condition, the ecological enhancement scheme shall detail the provision of:

- bat boxes/bricks
- bird boxes
- features for the shelter and passage of small mammals and amphibians

Reason: In order to ensure that the development provides ecological enhancement in accordance with the provisions of paragraph 170 of the NPPF.

12. The development hereby approved shall proceed in full accordance with the recommendations set out in the submitted Bat Report prepared by Whistling Beetle Ecological Consultants Limited in August 2019.

Reason: In order to safeguard biodiversity in accordance with the provisions of paragraph 170 of the NPPF.

13. 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:

- dust mitigation measures during the demolition and construction period
- measures to prevent the contamination of surface or ground-water bodies
- control of noise emanating from the site during the demolition and construction period
- hours and days of demolition and 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 demolition and construction period
- arrangements during the demolition and construction period to minimise the deposit of mud and other similar debris on the adjacent highways
- the routing of demolition and construction traffic.

The demolition and construction of the development shall then proceed in 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.

14. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

Note: This work should be carried out by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance set out by the Chartered Institute for Archaeologists.

15. 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.

16. 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.

17. (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 and in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following:

(i) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;

(ii) Surveys and appropriate evidence to establish the position, capacity and interconnection of all watercourses and surface-water sewers within the application site and those outside of the site into which a direct or indirect connection is proposed;

(iii) A determination of 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;

(iv) A demonstration that the surface water run-off would not exceed a rate to be first agreed in writing by United Utilities.

(v) 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);

(vi) Flood water exceedance routes, both on and off site;

(vii) A timetable for implementation, including phasing where applicable;

(viii) Details of water quality controls, where applicable.

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

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

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.

18. 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 Site 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.

19. None of the houses hereby approved shall be first occupied until:

(a) a scheme for the removal of the existing alley-gates and the upgrading of the surfacing and lighting of the alleyway has been submitted to and approved in writing by the Local Planning Authority; and

(b) the scheme agreed pursuant to part (a) of this permission has been implemented in full and in full accordance with the approved details.

Reason: The development would introduce new pedestrian and vehicular traffic into the alley way and so the surface and illumination of the alleyway must be of sufficient standard to enable safe and convenient access in accordance with the requirements of Policies LQ1, BH3 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

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

Reason: To ensure sufficient provision of or to provide sufficient improvements to open space to serve the dwellings in accordance with Policy BH10 of the Blackpool

Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development"(SPG11).

NOTE – The development is of a scale to warrant a contribution of £3,096 towards the provision of or improvement to off-site open space and management of the open space provision, in accordance with Policy BH10 of the Blackpool Local Plan 2001-2016 and SPG 11. The Applicant(s) should contact the Council to arrange payment of the contribution.

**Advice Notes to Developer**

Not applicable

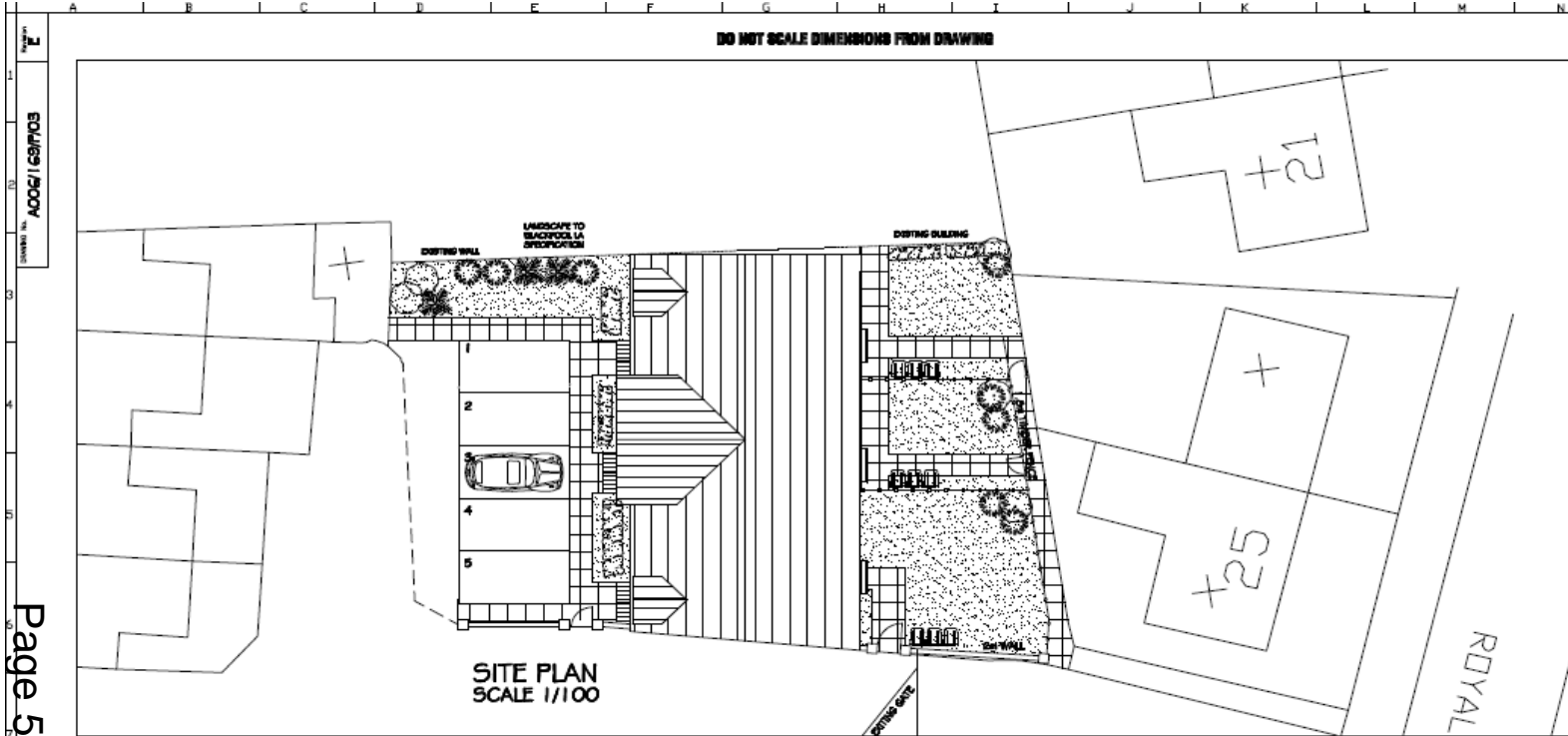




Site location plan



'Birds-eye' view of site from south

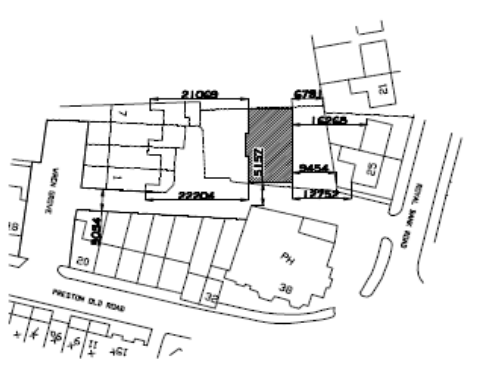


**NOTES**

1. ALL DIMENSIONS ARE IN METERS.
2. ALL NEW BUILDINGS TO BE CONSTRUCTED TO ALL LEVELS. SEWER, DRAINAGE AND FOUNDATIONS TO BE AS SHOWN. THE USER SHOULD CONSULT THE DRAWING FOR A FULLER EXPLANATION.
3. THE CONSTRUCTION IS TO BE IN ACCORDANCE WITH ALL DIMENSIONS ON THIS DRAWING TO CONSTRUCTION TOLERANCES.
4. THE CONSTRUCTION IS TO BE IN ACCORDANCE WITH ALL DIMENSIONS ON THIS DRAWING TO CONSTRUCTION TOLERANCES.
5. THE DIMENSIONS ARE GIVEN AS APPROXIMATIONS AND SHOULD BE CHECKED ON SITE BEFORE CONSTRUCTION.

CONFIGURATION	
PROPOSED SPACES	4m
BUILDING FOOTPRINT	163m <sup>2</sup>
TOTAL HOUSES	5
HOUSE #1 IN BEDROOM TOTAL FLOOR AREA	47m <sup>2</sup>
HOUSE #2 IN BEDROOM TOTAL FLOOR AREA	46m <sup>2</sup>
HOUSE #3 IN BEDROOM TOTAL FLOOR AREA	46m <sup>2</sup>
TOTAL PLOT AREA	480m <sup>2</sup>

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**SITE SETTING OUT PLAN**  
SCALE 1/500



**SITE BOUNDARY PLAN**  
SCALE 1/500



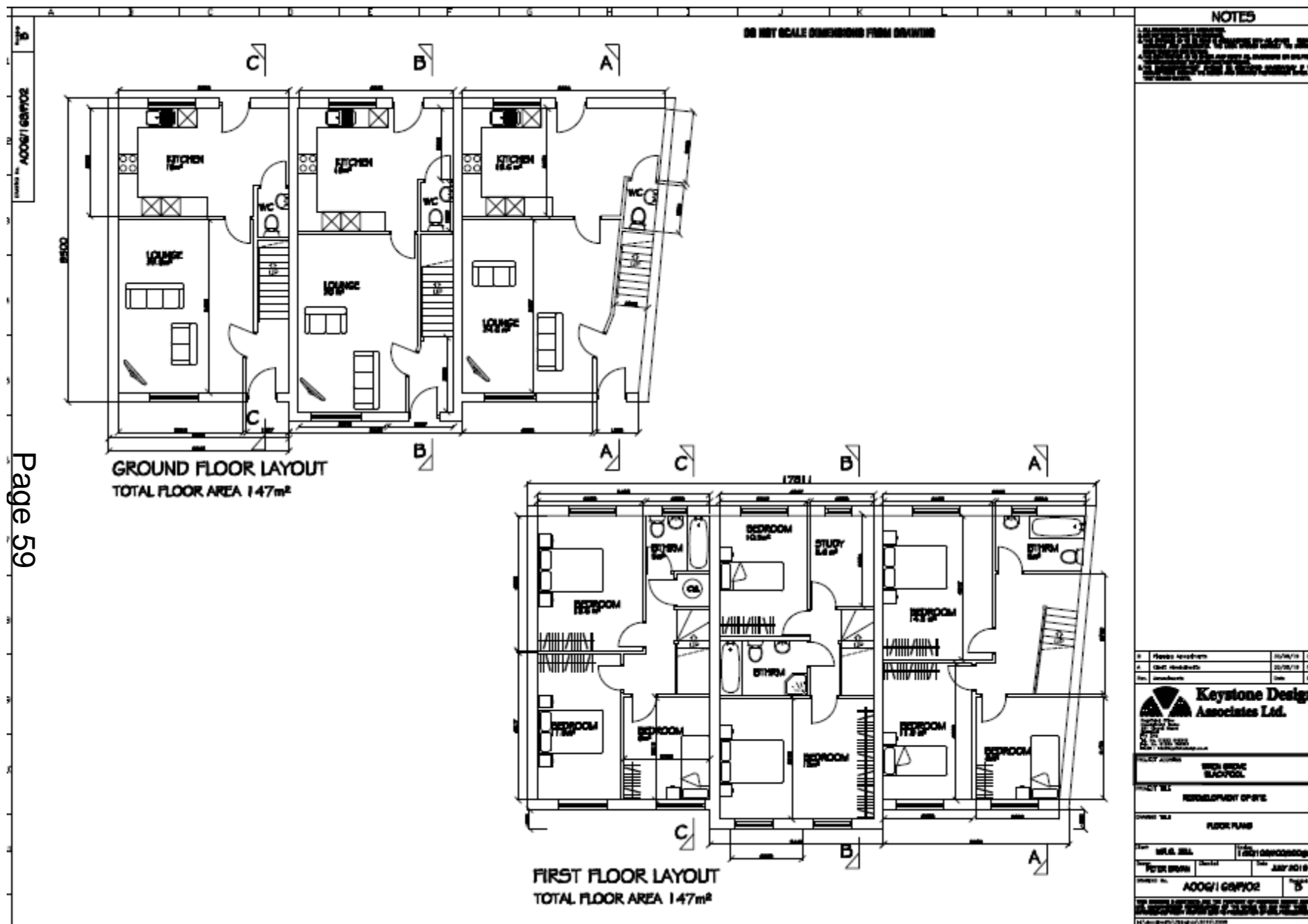
**BLOCK PLAN**  
SCALE 1/500

E Planning Amendments	17/06/18	2018
D Minor Amendments	26/06/18	18
C Client Amendments	16/06/18	18
B Planning Amendments	15-21-07	18
A Minor Amendments	10-20-07	10
Rev. Amendments	Date	By

**Keystone Design Associates Ltd.**

Keystone Design Associates Ltd.  
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3907, 3909, 391





Proposed internal layout

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**COMMITTEE DATE:** 01/10/2019

**Application Reference:** 19/0241

**WARD:** Greenlands

**DATE REGISTERED:** 10/05/19

**APPLICATION TYPE:** Full Planning Permission

**APPLICANT:** Blackpool Council

**PROPOSAL:** Hybrid application comprising:

- A) a full application for the erection of a cadet hut (relocation of existing building)
- B) an outline planning application for the erection of up to 176 dwellings with associated open space and infrastructure( all matters reserved for subsequent approval)

**LOCATION:** FORMER BISPHAM HIGH SCHOOL, BISPHAM ROAD, BLACKPOOL, FY2 0NH

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**Summary of Recommendation:** Grant Permission

## **CASE OFFICER**

Mr. M. Shaw

## **BLACKPOOL COUNCIL PLAN 2015 -2020**

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

## **SUMMARY OF RECOMMENDATION**

The application seeks outline planning permission with all matters reserved for the development of up to 176 new dwellings with associated public open space. This would make a significant quantitative contribution towards meeting the borough's identified housing need and this weighs heavily in favour of the application. The application also involves the re-location of the Air Cadet Corps building within the curtilage of the former school from the Bispham Road frontage to the Kylemore Avenue frontage.

