

Blackpool Council

9 October 2020

To: Councillors Baker, Burdess, D Coleman, Farrell, Jackson, O'Hara, Owen, Robertson BEM and Stansfield

The above members are requested to attend the:

PLANNING COMMITTEE

Tuesday, 20 October 2020 at 6.00 pm
Via Zoom Meeting

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 1 SEPTEMBER 2020 (Pages 1 - 8)

To agree the minutes of the last meeting held on 1 September 2020 as a true and correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED (Pages 9 - 12)

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

4 PLANNING ENFORCEMENT UPDATE REPORT - AUGUST 2020 (Pages 13 - 16)

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

5 PLANNING ENFORCEMENT UPDATE REPORT - SEPTEMBER 2020 (Pages 17 - 20)

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

6 PLANNING APPLICATION AND APPEALS PERFORMANCE (Pages 21 - 22)

The Committee to consider an update on the Council's performance in relation to Government targets. This report reflects performance in the second quarter of the 2020/2021 financial year.

7 PUBLICATION AND USE OF RESIDENTIAL CARE AND SEMI-INDEPENDENT SUPPORTED LIVING ACCOMMODATION FOR CHILDREN AND YOUNG PEOPLE ADVICE NOTE (Pages 23 - 36)

The Committee to consider a Residential Care and Semi-Independent Supported Living Accommodation for Children and Young People Advice Note for publication on the Council's website and use as a material consideration in the determination of planning applications.

8 PLANNING APPLICATION 20/0021 - LAND EAST OF MARPLES DRIVE (PART OF FORMER NS&I SITE) OFF PRESTON NEW ROAD, BLACKPOOL (Pages 37 - 56)

To consider a planning application for the erection of 90 x two storey detached, semi-detached and terraced dwellings with associated car parking, garages, boundary treatment, landscaping, including attenuation basin, and highway works.

9 DATE OF NEXT MEETING

To note the date of the next meeting as Tuesday 17 November 2020 at 6pm.

Other information:

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

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

Present:

Councillor Owen (in the Chair)

Councillors

Baker
D Coleman

Critchley
Farrell

Hugo
Jackson

R Scott
Stansfield

In Attendance:

Ms Kate Aldridge, Head of Corporate Delivery, Performance and Commissioning

Mrs Bernadette Jarvis, Senior Democratic Governance Adviser

Ms Clare Lord, Legal Officer

Ms Susan Parker, Head of Development Management

Also Present

Councillor Mrs Callow, Norbreck Ward Councillor for Agenda Item 5

Councillor O'Hara, Waterloo Ward Councillor for Agenda Item 6

Councillor Robertson, Waterloo Ward Councillor for Agenda Item 6

1 DECLARATIONS OF INTEREST

Councillor D Coleman declared a prejudicial interest in Agenda Item 5, Planning Application 20/0219, 124 Norbreck Road. The nature of the interest being that she worked within the industry sector.

Councillor Stansfield declared a personal interest in Agenda Item 5, Planning Application 20/0219, 124 Norbreck Road. The nature of the interest being that he worked within the industry sector but outside of the Blackpool borough.

2 MINUTES OF THE MEETING HELD ON 4 AUGUST 2020

The Planning Committee considered the minutes of the last meeting held on 4 August 2020 and noted that Councillor Rick Scott had been present but as ward Councillor for Greenlands Ward and not Warbreck ward as shown in the minutes and that he had been speaking on behalf of the residents of that ward.

Resolved: that the minutes of the last meeting held on 4 August 2020 be approved and signed by the Chairman as a correct record, subject to the amendment detailed above.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

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

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 1 SEPTEMBER 2020

The report stated that that an appeal against the Council's decision to refuse planning permission for the erection of a single storey side extension at 29 Webster Avenue, Blackpool had been dismissed by the Planning Inspectorate.

The Planning Inspectorate had also dismissed an appeal against the Council's decision to refuse planning permission for use of the premises at Unit 2, Woodman Centre, Vicarage Lane, Blackpool.

The benefits of the upheld decisions in terms of resisting future appeal decisions was also reported.

Resolved: To note the report.

4 PLANNING ENFORCEMENT UPDATE REPORT

The Committee considered the summary of planning enforcement activity within Blackpool between 1 July 2020 and 31 July 2020.

The report stated that 63 new cases had been registered for investigation with 612 complaints remaining outstanding by the end of the period, 26 cases had been resolved by negotiation without recourse to formal action and 88 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.

The report also stated that one enforcement notice had been authorised between 1 July 2020 and 31 July 2020.

The Committee noted the significant workload involved in undertaking planning enforcement activities.

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 APPLICATION 20/0219- 124 NORBRECK ROAD

The Committee considered planning application 20/0219 that sought permission for the use of a bungalow at 124 Norbreck Road as a residential care home for up to two persons aged 8-17 years old.

Ms Parker, Head of Development Management, provided an overview of the application and presented site location and layout plans and an aerial view of the site. She reminded the Committee that it had deferred the application at its last meeting to allow for investigations to be made into the use of the facility at 66-66a Norbreck Road, Blackpool which was located within 400 metres of the application site. Following a visit to the premises at 66-66a Norbreck Road, Blackpool and discussions with the operator of the facility and colleagues from the Council's Children's Services department, Ms Parker confirmed her view that the facility supported living accommodation for young people aged 16 to 18 years of age and she reported on the differences between this and a

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 1 SEPTEMBER 2020

children's home. In her view, the use of the two premises was materially different in planning terms and as such the locational requirements of Policy BH24 for the current planning application had been met. Ms Parker also advised the Committee on another concern raised recently regarding a further property at 11 Guildford Avenue, Blackpool which was also within 400 metres of the application site, however, following a visit to the property, she was satisfied that this was a private dwelling.