The application site is surrounded on three sides by residential property and is within a sustainable residential suburb of Blackpool and therefore residential development on the site is considered to be acceptable, subject to a range of conditions which will be included within the Update Note, including compensation for the loss of the former school playing fields with a replacement all weather full size 3G football pitch at Stanley Park. It is considered that

appropriate vehicle access points can be provided into the site from Bispham Road and Regency Gardens and that a quality sustainable development can be secured at reserved matters stage. As such, Members are respectfully recommended to grant planning permission.

**The recommendation for approval assumes that the proposed replacement sports facility at Stanley Park will satisfy Sport England sufficiently for them to withdraw their current objection to the application before the meeting. Any change in Sport England's position will be reported through the Update Note. In the absence of such confirmation from Sport England, it is recommended that the application be deferred for further possible discussion and then consideration by the Committee at a later meeting.**

**The Committee should note that, in the event that Sport England do not withdraw their objection and Members are minded to support the scheme, the Council would not be lawfully entitled to make a determination without first referring the application to the Secretary of State to give him the opportunity to call the application in for his own consideration and determination.**

**Please also note that it has not been possible to prepare a list of conditions in time for inclusion in this report. A full list of conditions will be made available through the Update Note.**

## **SITE DESCRIPTION**

The application site is 9.13 hectares in area and comprises the 5.1 hectare site of the former Bispham High School site fronting Bispham Road with a secondary access onto Kylemore Avenue. Within the grounds of the former school is an Air Cadet Training Corps building also fronting Bispham Road. The former school site is designated under Policy BH7 of the Blackpool Local Plan as 'Playing Fields and Sports Grounds' and includes the site of the former school buildings, which have now been cleared, and the former school playing fields which are enclosed with fencing and overgrown. The application site also includes the adjoining playing field immediately to the rear (west) of the former school designated under Policy BH5 of the Local Plan as 'Protection of Public Open Space'. This playing field is accessed from Inver Road and includes a children's play area abutting the Rock Gardens to its west providing additional pedestrian access points. The third plot of land within the application site is a vacant area of land adjoining the residential estate immediately to the south accessed from Leys Road with the 'Water Tower' at its entrance. This third plot of land is unallocated on the Proposals Map of the Blackpool Local Plan. On the approved layout for the Leys Road housing estate reference: 99/0927 for 105 dwellings, which now includes Regency Gardens and Tower View, this third plot of land was indicated as a potential phase 2 of this development with a vehicle and pedestrian access point from Regency Gardens. There is a significant drop in site levels from the western boundary with the Rock Gardens to the former school playing fields in the centre of the site of over 5 metres

To the north and east of the application site is mainly residential in character with a number of residential cul-de-sacs abutting the northern boundary. To the north east of the application



site is a local centre designated within the Blackpool Local Plan including locally listed Squirrel Public House. Situated to the south of the application site is the Department for Work and Pensions complex and the housing estate including Regency Gardens running up to the southern boundary of the application site. To the west of the application site are locally listed Rock Gardens protected under Policy BH5 of the Local Plan 'Protection of Public Open Space' The application is within Flood Zone 1 and there is a watercourse running along the south eastern boundary of the site and to the rear of houses fronting Bispham Road.

### **DETAILS OF PROPOSAL**

This hybrid planning application seeks outline planning permission for up to 176 dwellings and associated public open space with all matters (namely Layout, Scale, Appearance, Access and Landscaping) to be reserved for subsequent approval. In addition to the proposed residential development this application also seeks detailed planning permission to re-locate the existing Air Training Corps building from its present Bispham Road location onto Kylemore Avenue within its own enclosed curtilage and vehicle/ pedestrian access.

A parameters plan submitted with the application includes an indication of the approximate location of the three housing areas, one area served from Bispham Road and two smaller areas accessed from Regency Gardens. This indicative plan also shows public open space onto Bispham Road and also located between the three proposed residential areas. The existing public open space accessed from Inver Road is also shown for retention. A sewer easement is shown on the parameters plan running across the site from Kylemore Avenue and onto Meadow Close to the south of the application site. Indicatively the proposed houses would be split evenly between the eastern side (Bispham Road) and western side (Regency Gardens) with connecting public open space and pedestrian links but separate in terms of vehicular access.

The existing Air Training Corps building which is single storey, section built and has a functional appearance will be dismantled and re-erected in its new location with associated vehicle and pedestrian access and a 21 space car park and cycle parking.

The application is accompanied by a Flood Risk Assessment, a Design and Access Statement, an Interim Travel Plan, a Planning Statement, a Transport Assessment, a Tree Survey, an Environmental Risk Assessment, and Ecological Impact Assessment and a Heritage Assessment.

### **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

**Principle of Residential Development/ Re-Location of the Air Cadet Building**  
**Means of Access/ Highway Safety**  
**Replacement of Sports Pitch/ Public Open Space Provision**  
**Landscaping/ Ecology**  
**Impact on Residential Amenity**

## **Flood risk/ Drainage Sustainability and Planning Balance Appraisal**

### **Other Issues**

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

### **CONSULTATIONS**

**Environment Agency:** 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.

**Built Heritage Manager:** The proposed layout of dwellings includes a green buffer zone to the east of Devonshire Road Rock Gardens. However the layout shows buildings in the south west corner very close to the boundary which will create enclosure in that area. I would prefer if the buffer zone is extended south to preserve the setting of the gardens. The area immediately to the north east of the proposed development adjacent to the new Cadet Hut was originally the site of Moorfield House so there is some potential for incidental finds. As a precaution I would suggest seeking advice from County Archaeologist regarding a watching brief.

**Blackpool Civic Trust:** support this application however on street parking should be restricted.

**Highways and Traffic Division:** The application reserves all matters. The comments are provided on that basis. I have not addressed the internal layout to any degree but it demonstrates that the proposed number of dwellings can be accommodated with a conventional highway infrastructure. It would be helpful for the “layout” or “access” matters to not be reserved. At this level of detail I would not take issue with the layout. The access issues are broadly acceptable although the junction design at Bispham Road is not.

The calculations and assumptions in the Transport Assessment are acceptable. I would prefer the junction design to be set aside (it is reserved anyway) as simply an illustration that access is achievable.

The results and conclusions demonstrate that the site may be developed with the proposed number of houses split evenly between the two access points.

- Access to Bispham Road is straightforward using a priority junction, although not as drawn.
- Access to Leys Road is via Regency Gardens which is part of an estate developed on the lines of collector roads and access ways. The design capacity of such a layout would typically be limited to about 200 dwellings – which would not be exceeded in this case.

The results also demonstrate that the flows at two junctions on Bispham Road (Moor Park Avenue and Low Moor Road) are marginally above theoretical capacity in the design year of 2024. However, this results as much from traffic growth as from development traffic and does not indicate that the development should fund major improvements. It should be noted that the flows would be most unlikely to trigger a requirement for any works if considered in an appeal situation. The conclusions should, in any event, be revisited in the Reserved Matters application when details of access and layouts are clearer.

In the pre-application discussion it was made clear that we would not want to retain the existing school access junction layout on Bispham Road and that the detail of the highway in this area was related to the school's demands on it. It was suggested that the loop could be dispensed with, subject to preserving access to the existing houses on the southern end of it. There is a refuge to the north of the access which would be better moved or replicated closer to the access. A second refuge to the south would be advantageous. There is a northbound bus stop but no southbound bus stop. Adding the two issues – pedestrian movements would be simpler with a second refuge and bus stop. This would resolve some problems at the Low Moor Road junction. A hatched right turn lane between refuges would also be advantageous. Subsequent to the agreement of a junction design it will be necessary to revisit waiting restrictions. Off-site works would require a highways agreement. The type of layout envisaged would be acceptable for adoption and a highways agreement would be required for that.

**Drainage-** I note that all matters are reserved. The submitted Flood Risk Assessment (FRA) is acceptable for outline purposes. Notwithstanding this position it will be a requirement that the development complies fully with prevailing SuDS standards in respect of run-off quality and quantity. We would expect the site to integrate measures into landscape areas rather than simply adopt a pipe/tank-based approach. The sources of inflow to the small areas of flooding noted in 5.3 of the FRA should be identified and dealt with in future documentation at the reserved matters stage. We note from the FRA it is the view of United Utilities that "... surface water should not be connected to the public sewer network." This point also needs to be covered fully at the reserved matters stage.

**Environmental Protection 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.

**United Utilities (Water):** With regards to the above development proposal, United Utilities Water Limited ('United Utilities') wishes to provide the following comments.

**Drainage-** 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 the following drainage conditions are attached to any subsequent approval to reflect the above approach detailed above:

Condition 1 -**Surface water**- no development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) 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;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Condition 2 -**Foul water**- Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

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). 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.

**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. 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 in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

For schemes of 10 or more units and other major development, we recommend the Local Planning Authority consults with the Lead Local Flood Authority. You may find the below a useful example:

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.

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

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

**Water Supply-** Our water mains may need extending to serve any development on this site and the applicant may be required to pay a contribution. If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. 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.

**United Utilities' Property, Assets and Infrastructure-** According to our records there is an easement crossing the proposed development site which is in addition to our statutory rights for inspection, maintenance and repair. The easement has restrictive covenants that must be adhered to. It is the responsibility of the developer to obtain a copy of the document and to comply to the provisions stated within the document. Under no circumstances should anything be stored, planted or erected on the easement width. Nor should anything occur that may affect the integrity of the pipe or United Utilities legal right to 24 hour access. A public sewer crosses this site and we will not permit building over it. We will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow

systems. 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.

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development. Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans.

**Education - Property and Development Officer:** 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.

**Greater Manchester Ecology Unit:** 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.

**Ramblers Association:** 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.

**Contaminated Land Officer:** No comments.

**Parks and Green Environment:** The Updated Blackpool Playing Pitch Strategy dated August 2019 highlights we are short of 2.5 matches per week for small sided football and a shortfall of two full size 3G pitches within our current provision.

We are aware that there are planned developments at the former Bispham High School, the former Grange Park School and Blackpool Enterprise Zone (Common Edge) all of which have a sports pitch(es) attached.

Our proposals are to compensate the loss of Bispham High and Grange Park with the replacement of the sand dressed hockey pitch at Stanley Park to a full size 3G football pitch. Discussions have already started with the Lancashire Football Association and Football Foundation. We are aiming for a January 2020 bid submission with a spring build. Discussions are ongoing around the replacement of the football pitches at Common Edge with at least six full six grass pitches and two full size 3G football pitches (one to have a rugby shock pad). We feel with these proposals we will be able to accommodate the requirement for today's needs as well to cater for future growth

**Sport England:** Object to this proposal because it does not meet any of the requirements of paragraph 97 of the National Planning Policy Framework (NPPF) and the Exceptions to Sport England's Playing Fields Policy. An assessment of the proposal and a possible resolution is set out below.

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015. The consultation with Sport England is therefore a statutory requirement. Sport England has considered the application in light of the National Planning Policy Framework (NPPF) (particularly paragraph 97) and Sport England's Playing Fields Policy, which is presented within its 'Playing Fields Policy and Guidance Document. Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

### **Exceptions –**

1) A robust and up to date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.

2) The proposed development is for ancillary facilities supporting the principal use of the site as a playing field and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.

3) The proposed development affects only land incapable of forming part of a playing pitch and does not:

- reduce the size of any playing pitch;
- result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
- reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
- result in the loss of other sporting provision or ancillary facilities on the site; or
- prejudice the use of any remaining areas of playing field on the site.

4) The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- of equivalent or better quality, and
- of equivalent or greater quantity, and
- in a suitable location, and
- subject to equivalent or better accessibility and management arrangements.

5) The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

It should be noted that neither paragraph 97 of the NPPF nor Sport England's Policy makes any distinction between private and publicly owned sites. Both policies are applied equally irrespective of the ownership.