Ms Parker referred the Committee to the support for the application from the Council's Children's Services department and the lack of objection from the Head of Transportation. Referring to the comments made by Environmental Protection, Ms Parker suggested that, should the Committee be minded to approve the application, a further condition should be added to the planning permission to secure sound proofing to protect the amenity of residents of neighbouring properties. She also referred to the recommendation for the Committee to agree the application in principle and delegate approval to the Head of Development Management subject to conditions and subject to a Section 106 legal agreement requiring the young people to be placed in the care home by, or in agreement with, Blackpool Council.

Ms Kerrone, member of the public, spoke in objection to the application. Her main concerns included the impact on the residential amenity and character of the area and the potential for the proposal to undermine efforts to promote community cohesion. Further concerns related to the impact on vulnerable residents from an exacerbation of the existing anti-social behaviour and crime issues in the area. She also advised on her view of how the proposal would conflict with the aims of Policy BH24.

Mr Lee, applicant, spoke in support of the application. He referred to the key assumptions made by objectors relating to age which, in his view, could not lawfully be considered and fear of anti-social behaviour which might not come to fruition. He also referred to the facility at 66-66a Norbreck Road and advised on his view of the difference between this facility and the regulated provision of care offered by the proposed care home.

Councillor Mrs Callow, spoke in objection to the application on behalf of local residents. Her key concerns related to fear and the impact on elderly residents in the area. She referred to the character of the area and its demographic and disputed the planning officer's views on human rights issues, suitability of the property and adequate parking provision. Reference was also made on the impact on the local area and the town from the number of recently approved childrens homes and the close proximity and issues of the facility at 66-66a Norbreck Road. She asked the Committee on behalf of the residents of Norbreck ward and the town to refuse the application based on fear.

Ms Parker, Head of Development Management, referred to the aims of the recently approved approach to granting permission for children's homes in terms of increased control. She also advised that little weight could be attached to emerging Policy DM3 due to the Local Plan Part 2 not yet having been adopted. Responding to further concerns raised, Ms Parker referred to discussions at the last Committee meeting with regard to fear and reiterated her view on the lack of a justifiable basis for assumptions of anti-social

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 1 SEPTEMBER 2020

behaviour. She also referred to the recommendation for approval subject to a Section 106 agreement requiring Children's Services' involvement in the placement of children in the home.

During consideration of the application, the Committee raised concerns regarding the facility at 66-66a Norbreck Road and its similarity to the current proposal and the potential detrimental impact this could have on the amenity of local residents. Responding to questions and concerns raised by the Committee, Ms Parker referred to the legislative differences between the supported living accommodation at 66-66a Norbreck Road and the proposed children's home. She also referred to the controls that would be in place at the proposed children's home in terms of placement of children through securing the Section 106 agreement. Ms Aldridge, Head of Corporate Delivery Performance and Commissioning, expanded on the difference in provision between children's homes and supported living accommodation and advised on the enhanced level of control provided by the regulation of children's homes. She also advised on the involvement of Children's Services in the initial placement of children and its interest in managing issues from care homes from a safeguarding perspective and to ensure children were receiving adequate support.

Following further consideration of the application, the majority view of the Committee was that the application be approved subject to conditions and the agreement of a Section 106 agreement.

Resolved: To agree the application in principle and delegate approval to the Head of Development Management, subject to conditions including the additional condition relating to sound proofing and on receipt of a Section 106 legal agreement and for the reasons outlined in the decision notice.

The decision notice, when available, can be accessed via the link below:

<https://idoxpa.blackpool.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal= BLCKP DCAPR 63921>

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

NOTE: Councillor D Coleman, having declared a prejudicial interest, left the meeting during consideration of this item and took no part in the discussions or voting on the application.

6 PLANNING APPLICATION 20/0352- 595-601 PROMENADE

NOTE: Councillor D Coleman re-joined the meeting prior to consideration of this item.

The Committee considered planning application 20/0352 that sought permission for the erection of a four storey extension to the hotel to form an additional 74 bedrooms; single storey rear extension, plantroom on the roof and additional parking spaces to the rear, with new access and egress to the car park.

Ms Parker, Head of Development Management, provided an overview of the application

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 1 SEPTEMBER 2020

and presented site location and layout plans and an aerial view of the site. She also referred to the update note that proposed the removal of condition 12 should permission be granted, and a flyer sent by the applicant to neighbouring residents. Ms Parker advised that the proposed extension replicated the design of the original building. She also reported on the planned reconfiguration of the existing car park to provide a single access route and repairs to the alleyway. She advised on her view of the benefits of the proposal in terms of the quality of the development and contribution to the resort's hotel offer. Ms Parker reminded the Committee that commercial competition was not a valid planning consideration. She also referred to the requirement for a construction management plan should the application be approved which would control the hours of construction and highlighted the proposed CCTV provision to mitigate anti-social behaviour. Whilst Ms Parker acknowledged the limited on-street parking provision, she highlighted the accessible location and the requirement for a travel plan to be agreed through a relevant condition.

Mr Pyatt, member of the public, spoke in objection to the application. In his view the proposed development represented a breach of the core principles of town and country planning and would result in a loss of jobs. He also advised on his view of the impact that the proposed development would have on existing local businesses. He also raised concerns regarding the operators and referred to previous issues experienced during the construction of the hotel. Further issues related to the lack of capacity in the existing utilities infrastructure and the impact on residents from increased demand on these resources, and anti-social behaviour concerns.

Mrs Whadcock, member of the public, also spoke in objection to the application. Her main concerns included the impact on her livelihood and increased parking issues following the opening of the hotel. She advised on her view of the lack of transport surveys undertaken and the significant level of traffic in the area. Further concerns related to the hotel's policy of not charging its guests for car parking which in her view impacted negatively on the availability of on-street parking in the area and she suggested that parking issues could be mitigated by the hotel changing its policy and offering free parking to its guests.

Ms Wright, member of the public and local resident, also spoke in objection to the application. Her main concern related to her view of the significant parking issues experienced in the area.