**The Proposal and Impact on Playing Field** - The site extends to 9.4 hectares, comprises former high school buildings, car parking, school playing fields, open space, and an Air Cadet building. The Town and Country Planning (DMP) Order 2015 defines a playing field as 'the whole of a site which encompasses at least one playing pitch'. This definition is also provided within the glossary to the Government's National Planning Policy Framework (NPPF). The definition refers to the whole of a site and therefore does not just cover land which is currently laid out as pitches. It also does not differentiate between different types of ownership e.g. public, private or educational ownership. The 2015 Order defines a playing pitch as 'a delineated area which, together with any run-off area, is of 0.2 hectares or more, and which is used for association football, American football, rugby, cricket, hockey, lacrosse, rounders, baseball, softball, Australian football, Gaelic football, shinty, hurling, polo or cycle polo.' A playing pitch may have a natural or artificial surface. While other sports facilities, such as tennis courts and bowling greens, are not included in the definition of a playing pitch, Sport England considers that they will be included in an area defined as a playing field if, in physical or functional terms, they form part of an overall playing field site. Even where wider sports facilities fall outside the definition of a playing field, they are afforded protection through the planning system under the provisions of paragraph 97 of the NPPF (see paragraph 17). Redevelopment of the site will lead to loss of playing fields.

**Assessment against Sport England Policy/National Planning Policy Framework (NPPF)** - This proposal prejudices the use of land being used as a playing field. The extent of playing fields used as such in the last five years is considered to extend to circa 4.9 hectares.

Sport England disagrees with the extent of playing field as set out in the Planning Statement and identified by areas A – C. Sport England consider that a substantial part of Area A and Area B comprise the playing field. One of the core planning principles of the NPPF is to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs. Section 8 of the NPPF deals specifically with the topic of healthy communities. Paragraph 97 sets out the importance of access to high quality open spaces and opportunities for sport and recreation that can make an important contribution to the health and well-being of communities. Paragraphs 96 and 97 of the NPPF discuss assessments and the protection of existing open space, sports and recreational buildings and land, including playing fields. Paragraph 96 is particularly relevant to establishing sound planning policies based on robust needs assessments.

Paragraph 97 states: *Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- a) *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) *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*



- c) *the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

The NPPF does not solely relate to land, but also to buildings; and states that these should not be built on unless an up to date robust assessment of need that demonstrates the need for the sports building is surplus requirements. It should be noted that surplus to requirement is not in the context of the owners current requirements but must be determined by an up to date Needs Assessment as required by paragraph 97(a) of the NPPF and Sport England Policy Exception E1. A Needs Assessment will identify whether there is a need for the sports facility to meet a deficiency in sports facilities derived from the local sports community. The evidence base needs to provide clear evidence that the playing field is surplus to both current and future sporting needs. This would not just be for football but for all pitch sport that can be accommodated on the site.

The 2016 Blackpool Playing Pitch Strategy demonstrates deficiencies of pitches, and therefore these playing fields could be used to contribute to that deficiency. Any assessment would also need to consider the likely housing growth to be accommodated in Blackpool through the Local Plan. Sport England do not consider that the Blackpool Council evidence base is robust enough at this time to demonstrate that the playing fields at this site are surplus, to justify their development for residential purposes in accordance with either NPPF Paragraph 97, or Sport England Playing Fields Policy Exception E1. Therefore the playing fields lost at this site through development are not considered surplus and need to be replaced in accordance with paragraph 97 of the NPPF and Sport England Policy Exception E4.

Additional Demand for Sport Arising from Housing Development - The occupiers of new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as an up to date Sports Facilities Strategy, Playing Pitch Strategy or other relevant needs assessment. Retention of the playing fields and courts could meet the current and future demand from the local community and new residents of the housing development.

Earlier this year Sport England was consulted on the Blackpool Local Plan Part 2: Draft Site Allocations and Development Management Policies and provided the following response on 19 February 2019:

*“Former Bispham High School, Bispham Road, Blackpool - This allocation includes school playing fields and multiple courts. The school was not demolished until January 2017. Therefore, Sport England would be a statutory consultee on any application which includes the playing fields and would assess the proposals against our playing field policy. The site appears*

*to be referenced within the Playing Pitch Strategy (PPS) Action Plan, which states:*

*The PPS shows lack of capacity for football, RFL and 3G pitches. Therefore, the PPS does not demonstrate this site (or part of a site), is clearly surplus to requirements therefore retention and protection or replacement of the sites (or part of a site) will be required to comply with Sport England policy exception E4.*

*There appears to be no justification for the allocation of this playing field site for housing and therefore **Sport England OBJECT** to this allocation.”*

**Conclusion and Possible Resolution**-In consideration of the above, Sport England **objects** to the application because it is not considered to accord with any of the exceptions to Sport England’s Playing Fields Policy or with Paragraph 97 of the NPPF. In order to withdraw Sport England’s objection the applicant will need to:

1. Provide a robust up to date needs assessment that demonstrates that the playing fields and courts are clearly surplus to community sports needs within the borough; or
2. Provide replacement to an equivalent or greater quantity; and equivalent or better quality within the locality.

**Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England’s objection then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State, via the National Planning Casework Unit.**

**County Archaeologist Lancashire County Council** -The above development site includes the site of the now demolished school (1960s-2017) and its playing fields. It appears to have been open land before this, with the only significant features noted within the site on 19<sup>th</sup> Century mapping being a pond, possibly former clay-or marl pit, located to the south of the site of the school buildings. Two more such ponds were sited just to the north of the site boundary at the heads of Lorne Road and Headfort Close. All of these ponds have since been backfilled. A number of farmstead sites are mapped around the site in 1847, the closest being Knowle Farm, formerly located just north of The Rock Garden, and Leys Farm, located at Waterside to the south, both of which have since been cleared away. A number of peat basins are also identified on the Historic Environment Record in the immediate vicinity of the site, the closest being within the adjoining Dept of Work and Pensions site. Others are located just to the west of the hospice on Low Moor Road and at the north east corner of the North Shore Golf Course. A watching brief undertaken on a cable trench through the latter in 1999 revealed evidence of human activity, including worked timbers. It was in such a peat basin off Blackpool Old Road, only 1km east of the site, that the skeleton of the well-known Palaeolithic 'Poulton Elk' was found, complete with two barbed bone spear points that had been used (unsuccessfully) to hunt it. About 500m further west, on the former Briarfields Nursery site, an Iron Age skull was discovered during development. This skull does not appear to have been buried, but to have become accidentally trapped in a beaver dam which subsequently developed into another small peat basin. The presence of these finds in the peat basins indicates that there has been human activity hereabouts since the early prehistoric period

and suggests that there could be remains within the former school site on the fringes of these basins. The immediate area of the former school buildings has however probably been so disturbed that no remains are likely and aerial photography in 2000 suggests that the central area of the former playing fields has also been disturbed for a construction compound or similar. Elsewhere the proposed development site appears to retain potential for early remains to survive. It is recommended therefore that any consent which is granted to this application includes a condition requiring a scheme of archaeological works to be undertaken. This scheme should be phased, with the first phase being investigative seeking to determine the extent of the undisturbed ground and testing its archaeological potential. Should remains be encountered a second phase of archaeological recording may well be required. The following condition wording is suggested:

**Condition:** No development, site clearance/preparation, or demolition shall commence until the applicant or their agent or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which shall be submitted to, and approved in writing by, the local planning authority. The programme of works shall include an initial phase of survey and trial trenching, as well as the compilation of a report on the work undertaken and the results obtained. These works should aim to establish the presence or absence of buried archaeological remains and their nature, date, extent and significance. If remains are encountered then subsequent phase of impact mitigation (which may include preservation in situ by the appropriate design or siting of new roads, structures and buildings, formal excavation of remains or other actions) and a phase of appropriate analysis, reporting and publication shall be developed and a further written scheme of investigation submitted to and agreed with the local planning authority before development commences. All archaeological works shall be undertaken by inappropriately qualified and experienced professional archaeological contractor and comply with the standards and guidance set out by the Chartered Institute for Archaeologists (CIfA). The development shall be carried out in accordance with the agreed details.

Reason: To ensure and safeguard the investigation and recording of matters of archaeological/historical importance associated with the development.

This is in accordance with National Planning Policy Framework paragraph 199: "Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible".

### **PUBLICITY AND REPRESENTATIONS**

Press notice published: 21 May 2019  
10 x site notices displayed: 20 May 2019  
Neighbours notified: 14 May 2019

## 52 Leys Road, - Objects

**4 Waterside** - The following points are the reasons for objecting to the proposed development for the 50% of the development directly behind the Rock Gardens which is proposed to be accessed via Leys Road and the Regency Gardens estate. The other 50% of the proposed development on the previous school site/footprint makes sense and I do not object to that.

- Adverse effect on the residential amenity of neighbours, by reason of (among other factors) noise, disturbance, overlooking, loss of privacy, overshadowing.
- Unacceptably high density/over-development of the site, especially as it involves loss of garden land and the open aspect of the neighbourhood ('garden grabbing'). Once the green space is lost it is lost forever and any opportunity for future generations to expand the area behind the Rock Gardens into a green and environmentally friendly space will be lost forever.
- Visual impact of the development.
- Effect of the development on the character of the neighbourhood including the current Regency Gardens estate which is a unique 'oasis' which the town should be proud of and maintain as is.
- The proposed development is over-bearing, out-of-scale and out of character in terms of its appearance compared with existing development in the vicinity - i.e. the current Regency Gardens estate.
- The loss of existing views from neighbouring properties would adversely affect the residential amenity of neighbouring owners.
- The development would adversely affect highway safety and the convenience of road users.

Finally, various wildlife is doing well within the Regency Gardens estate which is no doubt in part due to the area of green space behind the Rock Gardens as well as the Rock Gardens itself. It would be a crying shame if there was an inevitable reduction of the wildlife in the Regency Gardens estate especially within the wider Blackpool context.

**12 Tower View** - I would like to formally object to the proposed development at the former Bispham High School, primarily the phase 2 which is the area behind my property on Tower View.

My reasons are the access to this phase would mean opening up the access point at the bottom of Regency Gardens which in effect would cause a huge increase of traffic through the estate which has a small park used by children which currently has a very safe feel due to low traffic numbers. When you consider the amount of HGV traffic going through our small estate to build this development which comprises a small, narrow road with speed bumps and twists its way down to the access point, the disruption and logistics of the project is really not acceptable to the residents who live here. I have no problem with phase 1 which is served by the Bispham Road access point as it is a major road and would not negatively affect any householders who live there.

Finally I bought my house five years ago as I loved the quiet oasis that the Regency Gardens development offered me, building houses on the land by the Rock Gardens is not something that I envisaged would happen, and it has a detrimental effect of the nature conservation and appearance of the whole area which I strongly object to. The roads are not fit for firstly transporting all the building materials and then the extra traffic our estate would suffer from once its built is unacceptable. Please consider the sensible option which is to access phase two through phase one off the main Bispham road which affects nobody.

**15 Leys Road** - like other residents I have concerns on the proposal.

Access - The proposal would increase traffic to Leys Road which is already used as a cut through and at times very busy. I appreciate the Council has put access only signs up at the ends of Leys Road however this has not worked to reduce the amount of cut through traffic and the ongoing issue of parking by DWP staff. In determining this application please consider traffic control measures (e.g. speed bumps, give way road layouts etc).

The main route out of Regency Gardens has a blind corner as you approach up the hill to the mini roundabout on Leys Road. The increased traffic would make this even more treacherous. It is not clear why the applicant has proposed to use such a difficult access point when the site can be accessed better from main roads and roads with no visible blind spots such as; Bispham Road, Kylemore Avenue, Ardmore Road and Corrib Road.

Surface water management / Foul Sewer- The proposal states it will use a SUDs (sustainable drainage system) however the site topography would only direct surface/ground water towards the bottom of Meadow Close/Regency Gardens which is already on the Environment Agency flood maps at high risk of flooding from surface water. The proposal does not explain how foul water will be managed. It states that drainage will connect to the existing sewer however this will have been modelled at the time to cope with the current amount of sewage from Regency Gardens. The main foul sewer runs from Regency Gardens to Kylemore Avenue through the proposed development site and would need to be protected/altered if the proposal was to go ahead.

**56 Leys Road –**

1. the title mentions "Former Bispham High School" but not the larger green area that is also included in the application, and it seems the objections so far indicate that this is the most controversial aspect of the plan.
2. Wildlife: The green area is an important natural habitat to a wide variety of species. The development of this area would not only obviously negatively impact the environment, but it would also remove a source of enjoyment and scenic beauty for the nearby residents.
3. Access: It appears that the only planned vehicle access for some of the dwellings is via Regency Gardens. The road network between Leys Road and Regency Gardens is narrow, winding and contains a mini roundabout with a tight turn and is clearly not

designed for heavy traffic. The aforementioned problem could have potential safety implications should there be a large rise in the number of residents, and also it could cause serious issues if the area were accessed by the proposed site construction vehicles this way.

4. Parking: I understand that the "Former Bispham High School" site currently provides parking for the DWP. If the DWP doesn't have the necessary capacity to cover lost spaces caused by the removal of this area, then any disruption is likely to be passed to residents in the vicinity.

**14 Regency Gardens** - I would like to raise my concerns relating to a number of issues relating to this application. I have no objection to the new houses being built but I am concerned that the land being used will have an adverse effect on the wildlife, the field behind Regency Gardens is home to a number of species of insects and wild flowers and grass. In addition to this I have witnessed foxes and badgers in this area. The use of the school site is fine because it has been used for another purpose before and as such is not a current habitat so nothing is displaced.