Mr Mathison, on behalf of the applicant, Create Developments (Blackpool) Ltd, spoke in support of the proposal and advised on his view of the benefits of the proposal in terms of attracting year round visitors to the town as well as corporate visitors in view of the future conference facility. He acknowledged residents' concerns in relation to car parking and major construction and advised on the measures taken to mitigate the impact as detailed in the flyer referred to earlier in the meeting. He advised on Council investigations to introduce parking initiatives to alleviate parking issues and confirmed his support for the initiatives.

Councillor O'Hara, Ward Councillor, spoke on the application, with his main concerns being his view of the significant impact on the amenity of vulnerable local residents from

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 1 SEPTEMBER 2020

the lack of car parking provision. He asked that the Committee defer the application to enable consultation to take place between the developer and residents to resolve the issues.

Councillor Robertson, Ward Councillor, also spoke on the application, and raised significant concerns relating to increased parking issues, including the loss of a large number of car parking spaces which would exacerbate the current issues, impact local hoteliers and have an impact on on-street parking in the wider area. He requested that the Committee considered deferral of the application to enable the developers and the Council to investigate initiatives to resolve the parking issue.

Ms Parker responded to concerns raised by referring to the controls and enforcement options available for breaches of a construction management plan. She reminded the Committee that Utilities were not a valid planning consideration. In relation to the size of the proposed extension, Ms Parker reported on the requirement for the development to be financially viable. Ms Parker also referred to the applicant's agreement to resurface the rear alleyway and suggested an additional condition be attached in relation to this, should the application be approved. The additional condition could also include off street highway works and a Traffic Regulation Order to prevent parking in the area. The Head of Transportation had indicated the cost of the Traffic Regulation Order to be in the region of £10,000.

The Committee considered the application and noted the benefits to the area and town from the proposed development, however also acknowledged the significant parking concerns and its impact on residents and local businesses. It also noted the ongoing investigations into potential initiatives to resolve the parking issues. Mr Mathison, on behalf of the developer and in response to a question from the Committee, agreed to support a parking initiative in principle and accept a condition requiring the necessary highway works and an off-site parking management scheme on the understanding that a developer contribution of up to £10,000 would be required. . Ms Parker, responding to a further question from the Committee, confirmed the Head of Transportation's commitment to the implementation of a parking scheme.

Resolved: That the application be approved, subject to the conditions, including an additional condition requiring agreement and implementation of a scheme for off-site highway works to include parking management and for the reasons outlined in the decision notice.

The decision notice, when available, can be accessed via the link below:

<https://idoxpa.blackpool.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal= BLCKP DCAPR 64056>

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

7 DATE OF NEXT MEETING

The Committee noted the date of the next meeting as 29 September 2020.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 1 SEPTEMBER 2020

Chairman

(The meeting ended 7.55pm)

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

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Report to:	PLANNING COMMITTEE
Relevant Officer:	Susan Parker, Head of Development Management
Date of Meeting:	20 October 2020

PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

1.0 Purpose of the report:

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

2.0 Recommendation(s):

- 2.1 To note the report.

3.0 Reasons for recommendation(s):

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

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

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

- 3.3 Other alternative options to be considered:

- 3.4 None, the report is for information only.

4.0 Council Priority:

- 4.1 The relevant Council priorities are both 'The Economy: maximising growth and opportunity across Blackpool' and 'Communities: creating stronger communities and increasing resilience'.

5.0 Planning Appeals Lodged

5.1.1 9-17 Bloomfield Road, Blackpool (Ref: 20/0353)

An appeal has been lodged by Mr Chris Thomas against the Council's refusal of advertisement consent for the display of internally illuminated 3.2m x 6.2m LED digital advertisement on east elevation of building.

5.1.2 40 Abingdon Street, Blackpool (Ref: 20/0187)

An appeal has been lodged by Cashino Gaming Limited against the Council's refusal of planning permission for alterations to front elevation and use of ground floor premises as altered as an adult gaming centre.

5.1.3 23 Winsford Crescent, Blackpool (Ref: 20/0257)

An appeal has been lodged by Miss Perry Smith against the Council's refusal of planning permission for the erection of a single storey side/rear extension following demolition of garage to rear.

5.2 Planning/Enforcement Appeals Determined

5.2.1 None

5.3 Does the information submitted include any exempt information? No

5.4 List of Appendices:

5.4.1 None.

6.0 Legal considerations:

6.1 None

7.0 Human Resources considerations:

7.1 None

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 None

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 None

13.0 Background papers:

13.1 None

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Report to:	PLANNING COMMITTEE
Relevant Officer:	Tim Coglan, Service Manager, Public Protection
Date of Meeting:	20 October 2020

PLANNING ENFORCEMENT UPDATE – AUGUST 2020

1.0 Purpose of the report:

- 1.1 The Committee is requested to consider the summary of planning enforcement activity within Blackpool, between 1 August 2020 and 31 August 2020.

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, 47 new cases were registered for investigation in August 2020.

As at 31 August 2020, there were 576 “live complaints” outstanding.

5.1.2 Resolved cases

In total, 18 cases were resolved by negotiation without recourse to formal action.

5.1.3 Closed cases

In total, 64 cases were closed. These cases include those where there was no breach of planning control found, no action was appropriate, or where it was considered not expedient to take action.

5.2 Formal enforcement notices / s215 notices

- One enforcement notice was authorised in August 2020;
- No s215 notices were authorised in August 2020;
- One enforcement notice was issued in August 2020;
- One s215 notice was issued in August 2020.

5.3 Enforcement Notice authorised

Reference	Address	Case	Dates
19/8262	416-418 Promenade (FY1 2LB)	Unauthorised material change of use from a hotel to a mixed use as a hotel, hot food take away and associated delivery and collection services; and, unauthorised erection of extraction flue.	Enforcement Notice authorised 17/08/2020. Flue removed.

5.4 **Notices issued**

Reference	Address	Case	Dates
19/8262	416-418 Promenade (FY1 2LB)	Unauthorised material change of use from a hotel to a mixed use as a hotel, hot food take away and associated delivery and collection services.	Enforcement Notice issued 19/08/2020. Compliance was due 28/09/2020 as no appeal was lodged. Takeaway business has now ceased and moved location – EN complied.
20/8135	34 York Street (FY1 5AQ)	Poor condition of property	S215 Notice issued 10/08/2020. Compliance due 14/12/2020 as no appeal has been lodged.

Does the information submitted include any exempt information? No

5.5 **List of Appendices:**

5.5.1 None

6.0 **Legal considerations:**

6.1 None

7.0 **Human Resources considerations:**

7.1 None

8.0 **Equalities considerations:**

8.1 None

9.0 **Financial considerations:**

9.1 None

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 None

13.0 Background papers:

13.1 None

Report to:	PLANNING COMMITTEE
Relevant Officer:	Tim Coglan, Service Manager, Public Protection
Date of Meeting:	20 October 2020

PLANNING ENFORCEMENT UPDATE – SEPTEMBER 2020

1.0 Purpose of the report:

- 1.1 The Committee is requested to consider the summary of planning enforcement activity within Blackpool, between 1 September 2020 and 30 September 2020.

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, 46 new cases were registered for investigation in September 2020.

As at 30th September 2020, there were 546 “live complaints” outstanding.

5.1.2 Resolved cases

In total, 15 cases were resolved by negotiation without recourse to formal action.

5.1.3 Closed cases

In total, 59 cases were closed. These cases include those where there was no breach of planning control found, no action was appropriate, or where it was considered not expedient to take action.

5.2 Formal enforcement notices / s215 notices

- Two enforcement notices were authorised in September 2020;
- No s215 notices were authorised in September 2020;
- No enforcement notices were issued in September 2020;
- No s215 notices were issued in September 2020.

5.3 Enforcement Notices authorised

Reference	Address	Case	Dates
20/8111	90-92 Bolton Street (FY1 6AA)	Unauthorised removal of ground floor shop front and subsequent conversion of the ground floor unit into a flat	Enforcement Notice authorised 07/09/2020
20/8095	32 Bairstow Street (FY1 5BN)	Unauthorised material change of use of the property from a hotel to a house in multiple occupation	Enforcement Notice authorised 14/09/2020

Does the information submitted include any exempt information? No

5.4 List of Appendices:

5.4.1 None

6.0 Legal considerations:

6.1 None

7.0 Human Resources considerations:

7.1 None

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 None

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 None

13.0 Background papers:

13.1 None

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Report to:	PLANNING COMMITTEE
Relevant Officer:	Susan Parker, Head of Development Management
Date of Meeting:	20 October 2020

PLANNING APPLICATIONS AND APPEALS PERFORMANCE

1.0 Purpose of the report:

- 1.1 To update the Committee of the Council's performance in relation to Government targets. This report reflects performance in the second quarter of the 2020/2021 financial year.

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 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 This report is relevant to both Council priorities:

- Priority 1 - The economy: Maximising growth and opportunity across Blackpool
- Priority 2 – Communities: Creating stronger communities and increasing resilience

5.0 Background Information

- 5.1 The Government sets targets for the speed of planning decisions.

- Major applications – 60% to be determined within 13 weeks or an agreed Extension of Time
- Non-major applications – 70% to be determined within 8 weeks or an agreed Extension of Time

- 5.2 The Council's performance must be reported to Government on a quarterly basis.
- 5.3 For the quarter of July – September 2020, the Council's performance in terms of speed was as follows:
- Major applications – 100% determined within 13 weeks or an agreed Extension of Time
 - Non-major applications – 86.5% determined within 8 weeks or an agreed Extension of Time
- 5.4 The Council has therefore exceeded the statutory targets in this quarter.
- 5.5 Does the information submitted include any exempt information? No
- 5.6 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 of 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.

Report to:	PLANNING COMMITTEE
Relevant Officer:	Susan Parker, Head of Development Management
Date of Meeting:	20 October 2020

PUBLICATION AND USE OF RESIDENTIAL CARE AND SEMI- INDEPENDENT SUPPORTED-LIVING ACCOMMODATION FOR CHILDREN AND YOUNG PEOPLE ADVICE NOTE

1.0 Purpose of the report:

- 1.1 The Committee is requested to approve the attached advice note for publication on the Council's website and use as a material consideration in the determination of planning applications.

2.0 Recommendation(s):

- 2.1 To approve the advice note for publication and use.

3.0 Reasons for recommendation(s):

- 3.1 To ensure that the relevant information is in the public domain to guide future applicants. This should give developers a greater degree of certainty and result in the submission of planning applications that accord with the Council's adopted approach and can be supported.

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

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

- 3.3 Other alternative options to be considered:

- 3.4 The advice note is not published and used. This option is not recommended as, without clarification of the Council's approach, officers may find it more challenging to successfully defend appeals against refusal and the Council could be criticised for not making its expectations publicly available.

4.0 Council Priority:

- 4.1 The most relevant Council priority is 'Communities: creating stronger communities and increasing resilience'.

5.0 Further information

- 5.1 Members will recall that a report was presented to and agreed at the Committee meeting on 16th June 2020 that set out an approach to deal with applications for Certificates of Lawfulness and applications for planning permission in respect of children's care homes. An earlier iteration of the Advice Note was then presented at the 4th August 2020 and approved for use. That version related solely to the provision of children's residential care homes.

Given the understanding of semi-independent supported-living facilities that has developed since then, it is now considered appropriate to include such accommodation within the Advice Note.

It is considered that conversions from single-family dwellings to both children's care homes and semi-independent supported-living facilities for young people can generally be judged to represent a material change of use for the following reasons;

- Change in the character of the use based on day-to-day activity, operations and physical layout;
- Impact of the proposal on wider strategies, service delivery and the Council's ability to meet local needs.