Access to the site through Regency Gardens, the access from Leys Road is serviced by a mini roundabout which is dangerous enough when two cars are traversing round at the same time never mind a supply wagon and just past this roundabout we have a blind bend which takes care to traverse. At the side of Regency Gardens there is a field used by children playing with a crossing point from the copse to the field, children often cross here running and on bikes, in addition to this children play ball and kerb games along the flat stretch at the bottom of Regency Gardens and again a clear line of site for traffic is obscured on the corner.

I have lived on Regency Gardens since they were built and I know of two dogs being killed on this stretch, to date this does not include children, but you have been warned by somebody that has witnessed the danger. If a child is killed or injured due to what I consider to be an inappropriate use of a residential street I will hold the council to account. Finally Regency Gardens now provide a home for a number of hedgehogs which are almost considered a protected species and my worry is that this species will be a casualty of additional traffic caused by additional houses and heavy goods vehicles.

I am not against the houses being built, after all my house displaced nature but I would to raise the concerns relating to displacing nature and the access from Regency Gardens, perhaps you can consider building an access road which will allow service and supply vehicles to enter the site without using a residential road. I object to the development on the grounds of loss of biodiversity and loss of amenity.

**Additional comments- Biodiversity** I have read the Ecological Report and they have referred to the Rock Gardens Park as a Local Nature Reserve. In their Appendix B taken from the Lancashire Environment Record Network (LERN) it's not marked as a County Biological Heritage Site even though it qualifies due to the presence of the White-letter Hairstreak butterflies and is mentioned as being such in W1 of the Tree Survey. They do mention the Elm trees as being important for the White-letter Hairstreaks but the butterflies also require

sources of nectar. Important plants being Thistles, Brambles, Hogweed and Ragwort. Tall ruderal vegetation may be common, widespread and apparently disposable but it is very important for a huge variety of invertebrate species.

The remainder of my comments refer to the target notes (TN) in their report. The report shows a photograph of a semi-mature Golden Elm in the former school grounds that is proposed for removal. Surely it would be better to retain this disease resistant tree and develop some suitable White-letter Hairstreak habitat around it to give the butterfly the opportunity to spread across a wider area and so be less vulnerable to a local extinction.

Taken together Sub-sites B and C qualify for County Biological Heritage Site status for their butterflies. Any site which regularly supports breeding populations of 9 or more butterfly species. The following 11 species are regularly found - Small Tortoiseshell, Orange Tip (a recent colonist to the area), Peacock, Small Copper, Meadow Brown, Large Skipper, Speckled Wood, Green-veined White, Common Blue, Gatekeeper and Small Skipper. .

TN 22 The boundary hedgerow is important for the local population of House Sparrows and should be enhanced with suitable dense shrub planting. Any development should have House Sparrow nesting cavities provided in suitable locations on the new properties.

TN 24 This boundary hedgerow is also important for House Sparrows and should be suitably enhanced, it should also be connected to the hedge TN 22 above.

TN 25 The field has a thriving population of Common Sorrel, the food-plant of the Small Copper butterflies, there are also large numbers of Meadow Brown and Small Skipper butterflies found on this field.

TN 27, 28 and 30 The former field boundary hedgerow. In most years, including this year, it has nesting Lesser Whitethroat, Song Thrush (Red listed) and Greenfinch (Green listed)

The hedge is also important for a wide variety of invertebrates including several species of both bumble bees and solitary bees.

TN 29 There are large colonies of Yellow Meadow Ants around the north west corner of the mound. This sunny, sheltered area is also favoured by several species of butterflies

TN 31 Large patches of Birds Foot Trefoil here are important for the Common Blue butterflies which struggle elsewhere around the North Shore/Bispham area.

There is also a colony of Ploughman's Spikenard *Inula conyza* which varies in numbers from year to year. This species only occurs in 23 of the 466 in Lancashire.

TN 32 This area is good for butterflies and grasshoppers along with many other insect species.

TN 33 A pair of Whitethroats nest here most years.

TN 34 Holds nesting Song Thrush most years.

TN 35 The brambles on and around the mound are a regular provisioning site for the Whitethroats when feeding their young.

TN 36 This area is more diverse in species of grasses than TN 25 and consequently holds more species and usually greater numbers of butterflies. There is also a small area of the hemi-parasitic plant Yellow Rattle and colonies of Yellow Meadow Ants.

TN 37 The island of Gorse scrub has nesting Greenfinch, Blackbird and possibly Whitethroat this year. Gorse Shieldbug has also been found there this spring.

An unidentified species of the Solitary Bee family Nomad Bees has been recorded, probably *Nomada flava* which if correct would be close to its north-western limit of its distribution in Britain.

TN 38 In the scrub here this season there are nesting Magpie, Blackbird, Song Thrush, Long-tailed Tit, Wren, and possibly Whitethroat and Lesser Whitethroat.

TN 39 The scrub and tall ruderal vegetation adjacent the tree-line facing east offers good nectaring opportunities for the White-letter Hairstreak butterflies in the morning when the sun is in the south east.

Residents report numerous sightings of Fox and Hedgehog, the latter is particularly vulnerable to development as this population is confined and isolated by the wide and busy roads, Devonshire Road, Bispham Road and Warbreck Hill Road. Any development should have Hedgehog Highways incorporated in to the design of the new properties. The area may only be small but it has a very interesting ecological community and as such is important in the local area especially as there is little other sheltered wild space north of the railway and west of Bispham Road/Devonshire Road. There is the opportunity to include Alder Buckthorn into any landscape designs to enable the spread of Brimstone butterflies to this part of the Fylde coast as they currently appear to be spreading westwards from more inland areas.

Amenity - The area is well used by many people, including dog walkers and children playing. Recent quick 'head counts' revealed over 20 visitors an hour at some times of the day. Increasing the number of homes and reducing the amount of open space available will lead to serious pressure on the remaining open space including Devonshire Road Rock Gardens which is already prone to ground compaction, poaching and surface water flooding in wet weather due to the impermeable nature of the soils and subsurface water flows coming from higher ground to the west. Parts of the Rock Gardens and most of the fields can be a quagmire after not even a great deal of rain much reducing their accessibility for many people. Despite being a fairly affluent area of Blackpool this part of North Shore/Bispham is poorly served by accessible open space, the largest open spaces are private and inaccessible eg North Shore Golf Course. I am also concerned that any remaining open space would lose its natural history interest by being manicured to be 'tidy' like the green at Regency Gardens which is now little more than a green desert.



**1 Regency Gardens** - I object strongly to this. When Regency Gardens estate was completed in 2000 it was clearly intended to be a small, enclosed and private estate having a single access road of limited width to reflect only the limited traffic created by the Regency Gardens residents only. It is completely unrealistic to expect this relatively small and narrow access road to safely accommodate the traffic created caused by the more than doubling the amount of properties and residents who would then have no choice but to use it.

We all know realistically that most households these days have more than one car, not to mention visitors and older children who will also have vehicles. There is also the important factor of all the many and varied large construction vehicles accessing the site using the same access road for periods of many months and possibly years to come. Please also bear in mind that very few households these days actually use their garages for car storage so household vehicles will be parked on driveways and invariably extra vehicles including their own and any visitors will spill over onto the road itself. When this happens, which it inevitably will, on both sides of the road this will add to the congestion considerably. These roads were not designed to accommodate any more traffic than exists at present and as properties line both sides of the approach road there is no opportunity to widen the road.

The safety aspect has to be considered of this doubling or tripling the amount of traffic. At present people walk their dogs, children play games and neighbours gather together on the field opposite. The noise disturbance from this vast increase in vehicle movement which will be created will completely spoil the area and destroy one of the main reasons residents choose to live here.

Lastly the equally narrow approach road from Warbreck Hill, (Leys Road), is no more suited to accommodate vast increases in traffic, which will then spill onto and already congested Warbreck Hill Road, which already suffers large queues at either end due to the proximity of Warbreck Hill roundabout at one end, and the civil service complex at the other end. Another major safety consideration is the Unity Academy where many parents and children walk to and from on school days. I want to emphasise my strong opposition to this unrealistic and inappropriate planning proposal. Our two Ward Councillors have been contacted to make clear our strength of feeling against this application.

**29 Regency Gardens-** I am writing to express my concern over the plans for the erection of up to 176 dwellings on the former Bispham High School site. I am concerned that the amount of traffic going through this estate will be too much for Leys Road and Regency Gardens to cope with. There is already approximately 100 properties on the estate which require access via Leys Road and with most properties having one, two or three cars this is already a significant amount of traffic through the estate. An additional 176 houses could potentially be another 300 cars to be taken into account.

**27 Regency Gardens** - I am contesting the application in the strongest terms possible. The salient points being:

Safety: Access via Regency Gardens clearly puts the health and safety of the residents at risk. This is a cul-de-sac and the roads are not designed (width and parking) for the increased traffic proposed by opening up an new access point at the end of Regency Gardens.

Privacy: Cul-de-sac locations generally warrant an additional premium (mainly on privacy) that regular thoroughfare streets do not possess. By having through road into the cul-de-sac the value of the properties in Regency Gardens will be reduced. Should this plan go ahead, I will also be seeking a reduced Council tax band rating.

Infrastructure: Leys Road already suffers severe congestion either as a shortcut from Devonshire Road to Warbreck Hill Road and/or access to Regency Gardens. Currently there are 100 properties in Regency Gardens and the addition of a further 176 will add significant infrastructure issues to an already severely congested area and is clearly fit for heavy construction traffic should this ridiculous plan go ahead.

Wildlife: The area proposed for through road from Regency Gardens has natural habitat (plants and wildlife) which will be destroyed with this proposal therefore affecting the environment.

**4 Meadow Close-** Although I understand we have to build houses I feel the scrub land behind Meadow Close is not the correct location due to certain factors. Regency Gardens Road cannot cope with an additional 176 cars in a morning or evening. This is based on each house having a minimum of 2 cars and half using one exit and the other half using the other exit. The road is simply too small too narrow for extra traffic due to steepness, speed bumps, blind corners and children playing on the main access point. This could become a hazard as myself on numerous occasions have had to do emergency stops due to the children playing. This will also be used as a cut through to avoid other congested area e.g Warbeck Hill lights, which is extremely busy during the day

It is a very wet area and floods our garden, even though we have installed extra land drains. Building extra houses will cause even more flooding. Getting rid of the uncontrolled waste land will remove great habitat for the wild life. This area is used by children and adults and is a great place for children to play safely. The government and Council always encourage the environment to be saved and this is another green space being taken away from us. We need more green spaces not less, let's turn it into a park and not a housing estate. Blackpool have very few trees and on this land you can see the wildlife nesting and enjoying the environment it has found, these trees should not be removed. Finally why can't the houses just be built on the original land of Bispham High school and leave the scrub area as it is for everybody to enjoy. After closely looking at the tree survey, and the other documents, there is no mention of the trees behind 1 to 5 Meadows Close.

**5 Chestnut Close-** There is only one way in and out of the estate with difficulty already getting out of the Leys Road/ Devonshire Road junction with traffic frequently blocking the

roundabout. Adding a lot more houses with traffic coming out on this junction will cause more issues. This junction frequently has near misses as vehicles travelling north ignore cars turning right at the roundabout. Doubling the numbers of homes with access from the current estate is going to cause major disruption and increased risk for accidents and fatalities at the junction. There is very little room on the roads and pavements in the estate currently with cars parking on both sides of the roads causing issues driving through with difficulties for wheelchairs and pram's and even pedestrians getting past cars parked on the pavement. There are a lot of children currently living on this estate and to double the amount of traffic going through this estate will only mean an extremely high risk of a fatality of a child. On our estate most houses have at least two cars or more. Also with online shopping increasing year on year means that the business traffic flow is not accounted for in the reports. The access for the majority of this proposed site is planned to be through a small residential estate with one access route and yet the access to a main road is for a smaller part of the estate. This is not justified nor feasible and causes high risk. The new housing estate is going to take a lot of green space away that is sadly lacking in Blackpool. This green space is used by dog walkers for a safe enclosed area but looking at the plans the only open space that remains will be directly onto a road on the estate and not be secure.

The original plans going back over 16 years ago did not have the amount of homes to be built on the land and did not have any building on the old school playing fields. It is unbelievable that building on the old playing fields will have no vehicle access from Bispham Road which has more capacity and less risk than through a small estate. The noise and disruption that would be caused by a development of this scale would be unbearable for the residents on this estate. There are no indication of the number of 1, 2, 3 or 4 bed homes. There is proposed a pedestrian exit to the estate towards the rock gardens which will cause an increase in pedestrians to Chestnut Close which could cause a security risk to surrounding homes. We purchased our home as it was a very quiet and safe place for our children at the end of a cul-de-sac. With this new proposed development this will no longer be the case. I strongly object to the proposal. Also is there not a conflict of interest due to the plans being submitted by Blackpool Council and being approved by Blackpool Council Planning Committee? We will be taking this issue up with our local Councillors.

**32 Leys Road-** We wish to object to the proposed use of Leys Road/Regency Gardens, as access roads to the site, both during construction and after, for the following reasons.