As a result, such changes of use are now considered to generally require planning permission. Pressure for the development of such uses is likely to continue for some time.

In order to guide applicants, the attached advice note has been prepared to set out the Council's expectations and to explain how applications will be considered. The advice note also stipulates the information that must be submitted with an application. The purpose is to provide clarity and guidance to enable the submission of better quality applications that the Council can support.

If Members approve the advice note, it will be published on the Council's website and used as a material consideration in the assessment and determination of planning applications.

- 5.2 Does the information submitted include any exempt information? No

5.3 List of Appendices:

5.3.1 Appendix 7(a): Children's care homes planning advice note – July 2020

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

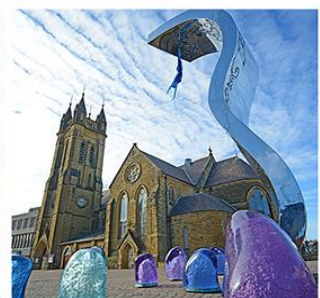
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Residential care and semi-independent supported-living accommodation for children and young people

Advice Note

October 2020

Blackpool Council



Contents

Purpose of the advice note	3
Definition of the uses	3
Aims and Objectives	3
Young people's residential care and support in Blackpool – a planning perspective	4
Relevant planning policy, guidance and information	5
Specific advice	7
Further information.....	10

Purpose of the advice note

This advice note is intended to inform and assist applicants seeking planning permission for the development of, or the change of use of an existing building to, a children's residential care home of a semi-independent supported-living facility for young people aged 16-18yrs.

The advice note is intended to offer clarification and information and so will not be taken through a formal consultation process. Nevertheless, it will be a material consideration in the assessment of planning applications.

Definition of the uses

This advice note addresses two types of use:

- Residential care homes for children and young people aged up to 18yrs of age
- Semi-independent supported-living facilities for young people aged 16-18yrs of age

These two uses are considered to be materially different in planning terms.

A children's residential care home falls within Class C2 of the Town and Country Planning (Use Classes Order) 1987 (as amended). Such uses are intended for the provision of care and are therefore governed by the provisions of the Children's Homes (England) Regulations 2015. As such, they must be registered with OFSTED which is the regulatory body for children's care. OFSTED requires an operator to demonstrate that planning permission is either granted or not required before it will register a property. A child may live in a residential care home up to the age of 18 if their particular needs are judged to require the provision of care as defined by the Regulations.

A semi-independent supported-living facility for young people does not provide care as defined by the Regulations. Instead, and as the name suggests, such facilities provide support and are intended to prepare a young person for fully independent adult living. The Council considers such uses to be *sui generis* meaning that it does not fall within a defined class of the Use Classes Order. Supported-living facilities do not have to register with a regulatory body. This type of accommodation is only appropriate for older teenagers over the age of 16 who do not require the level of care provided in a regulated children's residential care home.

Aims and Objectives

The Council's **aim** is to ensure that good quality accommodation is available in appropriate premises and locations within the borough to meet the care needs of looked-after children, and the support needs of semi-independent young people for whom Blackpool Council is responsible, without causing undue harm to the character and amenities of local neighbourhoods.

In light of the specific issues in Blackpool as set out below, the Council has identified the following principal **objectives**:

- Ensure that new children's residential care homes and semi-independent supported-living facilities for young people are established in appropriate premises and in suitable locations;

- Establish a priority for local children and young people to ensure that the Council can meet the needs of the existing community within the local area;
- Prevent an undue concentration of specialist uses in any particular area of the borough in order to safeguard local character and amenity;
- Safeguard the children and young people housed and the interests of local communities by requiring premises to be operated in accordance with robust Management Plans.

Children's residential care and semi-independent supported-living for young people in Blackpool – a planning perspective

Children's residential care homes

Since 2010, Blackpool Council has issued a number of Certificate of Lawfulness for the Proposed Use of dwelling-houses as residential care homes for children and young people. In recent years, the pressure for this type of use has increased significantly. The availability of relatively large properties at reasonably low prices is understood to be a key driver behind this trend.

As uses established through a Certificate of Lawfulness are not subject to Council control in terms of occupancy, many of the care homes that have opened have elected to accommodate children and young people placed by remote authorities. This has two key implications:

- Vulnerable children with complex needs are brought into the borough placing additional strain on already pressurised local public services: and
- Blackpool Council struggles to accommodate local children in need of care within the borough.

A Certificate of Lawfulness for a Proposed Use is granted when the Council judges that the use proposed is not materially different in planning terms from the existing lawful use of a building. Many factors must be taken into account when considering materiality.

Officers from the Council's planning department have worked closely with colleagues in public protection, public health and children's services to better understand the nature of children's care homes and the issues that exist within the sector.

As a result, and whilst every application must be determined on its own merits, the Council is now of the opinion that a change of use from a dwelling-house to a children's care home will generally be material for the following reasons:

- Change in the character of the use as a result of increased day-to-day activity;
- Change in the character of the use as a result of the necessary form of operation of the premises;
- Change in the character of the use as a result of typical physical alterations to the property;
- Impact of the proposal in terms of the loss of family dwellings;
- Impact of the proposal in terms of the impact on Blackpool's regeneration strategy (for proposals within the defined Inner Area);
- Impact of the proposal on local public service delivery;

- Impact of the proposal on the Council's ability to meet its own housing needs for looked-after children.

By requiring operators to apply for planning permission for the creation of children's care homes, the Council is able to ensure that such provision is established in appropriate properties in suitable locations. It also gives the Council the ability to ensure that children's home provision in the Blackpool area gives priority to local children, enabling us to meet our own needs in our own borough.

Semi-independent supported-living facilities for young people

As this type of provision does not require registration with a regulatory body, the Council's planning department has not been approached with applications for planning permission or Certificates of Lawfulness for this kind of use.