At the present time, DWP/DLA employees have around 60 car parking spaces on the former school site which will not be available once construction begins. As all other roads in the vicinity have now been designated as double yellow lines, or residents permit parking only, the nearest available free parking would be on Leys Road, which is currently used by several vehicles each day. We can foresee if 60 extra vehicles from DWP/DLA are trying to park on Leys Road, along with an extra 100 cars exiting and entering Regency Gardens, the potential for restricted road width, accidents and access to houses would become a major issue.

As Leys Road joins Regency Gardens, at a very small roundabout which is barely enough room for cars to pass, never mind lorries etc. Once on Regency Gardens, there are 7 speed bumps to the proposed entry to the new estate in one direction, and 8 speed bumps if taking the

route along Tower View. It is a well-known fact that speed bumps increase air pollution from vehicles as they slow down and then accelerate to the next speed bump, also potential road safety issues to children along what is currently a quiet estate, it is difficult to understand why plans would be passed which would allow around 400 extra cars passing through each day (each house entering and leaving the estate twice a day plus visitors etc.)

At the lower end of Regency Gardens there have been issues with flooding, and this will become a far greater issue if the proposed development goes ahead.

On studying the proposed plans carefully, we cannot understand why access by road is not being pursued from Inver Road and Ardmore Road, which have wide road access from Devonshire Road, straight onto the proposed site, instead of narrow and speed bumped access through Regency Gardens.

**1 Bluebell Close** - We object to the planning application for the following reasons:

Traffic Concerns - The plans show that traffic for half of the new estate will be routed through Regency Gardens, and they will not have a choice, as there is no connecting road from the Bispham Road side. This means that if most households have a least two cars then 170+ cars would be accessing their side of the new development through Regency Gardens.

The mini roundabout on Devonshire Road which allows access to Leys Road is difficult to navigate even when traffic is light. Coming off Leys Road, there is a blind spot to the right. Very often we cannot get out onto this roundabout as traffic travelling on Devonshire Road to the main roundabout on Warbreck Hill Road, will block the exit. There is a "keep clear" notice on the road, but this is for traffic exiting the roundabout onto Leys Road and is very often ignored.

Access through Leys Road from Warbreck Hill Road is opposite a large school which houses both Primary and Secondary school children. At school times, parents dropping off children often park on Leys Road on both sides and make access very narrow. Residents of Leys Road also park here in the evenings on both sides, and again it is narrow. There is heavy plant vehicles accessing the Water Tower on Leys Road. These sometimes park up outside the gates or need to block the road in order to gain access to the Water Tower.

On entry to Regency Gardens from the mini roundabout on Leys Road, the road is very narrow. This road also passes the open green where children play. The bend is hard to navigate and is not suitable at all for large amounts of traffic. On passing the substation on this road there is a blind spot on the left. The pathway for pedestrians here is also quite narrow too and when walking along you are quite close to the road. On the estate there are many homes without enough parking spaces for the number of vehicles they have. Lots of residents have to park on the road and this makes access slow and difficult at times. Many houses only have 1 parking space and so the use of yellow lines for non-parking would not be useful or welcome for many residents.

**Local Wildlife and Open Space** - we regularly see wildlife including squirrels, foxes, hedgehogs and many bird species. Wildlife would have already been displaced when Regency Gardens was built but with this new plan there is hardly any of the open space left. Increased traffic will also be a danger to them. The open space as it is now is untouched and many plants grown wildy here and we see many bees and flying insects when walking around these areas. The new plan will bring more people and more pollution, whilst taking away a lot of natural flora and fauna.

The proposal is to bring many new people to the area in the new housing but the open space left is very minimal. Where will their recreational areas be? There are no other local parks or open spaces other than the Rock Gardens and the very small and tired play area at the bottom.

After we moved here four years ago, my daughter learned to ride her bike on the very roads where you want to increase the traffic on. It is a problem to find safe areas for children to play. Cycling is something my daughter loves but I fear she would not be safe with the increased traffic travelling around tight roads and blind bends.

Dogs- With an increase in the local population there will be more of our canine friends to cater for and with no other local open areas to exercise animals, where will they go?

The Rock Gardens - There is a local group of fabulous volunteers which give their own time to making the Rock Gardens look lovely each year. It is a small area. With opening more access points to it, we fear that it will be used for a hangout for older children moving away from it being for families and people who want to just enjoy the plants and the park. With more people passing through, it may mean more anti-social behaviour and rubbish left behind in the Rock Gardens and on their exit and way through Regency Gardens. Whilst litter picking we have seen evidence of drug use left behind by users. There is regularly a lot of rubbish left over from smoking, cigarette packets and left over butts. There are also alcoholic drinks cans and bottles.

DWP Parking - It is difficult for staff at the DWP offices on Warbreck Hill Road to find somewhere to park to go to work each day. DWP workers park on the existing old school site for a fee. The offices at Warbreck House have done all they can to increase parking available on site but cannot create anymore. I don't see anywhere on the plan for a car park and therefore I can only assume that the people who park here will be forced on to local roads again which causes difficulties for them and local residents.

**32 Regency Gardens**- I would like to object to the proposed application. I understand the need for more housing and have no objection to the development on the area that was previously Bispham High School. This was already effectively a built-up area, and the access to this area from the 'run-off' on Bispham road is logical and minimally disruptive. My objection is to the scale of the development, covering the green area adjacent to the Rock Gardens and the existing Regency Gardens estate.

We have lived on this estate since our house was built 17 years ago. It has been something of an idyll, peaceful and well-maintained, accessed mostly by residents and their visitors. Children have been free to play, most resident drivers respecting the nature of the estate. My main objections are therefore based on two aspects of permitting this new development.

Firstly, the access roads on this estate are narrow, Regency Gardens is a road that is the only way in and out of the estate, and is something of a main artery of the estate. Yet it was not made any wider than the smaller avenues that branch off it. Like most modern estates the majority of houses have a single driveway but more than one car. Traffic is parked on both sides of the road and needs to be, there is no alternative. This creates an even narrower thoroughfare. The top of the estate is a bottleneck already, barely wide enough for two vehicles to pass without extreme care. We have witnessed the difficulties of larger vehicles passing through the estate. The grittier in winter has not always been able to fully navigate the estate, and the fire service have been unable to access the green area of the proposed development when the occasional incident has occurred requiring their attendance.

We live in a position opposite the bottom of Tower View which is on a hill. Children do not acknowledge danger, there have been many close shaves when they fly down the hill on their bikes and scooters and speedily take the corner onto Regency Gardens. The risk has been minimised due to this being at the quietest corner of the estate next to the proposed access. You should consider this very carefully, it would be only a matter of time before a serious incident occurred once traffic was heading in a straight line onto the new development. In the longer term this would be the new residents causing vastly increased traffic, in the short term this would be construction vehicles etc.

Our second objection is due to the existing nature of the area of the proposed development. It is inhabited by foxes, badgers, hedgehogs and a wide variety of bird life and butterflies. Whilst giving great pleasure to the majority of residents, there is also the wider concerns for the environment as a whole. We are supposed to be becoming more aware of the need to protect such environments for the benefits of future generations. Unless you are ecologically morally bankrupt you cannot ignore these concerns.

I hope you will give these objections serious consideration, there really is no need for a development on this scale in such an area.

#### **15 Headfort Close -**

1. this development will destroy the peace and quiet that all the residents of Headfort Close currently enjoy,
2. I bought my house ten years ago as it has no neighbours to the rear and fantastic views to the rock gardens which will also be lost if this goes ahead.
3. The latest plans say that the majority of new homes will be with in the footprint of the former school, this is not the case as the new houses are also planned right next to Headfort Close.

4. With an ever growing population without doubt there will be a shortfall of school places, in fact there already is, so how can this valuable education land possibly be granted change of use?

**14 Tower View-** I would also like to formally object to the proposed development at the former Bispham High School. My objections are as follows:

1. Scale, Appearance and Design- The scale of the site is far too large with limited access.
2. Impact on the residential amenity of local residents including loss of light, overlooking and loss of privacy, noise and disturbance. My house shall be directly overlooked, meaning a loss of privacy (currently we are not overlooked) and an increase in noise and light pollution. There will also be an incredibly high level of disturbance whilst the building work is ongoing.
3. Impact on the character of the area and whether the use is appropriate. The area is currently a greenfield site where dog walkers and children can play undisturbed. With fewer and fewer such sites at people's disposal, this development will have a hugely negative impact on the local community.
4. Effect on highway safety and parking- Part of the site is solely accessed via a small entrance at the bottom of Tower View/Regency Gardens. All traffic going to/from this site will have to come through the existing Regency Gardens development where children play. The roads are already busy, with cars frequently parked on the roads. The inclusion of the 'speed ramps' has helped to reduce the speed of the cars, but the increased number of cars that will be using this access road will be extremely dangerous. The main 'spine' through Regency Gardens is a small/narrow road, which already goes past a park area frequently used by the local children. In addition, there will be limited access to building/construction traffic which will also be very dangerous to homeowners, children and pedestrians alike.
5. Effect on nature conservation and trees- the area is a haven for wildlife. The negative impact on the environment of this new development would be catastrophic.
6. Effect on the character or appearance of the area- the area commonly floods in winter and spring. The effect of excessive building works in this area will no doubt adversely impact the water table.
7. The possibility of more noise or disturbance - the current development is extremely quiet; it is because of this fact many homeowners who live here purchased in the first place. To introduce additional traffic, population, noise and pollution would be such a shameful waste and would have a hugely detrimental impact on people's lives.

I acknowledge the need for more houses to be built nationally, but there is already a huge amount of development across the Fylde coast. Whilst the infrastructure is in place for the site being serviced from Bispham Road, the access and infrastructure to the other half of the site is wholly inappropriate. I therefore object to this development.

**10 Tower View -** We wish to object to the proposed use of Regency Gardens as an access road onto the site, both during construction and after. We object on the following grounds:

1. Noise and disturbance, heavy plant and machinery moving to and fro all day long on totally unsuitable roads.
2. Effect on highway safety and parking due to both Regency Gardens and Tower View being fairly narrow with lots of parked vehicles making it totally unsuitable for construction traffic.
3. There are far more suitable accesses directly off Bispham Road where all construction should enter and leave the site.
4. The Leys Road, Tower View and Regency Gardens area is totally unsuitable as an access road both during and after construction and more suitable alternatives should be sought.

**34 Regency Gardens** - While I am not opposed to building on the former Bispham High School site, I am fully against the proposed plans to build on the lower part of the Rock Gardens. After living here at 34 Regency Gardens for the past 18 years, I have been privileged to see the amount of wildlife that the Rock Gardens support. If the second phase of the development was to go ahead it would have catastrophic results for the wildlife in this area. Over the past 18 years I have fed foxes that live in the low-lying areas of the Rock Gardens and bramble bushes, the trees that form a barrier at the rear of the gardens on Meadow Close are home each year to huge groups of nesting magpies. One of the major reasons for me buying the house I bought was for it to be next to open spaces and also in a quiet cul-de-sac location. The lower part of the Rock Gardens provide much needed green space for dog walkers, children to play and home to much wildlife. Also act as a huge water relief area for rainwater from the Rock Gardens. There are so many brown belt areas in Blackpool that Homebuilder's could be incentivised to build on and clean up existing eyesores. It would be an absolute travesty to destroy the lower part of the Rock Gardens area for the extended part of this application, furthermore the access to Leys Road I feel would not support traffic for the additional houses proposed. This Regency Gardens Estate would very soon become a shortcut route from Bispham Road through to Devonshire Road and easy access route for the DWP Buildings.

**3 Meadow Close** - we strongly object to the access to the estate. We bought this house 12 years ago, one of the reasons being it is a quiet residential area where we have always felt safe. Nobody needs to access this estate unless they live here or visit. We are concerned the planned access may incur unnecessary disturbance from others and nuisance behaviour. It is at the best of times difficult to pass another car as the roads are narrow and most properties nowadays have two cars. Talking to neighbours they feel safe allowing their children to play on the estate. I myself have had a couple of near misses with children stepping in the road.

I would say noise is more than a possibility, it is a definite. With the effect on nature conservation and trees, houses are being built everywhere nowadays. We have seen foxes and hedgehogs and birds which come also onto the Regency Gardens estate. Where are they expected to go?

With regards to the impact on the character of the area and whether the use is appropriate. Of course this will impact on the character. As I have already pointed out we bought this property due to the calm and quiet. This will completely erode our privacy and I have real



concerns as to nuisance behaviour and or criminal behaviour due to this thoroughfare which will no doubt be used by other drivers and pedestrians as a short cut to avoid traffic and walking distance. The scale of traffic on Bispham Road and Warbreck Road is heavy and when nearby building on the Devonshire Road bridge and the Plymouth Road bridge were undertaken, the traffic was immense and the roads clearly could not cope. We strongly object to this access road and feel that safety, noise, disturbance and possible detrimental behaviour which will impact the residents of this estate have not been considered at all.

**22 Regency Gardens-** I am writing to log my objection to the proposed development Scale- The proposed number of dwellings proposed is excessive. Half the number would be more reasonable just building on the old school site, therefore still leaving the green area for both estates to enjoy.