Generally speaking, semi-independent supported-living accommodation is very similar in format to a house of multiple occupancy (HMO). However, as the occupants are placed in the facility for a particular purpose, receive a particular type of support, and are only occupant for a limited period, the Council considers this type of use to be *sui generis*. As such, planning permission is required for the development of, or change of use to, such uses. As with children's residential care homes, by requiring operators to obtain planning permission for supported-housing facilities for semi-independent young people, the Council can ensure that priority is given to young people from the Blackpool area to enable us to meet our own local needs.

By ensuring that local provision is focused on meeting local needs, the Council can also help tackle a wider social care issue. Since 2015, the Department for Education has noted a marked increase in unregulated accommodation for young people nationwide. There is concern that these placements are being used to house vulnerable young people who may not be ready to transition to independent adult living. This is particularly worrying given that some 45% of placements are made outside the boundary of the young person's home local authority. Young people placed remotely in accommodation without appropriate safeguards who are not ready for semi-independent living are extremely vulnerable to exploitation. By controlling occupancy through a planning permission, the Council can ensure that young people receive the level of support or care that they need.

Relevant planning policy, guidance and information

National Planning Policy Framework (NPPF) (published February 2019)

Paragraphs 59, 60 and 61 relate to the delivery of a sufficient supply of homes.

Paragraph 59 makes it clear that in order to support the Government's objective of significantly boosting the supply of homes... the needs of groups with specific housing requirements are addressed.

Paragraph 60 explains how housing need in an area should be assessed and understood, and paragraph 61 advocates planning policies that reflect the needs of particular groups in the community.

Blackpool Local Plan Part 1: Core Strategy 2012-2027 (adopted January 2016)

The Blackpool Core Strategy sets out a spatial portrait of Blackpool along with a vision and objectives to identify how we want Blackpool to be at the end of the plan period. The plan also sets out a number of planning policies to ensure that the right development happens in the right places to meet Blackpool's needs.

Although there are no specific policies relating to children's residential care home or semi-independent supported-living accommodation provision in the Core Strategy, the vision for Blackpool includes the need to meet community needs by providing quality homes in attractive neighbourhoods. To achieve this vision, the Core Strategy sets out a number of objectives, including the need to develop sustainable and safer neighbourhoods that are socially cohesive. In addition, Policy CS12 is relevant in general terms.

The focus of Policy CS12: Sustainable Neighbourhoods is to ensure future development and investment contributes to delivering sustainable communities, whilst focusing regeneration and improvement in a number of identified priority neighbourhoods. The improvement of these neighbourhoods is fundamental to creating more sustainable communities.

Sustainable communities contribute to a better quality of life for existing and future residents through the promotion of social cohesion and inclusion, the strengthening of economic prosperity and enhancement of the natural and built environment. Sustainable communities should comprise a mix of age groups, incomes and lifestyles within a safe, healthy and clean environment, with access to a full range of services and community facilities.

Blackpool Local Plan 2001-2016 (adopted 2006 with policies saved by direction in 2009 and 2016)

Policy BH24 relates to Residential Institutions and Community Care Residential Uses and sets out the Council's expectations with regard to new development proposals.

BH24: Residential Institutions and Community Care Residential Uses

The development of old people's homes/residential institutions (Class C2 uses), community care residential developments and other similar uses will be permitted in appropriate premises and locations subject to:

- (a) The type of use applied for**
- (b) A demonstration of local need**
- (c) The intensity of use and its effect on adjacent properties**
- (d) The suitability of the premises and the location**
- (e) A management plan for the operation of the premises.**

Such uses will not be permitted in those parts of the resort neighbourhoods where the majority of the premises are in holiday accommodation use and where changes to residential use will not be permitted in accordance with the Plan.

Old people's homes and nursing homes will be permitted in appropriate former holiday premises in those parts of the resort neighbourhoods where there is a mix of uses and residential use otherwise accords with the Plan.

Elsewhere, in order to protect the character and amenities of residential areas and avoid any undue concentration of C2 or other community residential uses:

- i. No more than about 10% of properties in any one block will be permitted in such use**
- ii. No community residential uses meeting specialist needs will be permitted within 400 metres of existing properties meeting similar needs.**

It should be noted that both children's residential care homes and semi-independent supported-living facilities are considered to meet specialist needs and that criteria (ii) therefore applies to their location. This means that a new children's residential care home cannot be located within 400m of an existing

children's residential care home; and a new semi-independent supported-living facility could not be located within 400m of an existing facility of that kind. However, as the two uses are judged to be materially different in planning terms, it would not be considered inappropriate to locate a children's residential care home within 400m of an existing semi-independent supported-living facility, and vice versa.

Specific Advice

Where can I locate a new children's residential care home or semi-independent supported-living facility?

It is important that our most vulnerable children and young people are looked-after in stable and secure neighbourhood environments. As such, the Council considers the defined Inner Area of Blackpool to be unsuitable for the creation of accommodation for looked-after or semi-independent children and young people due to the existing high levels of deprivation prevalent in this area.

What kind of property should I look for?

With regard to children's residential care homes, this will very much depend upon the type of provision proposed. In general, where the accommodation would be aimed at children suffering from some degree of educational, behavioural or social difficulties (EBSD) the following types of property are considered to be appropriate:

- Terraced properties - are generally only suitable for accommodating one child
- Semi-detached properties – are typically only suitable for accommodating up to two children
- Detached properties – can be used to accommodate one or two children but become necessary for proposals seeking to accommodate three children or more.

Where more intense care models are proposed, such as a two-to-one care model, operators should consider larger properties wherever practicable.

Where less intense care models are proposed because the accommodation is aimed at children who require less specialist care, some degree of flexibility may be appropriate.

For semi-independent supported-living uses, whilst detached properties are preferable, the use of terraced and semi-detached properties are acceptable. However, no more than six young people may be accommodated in one property and the premises should be large enough to afford good-sized bedrooms of at least 11.75sqm in area along with adequate staff, kitchen and bathroom facilities to meet the needs of occupants.