Impact on Local Residents - the proposed access route through Regency Gardens is a mistake! Regency Gardens is a small quiet residential estate with no through traffic. It has many houses who are not overlooked so the loss of privacy to those residents will be massive, the traffic numbers and noise is low. The proposed access route would increase this by at least 176 vehicles (probably double +) at least twice a day!! A massive increase on noise/ pollution levels which subsequently will affect all residents. The roads on this estate are narrow with blind bends at the top, I have had near misses on numerous occasions due to these two factors, increasing the flow of traffic by opening up the estate using proposed access will cause a significant if not fatal accident. At the moment my house like many others is on the main Regency Road and if traffic numbers increased by this amount my privacy/ noise levels would definitely be affected in a negative way. This is not even beginning to mention all the site traffic that would be using our estate. The roads simply cannot handle that and it would greatly impact the local residents.

Impact on the Character of the Area and Appropriate Use- we already know that people use Leys Road as a cut through to avoid the roundabouts at the top of Warbreck Hill/Devonshire Road, to potentially add another 176+ journeys per day will greatly impact on those residents also. We already know that "Access only" signs do not work as the ones already in place are ignored on a daily basis already!

Impact on Character would be huge. There are many species of wildlife that live in those fields, numerous species of birds, badgers, foxes, hedgehogs, bees, butterfly's etc. Where would they go to nest, breed and thrive? Surely at a time when the preservation of wildlife is at the forefront of all MP's agendas now, we should be looking to keep and nurture the "in town" wildlife we have and not destroy it.

Effect on Highway Safety/ Parking- the effect of 176 extra dwellings would be hugely detrimental to the safety of the residents of the surrounding areas. The infrastructure around the proposed site is struggling to cope with the amount of traffic now, let alone encouraging so much more! The effect to Regency gardens in particular is extremely worrying. This estate is considered as a safe place for children to play out. In this day and age when we are all being told to keep children off the electronic devices as much as possible, surely to propose a through access road to Regency Gardens is counterproductive! How can we as parents and

responsible residents do that knowing that the once quiet estate is now a through/main road....the safety implications are huge!!?

Effect on Nature Conservation and Trees- this would have a severe detrimental effect on the nature around the area. I regularly see foxes, squirrels and other wildlife here, I believe this would no longer be the case. We are being told to protect hedgehogs, bees etc, how can we do this if we are destroying their home. The same applies to the trees that would be destroyed, in this climate/current time I believe it is extremely detrimental to tear trees down when in fact we should be planting more! Not to mention the effect the extra pollution from all the through traffic would have on the trees on our estate.

The Possibility of More Noise and Disturbance: there is no question that the proposed plans will drastically increase the noise levels in the area and also disturb what is a quiet tranquil estate. I also object to the plans as I totally believe that if there is a huge estate built on this site it will increase anti-social behaviour, crime and the police resources struggle to cope now, let alone if a further 176 dwellings are created in the area. To conclude, I totally object to the proposed development due to major safety concerns for our children, safety concerns for traffic accidents, increased pollution during the build and noise levels during and after it, detrimental effect on wildlife and nature, potential increase in crime, loss of privacy and the current roads on Regency Gardens being unable to support the increase in traffic.

**19 Meadow Close** - I would like to object as I think it would be hazardous and unnecessary to merge the two estates. The roads on Regency Gardens are very narrow and winding with not enough room in places for two cars to pass sometimes. It is not logical to use these roads as a flow of more traffic especially larger vehicles. Also there are a lot of children who play out in the estate. A lot of estates have only one access road in and out and you already have a number of DWP staff parking on the old school site at the moment with only one way in and out. Also, how would it affect the houses nearby where the work is being carried out coming so close to our estate? Digging and shaking can cause damage to houses. If the houses must be built I don't see a reason to disrupt the estate. There is also a lot of wildlife in the greenery at the back of the estate, hedgehogs and birds etc, how would this affect them? The scale of the project seems too vast and overbearing, and should be restricted to where the old school used to be. The traffic and parking around the DWP area is already a nightmare. There are probably more than 2500 people who work there and this will create more traffic and more issues in this area by building something on such a large scale.

**3A Tower View** - Regarding the above application for access through Regency Gardens I strongly request this to be opposed. It would cause such through traffic during construction that I fear it would put the children who play in the area at risk. It is a very small, quiet road at present, the children can play freely without any traffic of note to prevent them. If this goes ahead it will massively disrupt the children's play. This is something we really do not want to happen, as we know how important it is for children to get outdoors.

I also fear the impact it would have upon the tidiness of the area. It is at present very well maintained and I would have big concerns that it would be detrimental to these standards. Also, the work you carry out will have a major impact on the noise levels in the area as it is

with or without the access point, and this alone is enough of an inconvenience. To add the access point and all the traffic which will go with it just seems unfair when you have other options for the location of the access point. Also with the roads being small here cars are parked on the road and getting large lorries, trucks etc. would be very difficult. Some of the residents have three or four cars per household and space is limited enough as it is. I ask you to consider this in your decision along with reasons you will no doubt receive from other residents in the area. I hope you can come to a sensible decision, needless to say I for one would be very sad if this access point goes ahead, as I know many other residents feel the same.

**1 Meadow Close-** The proposed building development on the former Bispham High School would have a direct impact on my property that borders this massive site.

Loss of privacy. At the moment I am not overlooked. At the bottom of my garden is a wildlife habitat made up of trees, bushes and of wild plants that is home to many varieties of birds such as blue tit, grey tit, magpies, sparrows, robins and many more. The ground cover is home to hedgehogs which are frequently seen in my garden. It also is home to many insects, butterflies, another endangered species, also moths. The site is also home to seagulls, if this site is developed where will they nest to breed, in Blackpool on roof tops. How many more wildlife species live not just over my fence but on the site.

Environment Impact. When it rains; and it rains a lot here, the gardens along the site get waterlogged. My garden in particular in the winter of 2018 was waterlogged regularly for five days. The proposed site was also waterlogged and the level in my garden would only drop when the site level also drained away.

Highway Safety. The access to half the site is via Regency Gardens only. This road is accessed by Leys Road which in the rush hour is used as a cut through to avoid the two roundabouts on Devonshire Road. This traffic pays no notice to the traffic signs saying no vehicle access, except for access. With the only site access point to more than half of the site is via Leys Road along Regency Gardens there will be more than 400 more car journeys per day, that is just for the people living there then add on journeys made by other traffic wanting access. With there only being one access point each vehicle would have to make two trips along this route, which now has cars parked on it. Children playing kerb games, riding bikes, running from one play area to the other crossing this road. Putting up speed restricting signs, speed humps, has we know only a limited effect.

Noise and Disturbance. At the moment I can only hear traffic noise in the distance mainly all I hear are birds singing and in the breezy weather the swaying of the trees. If this development was to go ahead it would have a big impact on my home environment. There would also be an increase in pollution from traffic fumes, and BBQs, it would destroy a wildlife habitat, it could increase the risk of flooding, increase of a road traffic accident involving children, increase of a road traffic accident with another vehicle moving or standing and increase the risk of gangs forming and anti-social behaviour.

**36 Regency Gardens-** The planning application refers to Former Bispham High School, whereas the area affected includes a large area of land which is unconnected with the High School.

I can compliment you on the fact that you have allowed no vehicular access between the two parts of the proposed development. I realise that this is only an outline application, but it is essential that this separation of the two parts of the development be maintained after the construction process is complete. I note that many comments have been received about the unsuitability of Regency Gardens and Leys Road for handling construction traffic, and I feel that this can be mitigated if, for the construction phase only, all access be limited to Bispham Road with a temporary roadway between this area and the area abutting Regency Gardens. The Regency Gardens access should only be opened when the construction is essentially complete, and the temporary roadway then demolished. There is also the possibility of creating an access from Ardmore Road, as long as this does not create another "rat run". It may also be necessary to create a roundabout, or traffic lights on Bispham road to allow the access to the development. None of this solves the problem of the increased residential traffic along Regency Gardens/Leys Road. I note that Leys road in particular seems to be used as a parking place for the teachers at Beacon Hill school, and one way of alleviating this problem may be to introduce residential parking permits on Leys road.

The tree survey report also contains errors. Tree 7 is shown as on the Western side of Regency Gardens, whereas it is on the eastern side 20 metres from the position shown. It is a tree which impinges on my property and has to be regularly pruned back to avoid it hitting my house. In view of the comments made about it, I wish it to be removed. Further to the east is another large clump of (mainly) alders, not shown on the report, which would completely cover the garden of one of the new properties. I am aware that it contains a good deal of wildlife which has already been the subject of comments, so you may have to adapt the plan to accommodate these trees.

In conclusion, I am sympathetic to the need to provide more housing, but the plan as currently conceived is not acceptable to the local residents. I think the only answer would be to drive a road through the Rock Gardens from Devonshire road, and leave Regency Gardens as it is. I can see that going down like a lead balloon.

**2 Bluebell Close-** I am writing to you in regards to the above proposed planning application and submit this, our objection for your records.

Scale, appearance and design of proposal. This is very evidently a massive proposal, 176 houses is no small undertaking. Regency Gardens which is half the size was only phase 1 of Barratts building work here, Planning turned down phase 2 as it would impact too much on green belt area, obviously something which is of no consequence now seeing as this proposal reduces the green area by a good 60%. I'm sure there would be less obstruction if only the old school site was used. The scale in itself is too big in my opinion, although the design ok, it reduces the green area by far too much considering there is no other area like this within walking distance.

Impact on the residential amenity of local residents. There will be a huge impact of this proposal on the privacy of the houses along Tower View. The addition of 176 houses to the area will have a massive effect on the area, even if you say each house only has one car (not the norm nowadays, two and above more likely) the increased traffic to already congested roads would push said roads to breaking point. We already have issues at the traffic lights where Bispham Road meets Warbreck Hill Road with traffic often backed up to the other congested roundabout on Devonshire Road. The same applies along Bispham Road. With this proposal access point from Regency Gardens and Bispham Road you can guarantee it will be used as a cut through to avoid the lights. This leads me to using Regency Gardens as a thoroughfare, the simple fact is these roads on Regency Gardens can neither handle another 176+ cars, or the construction traffic, it is a quiet housing estate, and this proposal would turn it into a shortcut. At this time parents here are comfortable with their children playing in the street due to the low amount of traffic, the first accident that happens if you approve this proposal will make you complicit.

Impact on Character of the area- the green area is exactly that, an area of natural beauty where we have rabbits, squirrels, badgers and hedgehogs, all creatures in decline and you would let someone build on their natural habitat? As for trees any reduction would be, in my eyes, criminal. Again, keep the proposal to the site of the old school and let the new residents share the green space with us, rather than reducing it by 60% and increasing its usage by maybe 400 individuals and 50+ dogs.

Effect on Highway Safety - the roads in Blackpool are already a bone of contention with locals. The amount of times I've been stuck in a traffic jam and watched an ambulance try and get through the traffic is far too many. The congestion is affecting lives, yet this proposal would add to it significantly. Plymouth Road roundabout, Crossleys Bridge, Bispham Road, Warbreck Hill Road, Devonshire Road and roundabout are some of the most congested roads in Blackpool, do not add more to them, the area is being suffocated with traffic jams as it is.

The possibility of more noise and disturbance - when has the building of 176 houses not increased the noise and disturbance to its surrounding areas?! The earth moving equipment alone will cause nightmares for local residents, not to mention pilings. Depending on the construction company, the on-site issues regarding noise pollution and sociable working hours alone will be a minefield. Regency Gardens will become a short cut for diggers, lorries and such, which will create a real headache for everyone. In fact I would say this now, the roads through Regency Gardens, especially the mini roundabout off Leys Road are not fit for such traffic. Not wide enough at all, and far too many speed bumps. Again I think this will either cause damage to property, or cause an accident, something I feel you really should take into consideration, as when this happens, and it will, you again will be complicit.

We don't pay to live next to a building site, something 15 years ago we were told would never happen by the Council as the area in question was protected at the time. If this proposal goes ahead (and being an architectural technician for years and working directly with planning know how this works, so I am assuming it will) I for one will start a petition to get our Council tax reduced.

**20 Regency Gardens-** I have grave concerns which cause me to object to the proposed access. My reasons being it will have a detrimental effect to the current residents and properties on Regency Gardens. Opening an access route from Regency gardens onto the new proposed site will affect the following

\* Impact on the residential amenity of local residents including overlooking and loss of privacy, noise and disturbance. Residents on Tower view that are currently residing in town house 3 storey properties will have their privacy overlooked by building properties behind. Being 3 storey town houses the living room quarters of these properties are on the second floor to the rear of the properties so building behind them will have a huge effect on them being overlooked and have the privacy in there front rooms demolished by new dwellings behind.

\* Impact on the character area and whether the use is appropriate. The small surrounding roads are currently and always has been a very quiet and sought after area, it's a very set back closed community and opening Regency Gardens up as a proposed access route to 176 new houses will completely ruin the character of the area and what it's used for which isn't a run through access route.

\* Effect on highway safety and parking. This is a massive concern and highway safety will be effected enormously. Being a quiet residential area opening a new access route through to the new proposed properties would increase traffic on a daily basis throughout the day and at all times. 176 new houses each household with at least one vehicle but on average 2 cars per household would increase the daily traffic down Regency gardens by 352 cars!!! And that's just for people living there not taking into account other traffic it will cause.

Being a narrow quiet family estate this would increase highway and road safety without a doubt for local families and the children that currently play out on Regency Gardens and the open land that is for the estate residents at the top of Regency Gardens, this will stop children being allowed to play out safely with an increase in traffic. This will also have an effect on the estate being used as a cut through to avoid traffic build up on Bispham Road and also Warbreck Hill Road. Not only will residents of the new proposed housing use this access but also other members of the public that will use it to cut through.

The above will not only increase highway and road safety but also public safety for the current residents of Regency Gardens. The estate is closed off and set back and private from Leys Road which reduces crime and social problems. Not many people know this estate exists. Opening this now idyllic estate up will give other members of the public access from the surrounding area which ultimately will increase social and criminal problems on a lovely community that it is now. All the above will increase noise and disturbance on the Regency Gardens estate massively. We have one access onto our estate and it's the same as many new housing developments so the site needs only one access from Bispham Road. There is no need to effect the current Regency Gardens causing huge detrimental problems and link it to another housing estate.

**9 Meadow Close-** Regency gardens is totally unsuitable for any extra traffic be it cars or lorries where children play and dog walkers cross the road. There seems to be too much building over green spaces depriving local wildlife of vital green areas. There will a lot of noise and dust and it will be a shame to lose trees and the development will be an eyesore.

**Benefits Agency, Government Buildings, Warbreck Hill Road (DWP)** - DWP occupies Warbreck House which is open five days a week from Monday to Friday, from 08.00 to 18.00. The premises are used for the services of DWP. Warbreck House is located on the south eastern boundary of the application site and due to the proximity, DWP have several concerns regarding the proposal for new homes, which they would like to be addressed and acknowledged at the detailed design stage. The concerns are set out below.

**Surface Water Flood Risk** - We acknowledge that the site is located within Flood Zone 1 and is at low risk of flooding, however, from experience DWP confirm that there are areas of both the application site and Warbreck House which are at low to high risk of surface water flooding.

Land immediately to the east and west of Warbreck House is liable for surface water flood risk, as well as land to the north east and north west of the application site. Policy CS9 of the Blackpool Core Strategy (2016) sets out that all new developments should incorporate appropriate drainage systems where surface water run off will be generated, this policy is supported by paragraph 163 of the National Planning Policy Framework (NPPF) (2019) which states that Local Planning Authorities should ensure that when determining applications, flood risk is not increased elsewhere.

It is important therefore that the scheme layout and drainage scheme proposed at the detailed design stage take account of the flood risk at the site. The proposed drainage scheme prepared at the reserved matters stage should ensure that there is no increase in surface water run-off to Warbreck House, complying with local and national planning policy.

**Amenity, Crime and Security-** Warbreck House is located on land directly adjacent to the application site, however as the application is for outline permission, there are limited details of the proposed boundary treatment within the submitted planning application.

The NPPF sets out that planning policies and decisions should achieve places which are safe and accessible so that crime and disorder do not undermine the quality of life (paragraph 91). Policy CS7 of the Core Strategy also requires new development to minimise the opportunity for anti-social and criminal behaviour.

It is therefore requested that a suitable boundary treatment and site layout are considered at the detailed design stage, to ensure there are no opportunities for overlooking onto DWP's premises. Due to the sensitive nature of the work undertaken by DWP, the boundary treatment should also ensure that there are no opportunities to trespass onto DWP's site and that the risk of anti-social behaviour is at a minimum.

**Construction Management Plan** - The construction of the proposed development needs to be carefully managed through an enforced Construction Management Plan which ensures that there is no obstruction to the access and free movement of vehicles at the DWP site. It is therefore respectfully requested that a pre-commencement condition is attached to any grant of planning permission requiring that a Construction Management Plan, including details of contractor and car parking, is submitted and approved in writing by the Local Planning Authority. We would request that DWP are consulted with upon submission of the Construction Management Plan and provided the opportunity to comment.

**Conclusion-** Paragraph 182 of the NPPF states that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development in its vicinity, the applicant should be required to provide suitable mitigation before the development has been completed. This reinforces the importance of DWP's representations.

### **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 14: Meeting the challenge of climate change, flooding and coastal change

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

CS5: Connectivity

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



## **SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016**

The Blackpool Local Plan was adopted in June 2006. A number of policies in the Blackpool Local Plan (2006) have now been superseded by policies in the Core Strategy (these are listed in Appendix B of the Core Strategy). Other policies in the Blackpool Local Plan are saved until the Local Part 2: Site Allocations and Development Management Policies is produced.

The following policies are most relevant to this application:

LQ1 Lifting the Quality of Design

LQ2 Site Context

LQ3 Layout of Streets and Places

LQ4 Building Design

LQ5 Public Realm Design

LQ6 Biodiversity

HN4 Windfall Sites

BH3 Residential and Visitor Amenity

BH10 Open Space in New Housing Developments

AS1 General Development Requirements

AS3 Provision for Walking and Cycling

## **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 -

DM5: Design Requirements for New Build Housing Developments

DM20: Landscaping

DM21: Public Health and Safety

DM36: Community Facilities

DM39: Transport requirements for new development

## **ASSESSMENT**

### **Principle of Residential Development/ Re-Location of the Air Cadet Building**

Bispham High School was last occupied some four years ago and the site has now been cleared. Most of the eastern half of the site onto Bispham Road and Kylemore Avenue comprises the floor slab levels of former school building with associated hard surfacing. In the middle section of the site are the school playing fields and this area is fenced off and overgrown. Discussions are on-going at the time of writing this report with the Department of Education regarding the release of the former school site for development but this issue should not affect the determination of this planning application. Any re-development of the

former school site will be subject to this agreement. The former school site is shown as protected from development in the Blackpool Local Plan dating from 2006 under Policy BH7 'Playing Fields and Sports Grounds'. However the school site has been identified in the Strategic Housing Land Availability Assessment (SHLAA) dated June 2014 as a potential future housing site and this is intended for adoption under Part 2 of the Core Strategy. If adopted it would supersede Local Plan Policy BH7 but little weight can be attached to the proposed designation at this stage of plan preparation. However, Policy BH7 of the Local Plan has been superseded to an extent by paragraph 97 of the NPPF which was adopted in 2019 and is therefore a more recent expression of planning policy. This paragraph states:-

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) 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 Council's latest Playing Pitch Strategy (PPS) which has been presented to Sport England identifies the former school (and its playing fields) as being both surplus to requirements and to be replaced with a better facility in a more suitable location at Stanley Park. The provision of the replacement facility will be dealt with as a condition on any approval. Assuming that Sport England agrees with the Council's proposed approach and accepts the provision on site as being surplus to requirements and adequately replaced by the proposals at Stanley Park, it is considered that the proposal will conform with paragraph 97 of the NPPF. As this is a more up-to-date expression of Policy BH7 of the Local Plan, this would remove any conflict with this policy.

The playing field and children's play area accessed from Inver Road and the Rock Gardens on the western half of the site is protected in the adopted Blackpool Local Plan under Policy BH5 'Protection of Public Open Space' and whilst this is within the application site it is shown on the illustrative plans accompanying the application for retention as such there would be no conflict with this policy.

The third plot of land within the application site adjoining Regency Gardens is unallocated in the Blackpool Local Plan which means there is not normally any presumption against development taking place. This land was also identified in the Strategic Housing Land Availability Assessment (SHLAA) published in June 2014 as a potential housing site to meet the town's future growth requirements. It was also identified in planning application 99/0927 granted in March 2000 for the erection of 105 dwellings as a potential phase two of the development with what is now Regency Gardens identified as a access point.

The application would make a significant quantitative contribution of up to 176 new dwellings towards the borough's housing requirement. Current indications are that the Council can identify a five year housing land supply, but this is dependent upon the residential

development of this site as it has been included in the latest calculations. In the absence of the contribution provided by this scheme the Council cannot demonstrate a five year housing land supply, and so the tilted planning balance set out in paragraph 11 of the NPPF is engaged for the determination of this application. On this basis, and notwithstanding the position set out above in reference to paragraph 97 of the NPPF and Policy BH7 above, the substantial quantitative contribution the scheme would make towards meeting the boroughs housing requirement would outweigh conflict with policies seeking to limit residential development in principle. The quantitative contribution the scheme would make towards the borough's housing supply therefore weighs very heavily in favour of the application.

The school site constitutes brownfield or previously-developed land and so, residential development of this part of the site would accord with paragraph 118 of the NPPF which says that substantial weight should be given to the value of using suitable brownfield land for homes and other identified needs. As such, this also weighs notably in favour of the scheme.

The application falls with Flood Zone 1 with a low probability of flooding (1 in 1000). Taking into account the above matters, the residential development of the application site with the associated public open space and other associated development is considered to be acceptable in land use terms, subject to Sport England accepting the proposed replacement sports facilities at Stanley Park in replacement of the former school playing fields and withdrawing their current objection to the application.

There are not considered to be any issues in principle with the re-location of the Air Training Corps building from Bispham Road to Kylemore Avenue.

### **Means of Access/ Highway Safety**

Whilst all detailed matters, including means of access, are reserved for subsequent approval the submitted proposal indicates that the western half of the site would be served from Regency Gardens and the eastern half served from Bispham Road. The two areas would be separated by open space and whilst there are pedestrian links between the two halves there is not intended to be a road connection. The approximate split of development on the site is that half houses would be served from Regency Gardens and half from Bispham Road. The Air Cadet Training Corps building would be accessed from Kylemore Gardens.

The Bispham Road access will require junction improvements and off site highway works. However, access from Bispham Road is considered acceptable in principle subject to appropriate detailing of the new junction which would be conditioned as part of any outline approval. The use (and extension) of Regency Gardens to serve the western half of the site has been the subject of considerable opposition from residents of that estate. This is understandable on the basis that residents have enjoyed undeveloped open land to the north which links up to the Rock Gardens and the playing field accessed from Inver Road for nearly 20 years. The un-developed land to the north of the estate has also meant that traffic levels have been lower than otherwise would be the case had the adjoining land to the north been subject to development. However, unfortunately for residents of the Regency Gardens estate the adjoining land was always intended to be developed at some future date. It is referred to

the approved plans submitted by Barratts under application 99/ 0927 as a potential future phase of Regency Gardens. The configuration of the road itself ending abruptly at the application site boundary, minus a turning area, gives a clear indication that this road was intended to extend into the application site at some future date and the site has been identified in the Strategic Housing Land Availability Assessment (SHLAA) as a potential future housing site since 2014. The capacity of the road network within Regency Gardens is estimated to be approximately 200 dwellings which again is an indicator that further capacity was intended. On the assumption and expectation that a maximum of half the 176 houses would be served from Regency Gardens the proposal would be within the road capacity and is therefore considered to be acceptable in terms of highway safety in accordance with Policy AS1 of the Blackpool Local Plan.

With regards to access to the site by construction vehicles should planning permission(s) be granted it is considered appropriate to restrict vehicle access to Bispham Road and such construction details can be agreed as part of the Construction Management Plan which would be included as a condition on any planning approval. As part of the consideration of subsequent reserved matters application(s) appropriate off street car parking facilities will be negotiated, in accordance with parking standards. It would be expected that most of the dwellings certainly with more than two bedrooms would have at least two off street parking spaces. An appropriate level of vehicle charging points will also be negotiated as part of the subsequent detailed application (s).

The use of the former school car park by staff at the nearby DWP was never intended as anything other than a temporary measure and its loss is not considered to be an overriding issue to prevent development proceeding. The access to the proposed air cadet building is considered acceptable in highway safety terms and the 21 parking spaces are also considered sufficient.

The parking and access to the proposed cadet building is considered to be sufficient for the use and acceptable.

### **Replacement of Sports Pitches**

The proposal involves the development of the sports pitches on the former school which has resulted in an objection from Sport England based on the fact that the pitches have been used within the last five years. There is a requirement therefore, in accordance with paragraph 97 of the NPPF to demonstrate either than the sports pitches are surplus to requirements or to be satisfactorily replaced. Policy BH7 of the Blackpool Local Plan requires such public open space to be replaced with facilities at least of equal value. No distinction is made by Sport England between sports pitches in public, private or educational ownership. The 2016 Blackpool Playing Pitch Strategy demonstrated a shortage of sports pitches and the up-dated Blackpool Playing Pitch Strategy dated August 2019 also shows a shortfall in sports provision which is stated to be for small side football and two full sized 3G pitches. The Parks Services Manager has confirmed that the sand dressed hockey pitch at Stanley Park will be replaced with a full sized 3G football pitch in replacement of the former school playing field on the application site with an estimated timescale for implementation of Spring 2020.

As previously stated, Sport England have been notified and up-dated of this intention and any comments received in response will be reported via the up-date notes. The current application is presented to Planning Committee with a recommendation for approval on the basis that the proposed replacement facility in Stanley Park satisfies the requirements of paragraph 97 of the NPPF and Sport England will therefore be in a position to confirm their acceptance and withdraw the objection to the application in advance of the meeting.

It is intended that the delivery of the replacement sports facility at Stanley Park and the management and any necessary works to the remaining public open space/ childrens play area accessed from Inver Road will be dealt with by appropriate condition(s) on any outline planning permission granted here.