What about car parking?

We recognise that children's residential care homes require more car parking than dwelling-houses of a comparable size. This is because of the number of staff members who are likely to be working at the property at any one time but also because of the potential for visits from other professional support workers. Semi-independent supported-living facilities are less likely to generate significant parking demand.

On this basis, proposals for children's care homes will only be supported where adequate car parking provision is available to meet the needs of the use. On-street parking provision will be taken into consideration where it is available and not subject to excessive pressure.

When considering parking availability, due regard will be given to the care ratio; the needs of the children accommodated; the operational model of the home; the nature of the surrounding area; and the presence

of any parking restrictions on-street.

How do I demonstrate a local need?

The Council's Children's Services team is consulted on all planning applications for children's care homes and semi-independent supported living facilities for young people. This team monitors demand and provision on a regular basis and so is able to advise on levels of local need. Before applying for planning permission for a children's residential care home or semi-independent supported living facility for young people, applicants are strongly advised to contact the Council's children's services team on 01253 477793 for further information with regard to need.

How can I find out if a property I am interested in is within a 400m radius of a similar use?

Each month OFSTED provides the Council with a list of registered children's residential care homes within the Blackpool borough. The Council maintains a map showing the locations of all children's care homes and this is updated monthly. In order to safeguard the children in care, it would be inappropriate for the Council to make this map available for public view. However, if an operator has a particular property in mind, they can contact the Development Management duty line on 01253 476193 to find out if it falls within a 400m radius of another such use.

The Council also maintains a map showing the locations of semi-independent supported-living facilities within the borough. Although young people in this kind of accommodation are being prepared for independent adult life, the Council does not consider it appropriate to publish the locations of existing premises. If an operator has a particular property in mind, they can contact the Development Management duty line on 01253 476193 to find out if it falls within a 400m radius of another such use.

What do I need to include in my Management Plan?

A management plan must be submitted with all applications for planning permission for a children's residential care home use or a semi-independent supported-living facility.

The following questions can be used as a guide to help prepare your management plan:

- How many children/young people would be accommodated?
- What is the ratio of staff to children that is required, i.e. delivery model?
- What is the likely level of need of the children accommodated, i.e. is there a focus on complex needs?
- What is the likely shift pattern of staff, i.e. how many staff (management and care staff) would likely be at the premises at any one time and when would shift changes occur?
- What support officers would be likely to visit the property?
- How would visits be scheduled and would staff/support-worker meetings take place at the property?
- If residents are unable to participate in full-time, mainstream education, what educational support would be offered on-site?
- Would therapeutic care be offered on site?
- Would case reviews take place on or off site?
- Are friends and relatives of residents able to visit at any time?
- Will the property be OFSTED registered?
- Are children/young people ever left alone at the property?
- Under what circumstances are children/young people allowed to leave the property?
- Would staff members be informed/aware if a child/young person left the property?

- Is there a curfew?
- What would happen in the event of a breach of curfew?
- What security provisions are proposed, e.g. security and access controls on doors?
- Would CCTV be installed?
- How would local residents know how to raise a concern in the event of an issue?

What other changes might I be expected to make to a property?

It is recognised that many children who require accommodation in a children's residential care home may have suffered trauma or neglect of some kind. This can result in behavioural problems. Whilst such children undoubtedly deserve to live in a pleasant, caring and supportive residential environment, it is also important that the amenities of neighbours are appropriately protected. As such, the following measures may be required:

- Installation of sound-proofing to protect party walls
- Prevent children from having access to balconies and any flat-roof areas
- Provision of appropriate boundary treatments to garden areas
- Installation of CCTV

How will Blackpool Council ensure that new children's residential care home or young person's semi-independent supported-living accommodation provision will meet local need?

A crucial aspect of the Council's strategy is the need to ensure that local children and young people can be accommodated in the local area. This is important to enable them to maintain links with family and friends, retain medical and other support services referrals as necessary, and to continue attending school, education or training wherever possible.

In order to ensure that new provision is available to meet the needs of local children and young people, the Council will expect all applicants to enter into a S106 legal agreement before planning permission is granted.

This legal agreement would be between the applicant and the Council but it would relate to the property in question (in the same way that a planning permission relates to land or property rather than a person). This means that any successors in title would be equally bound by the requirements of the agreement. The Council has a template legal agreement in place and so there would be no requirement for applicant's to arrange their own legal drafting.

The S106 legal agreement would specify that the property in question can only be occupied on a residential basis by children or young people either placed by Blackpool Council or with the written agreement of Blackpool Council Children's Services Department.

The intention behind this is to ensure that sufficient provision exists locally to meet our needs, but also to provide enough flexibility for applicants to operate on a viable basis.

For example, if a place became available in a children's residential care home or semi-independent supported-living facility that was not required by Blackpool Council to accommodate a local child or young person, that place could be offered to a child or young person under the care of Lancashire County Council as part of the reciprocal duty to cooperate between the two Authorities. This arrangement would provide flexibility for the operator and would also enable the neighbouring Authority to meet its care obligation in a location where the child or young person could reasonably maintain any existing local connections.

In considering placements from outside of the Blackpool borough, the Council's Children's Services team

will be mindful of the particular needs of the child or young person and the nature of the service offered at the property in question. At all times the Council's decision making will be driven by the best interests of the child or young person.

The Council would be unlikely to support the placement of a child or young person from a remote authority unless exceptional circumstances can be demonstrated. For example, a placement may be accepted where the child or young person needs to be removed from their local area for their own safeguarding and they have relatives in Blackpool.

What will happen when the local need is met?

Naturally the local need for children's residential care home and semi-independent supported-living accommodation is dynamic and will change over time. However, the planning department will be guided by colleagues in Children's Services who will monitor the level of provision locally against the level of need that is emerging. If the Council reaches a point where no new provision is considered necessary, applications for planning permission are likely to be refused. As such, applicants are strongly recommended to contact the Council for advice prior to submitting a planning application.