### **Planning Obligations**

The proposed housing would generate its own requirement for public open space. As the housing mix is not known at this stage, the level of public open space that would be required cannot be accurately calculated. It is noted from the submitted parameters plan that some additional areas of public open space are proposed within the development. The areas of public open space indicate pedestrian linkages within the site between the western and eastern halves of the application site and with adjoining areas including Bispham Road, the Rock Gardens, Regency Gardens and Inver Road and Ardmore Road to the north. This would encourage use of the public open space, encourage journeys on foot, improve accessibility within and around the site and also increase natural surveillance and therefore public safety. However, the detailed layout of the site would not be agreed until reserved matters stage and so the amount of new public open space to be provided as part of the development would not be known until that point. To accord with Policy BH10 of the Local Plan, any shortfall in provision on-site would have to be compensated for by a financial contribution towards the provision or improvement of off-site public open space. A condition should therefore be attached to any outline permission granted to require a scheme for the provision of public open space to be agreed. It is likely that such a condition would be discharged concurrent with a reserved matters application.

Policy CS14 of the Core Strategy requires proposals of this scale to provide affordable housing equivalent to 30% of the total development. This should either be made on site or via a financial contribution if this would be more appropriate in accordance with the provisions of the policy. It is understood that the preference is for a financial contribution being made towards provision within the inner area to assist with the Council's regeneration ambitions which would also assist towards the aim of providing more balanced and healthy communities. However, that is not to discount the potential of any affordable housing being provided on site and the precise details will be agreed at through a condition attached to any outline approval granted.

The development proposed is of a scale that could generate a requirement for a financial contribution towards local education provision. To date, no response has been received from the Council Education team as to the need for or scale of any contribution. Any comments

received will be reported through the Update Note. If an education contribution is required, it may have to be secured through a S106 legal agreement.

### **Landscaping/ Ecology**

The majority of landscaping is around the boundary of the site and the submitted Tree Survey indicates most of the healthy specimens will be retained with necessary pruning works carried to ensure future health. There are three particular groups of trees which provide a good screen, have a significant visual benefit and are shown for retention, namely the groups of trees along the boundary with The Rock Gardens, along the site frontage with Bispham Road and along the boundary with the DWP complex abutting a section of the southern boundary.

The submitted parameters plan indicates the intended location of three residential areas within the application site with connecting public open space. It should be possible to design detailed site layouts for those areas as part of subsequent reserved matters applications retaining all trees which are in good health and of visual amenity value. Those trees which are to be retained will be protected during building works with an appropriate condition imposed. There will also be a condition imposed requiring any tree works to be carried out outside the bird breeding season.

The submitted Ecological Report concludes, with the exception of bats, that there is no conclusive evidence of protected species occurring on or near the site likely to be affected by the proposal. With respect to bats the trees along the boundary with the Rock Gardens, whilst these would provide suitable habitat no roosting has been confirmed. These trees are also shown for retention. A condition requiring ecological enhancement will be included as part of any approval

A number of local residents have made ecological comments and a response has been requested from Greater Manchester Ecology Unit. Any comments received in response will be reported via the Update Note prior to the meeting.

Details of the planting to be provided around the proposed cadet building could be agreed through condition.

### **Impact on Residential Amenity**

The proposed access from Regency Gardens is discussed above and it has been confirmed that the capacity of the road is capable of accommodating the additional traffic from half the proposed houses. There would be no connecting road link with the residential development on the eastern half of the site accessed from Bispham Road and no construction vehicles would be permitted to use Regency Gardens for access purposes. Whilst extra flows of residential traffic will have an additional impact on the residential amenity of Regency Gardens, given the capacity available to accommodate this extra traffic, it is not considered that a refusal of planning permission can be justified on the basis of additional noise, pollution or associated impacts.

The detailed residential layout, including design of the houses, privacy distances, daylight standards, site levels, gardens sizes, off street parking and all other development management considerations will be assessed via the subsequent reserved matters application(s). There is nothing to suggest that a quality residential development will not be produced which respects the character of the surrounding area and minimises the impact on adjoining residential property in accordance with Policy BH3 of the Blackpool Local Plan and Policy CS7 of the Core Strategy.

The proposed air cadet building is not considered to raise any particular residential amenity issues. It is already located within the vicinity of houses and there are no known issues with the facility. No issues relating to over-shadowing, over-looking or an over-bearing impact are anticipated.

### **Design**

The details of the design of the housing element of the proposal would be agreed at Reserved Matters stage.

The design of the proposed cadet building is simplistic and functional. Although there are three houses fronting Bibby's Lane, the site of the cadet building otherwise faces onto the side/rear elevation of the Squirrel Public House and the car park to the rear of it. The three houses sit to the rear of commercial units fronting Bispham Road. The character of this particular area is therefore very mixed. The car park proposed to serve the cadet building would separate it from the area proposed for new housing. On this basis and in this setting, the design of the cadet building is considered to be acceptable. As previously stated, details of the planting proposed to soften the appearance of the cadet site could be agreed through condition.

### **Flood risk/Drainage**

The application is within Flood Zone 1 with a low risk of flooding (1:1000 chance) and no sequential test is therefore required.

There is a main sewer that runs across the site exiting the site onto Kylemore Avenue to the north and Meadow Close to the south and an appropriate easement is shown for maintenance access. Although not a planning matter, it acts as a constraint as to how the site can be developed. However, it should not be a major obstacle given the size of the site and it is likely that this would be taken into account as part of the agreement of layout at reserved matters stage should permission be granted. Appropriate drainage conditions will be included as part of any outline planning permission granted to deal with sustainable drainage matters, water pollution and flood risk.

### **Other issues**

An appropriate housing mix could be secured through condition.

The Police Architectural Liaison Officer will be involved at the detail site layout stage following the granting of any outline planning permission in terms of advising on requirements of minimising the potential for crime and also on meeting the Secure by Design Principles on the proposed dwellings. There is no reason to suggest the development would create problems of anti-social behaviour in the local area.

In response to other comments made the loss of a view is not a planning consideration and any damage caused during construction is a private legal matter.

It has been suggested that a determination made by the Council in respect of a Council scheme represents a conflict of interest. However, the Local Planning Authority operates as an independent entity in this respect and the recommendation put forward through this report has been reached by a professional officer who is bound by a professional code of conduct. The ultimate decision is to be made by the Council's Planning Committee which is comprised of democratically Elected Members who represent both the Council and the constituents of the borough. As such, no prejudicial conflict of interest is identified.

### **Sustainability and planning balance appraisal**

Sustainability comprises economic, environmental and social components.

Economically, the proposal would have limited impact. It would not result in a loss of employment or agricultural land and would not unduly compromise the operation of any existing businesses. Future residents would help to support local shops and services and employment opportunities would be generated during construction.

Environmentally, and subject to the imposition of appropriate conditions, the scheme would not have an unacceptable impact on ecology, drainage or environmental quality. The application is within a sustainable location close to local shops, schools, public transport, public open space and other local services and facilities. The inclusion of pedestrian linkages within and around the site will maximise the sustainability of the location. Whilst there is an inevitable visual impact there is nothing to suggest that the proposal will detract unduly from the amenity of the area.

Socially, the scheme would deliver up to 176 new dwellings. This would make a significant quantitative contribution towards meeting the boroughs identified housing need and this weighs heavily in favour of the application. Subject to Sport England accepting the Council's approach to the loss of the pitch provision and withdrawing their objection, the loss of the school playing fields would not weigh unduly against the application. Subject to the agreement of a detailed layout, no unacceptable impacts on amenity are expected. Appropriate landscaping could be secured. Appropriate contributions towards affordable housing provision, public open space and local education provision would be secured. No unacceptable impacts on flood risk or highway safety are anticipated.

The contribution towards the borough's housing requirement is considered to weigh overwhelmingly in favour of the application. No other relevant, material planning



considerations have been identified that would weigh sufficiently against the application as to over-ride this view. On this basis and on balance, the proposal is judged to represent an acceptable form of sustainable development.

### **CONCLUSION**

In light of the above, the proposal is judged to constitute sustainable development and no material planning considerations have been identified that would outweigh this view. As such, Members are respectfully recommended to grant planning permission, subject to the conditions which will be provided as part of the Update Note.

### **LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION**

The proposal will provide/ contribute towards affordable housing, provide replacement sports playing facilities and require off site highway improvements to Bispham Road.

### **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) 19/0241 which can be accessed via this link:

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

**Recommended Decision:** Grant Permission

### **Conditions and Reasons**

The proposed conditions will be provided in the Update Note which will be published on 30 September 2019.

### **Advice Notes to Developer**

Not applicable

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Aerial photograph



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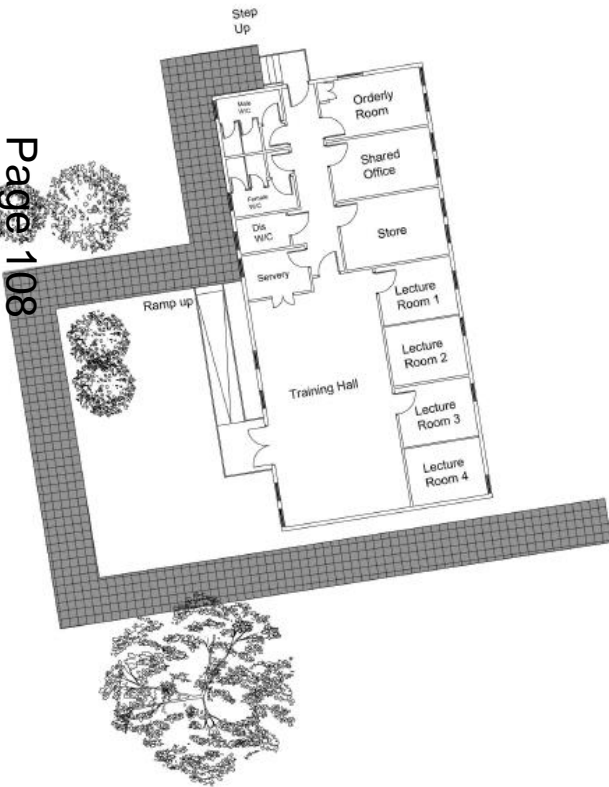
Parameters plan



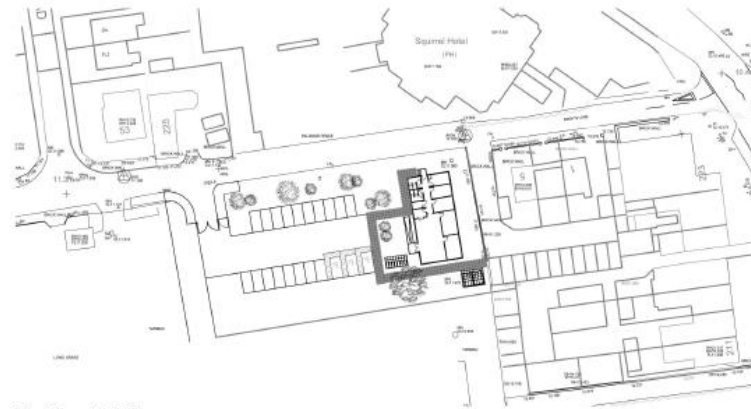
Elevations of existing building to be relocated at 1:100



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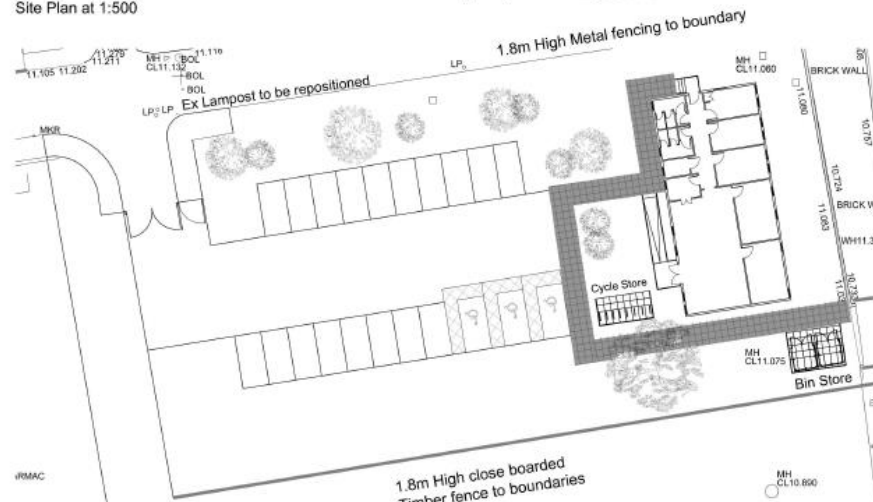
Plan of existing building to be relocated at 1:100



Site Plan at 1:500



Figure Ground Plan



Site Plan at 1:200

Scale: 0 5 10 15 20 30 40 50 60 70 80 90 100

Blackpool Council  
 Project: Former Bapsham High School  
 Bapsham

Planning  
 18 0740 P01  
 Date: 12/06/20  
 Site Individual Refs  
 Prepared by: AMG  
 Checked by: MAG

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