Further information

Pre-application advice

The Council offers a pre-application advice service. Applicant's wishing to open a new children's residential care home or semi-independent supported-living facility may wish to take advantage of this service to establish the likelihood of obtaining planning permission for their proposal and to understand any specific requirements that may be necessary.

Details of this service can be found on the [Council's planning pages](#).

Public consultation

As this document is intended as an advice note to provide clarification and information on the Council's approach to dealing with applications for children's residential care homes and semi-independent supported-living facilities, no public consultation has been undertaken on its content.

Sustainability appraisal

The Blackpool Local Plan 2001-2016, including Policy BH24, has been subject to a sustainability appraisal. Equally, the emerging Blackpool Local Plan Part 2: Site Allocations and Development Management Policies, including draft Policy DM3, will be subject to a sustainability appraisal prior to adoption. As such, no separate sustainability appraisal has been carried out for this advice note.

Habitats Regulations Assessment

Given the purpose, content and scope of this advice note, it is not considered to trigger a requirement for a Habitats Regulations Assessment (HRA).

Useful numbers

Development Management (planning) – 01253 476193

Children's Services (need and operation) – 01253 477793

**Blackpool Council
Development Management**

Officer Report to Planning Committee

Application ref:	20/0021
Ward:	Marton Ward
Application type:	Full
Location:	Land east of Marples Drive (Part of former NS&I site) off Preston New Road, Blackpool.
Proposal:	Erection of 90 x two storey detached, semi-detached and terraced dwellings with associated car parking, garages, boundary treatment, landscaping, including attenuation basin, and highway works.
Recommendation:	Agree in principle and delegate approval to the Head of Development Management, subject to conditions and a Section 106 agreement and subject to confirmation from the Secretary of State that the application will not be called-in for his own determination.
Case officer:	Clare Johnson
Case officer tel. no.:	01253 476224

1.0 BLACKPOOL COUNCIL PLAN 2019-2024

- 1.1 The Council Plan sets out two priorities. The first is 'the economy: maximising growth and opportunity across Blackpool' and the second is 'communities: creating stronger communities and increasing resilience. The application satisfies the second of these priorities.

2.0 SUMMARY OF RECOMMENDATION

- 2.1 The site is allocated for the development of employment uses. However, the applicant has demonstrated that appropriate marketing has proved unsuccessful and so is proposing residential development. The housing proposed would make a substantial contribution towards meeting the borough's housing needs. On balance and as will be detailed below, the scheme is considered to be acceptable. However, as the site is allocated for employment uses, residential development would constitute a departure from the Development Plan. The application must therefore be referred to the Secretary of State who may then choose to call the application in to make the decision himself. The recommendation is therefore that the Committee resolves to support the application and grant planning permission subject to the

signing of a Section 106 legal agreement relating to a financial contribution of £125,000 towards off site public open space, off site affordable housing provision and the up-grading of local health facilities; and subject to confirmation from the Secretary of State that the decision can be made by the Council.

3.0 INTRODUCTION

- 3.1 The application site forms part of the former 9 hectare NS&I (Premium Bonds) site which was accessed from Mythop Road with a pedestrian entrance from Preston New Road, and has recently been replaced with a new access from Preston New Road. NS&I retain a smaller presence on the site within the Moorland building at the northern end of the site. The remainder of the site has been cleared and a housing development of 118 dwellings (79 detached, 30 semidetached and 9 terraced houses) is nearing completion on the western half of the site following the granting of planning permission under reference 15/0420. As part of planning permission 15/0420, an office and light industrial development was also approved in outline on the eastern half of the site. It is this eastern half of the site that is the subject of the current detailed planning application for residential development following an unsuccessful period of marketing of the site for office and light industrial development.

4.0 SITE DESCRIPTION

- 4.1 A new access road, including a traffic signal junction, has been constructed into the site from Preston New Road as part of the on-going housing development to the west of the application site. This access also serves Moorland House and was also intended to serve the approved office and light industrial development. This access road forms the western boundary to this cleared 3.85 hectare site which is bounded to the south by Preston New Road with a chain link fence forming the boundary, to the north by Marton Mere Holiday Park and to the east by the rear gardens of houses fronting Mythop Road. Mythop Court, a part two/ part three storey apartment block with parking to the rear also abuts the southern site boundary. The site boundaries are well landscaped and the central area of the site has been cleared in preparation for re-development. Land levels across the application site drop some 3.5 metres from Preston New Road and the new access road towards the eastern site boundary where the former site access was located and close to the remaining vehicle access from Mythop Road into the Marton Mere Holiday Park. The application site is located within Flood Zone 1 and has a low risk of surface water or reservoir flooding.

5.0 DETAILS OF PROPOSAL

- 5.1 This is a full planning application involving the erection of 90 x two storey houses comprising 30 x four bed houses, 54 x three bed houses and 6 x two bed houses. The proposed houses are mainly a mixture of detached and semi-detached properties with a single terrace of three dwellings also included. Approximately 210 off-street parking spaces would be provided comprising a combination of detached garages

and hardstanding areas to the front and sides of the respective dwellings. Two main spine roads feed off the existing access road with a number of dwellings fronting onto the main access road and houses also facing towards Preston New Road with a landscaped buffer along the boundary. A number of dwellings back onto the Mythop Road and Marton Mere Holiday Park, again with a landscaped buffer to the respective boundaries. A significant amount of the existing boundary landscaping will be retained and supplemented with additional planting, the details of which would be agreed by condition.

5.2 A 125sqm children's play area is proposed towards the south of the site, which would be accessed directly from one of the proposed cul-de-sacs and close to the Preston New Road boundary. The development includes green infrastructure including tree planting around and within the site. The existing water attenuation basins associated with phase one of the scheme to the west of the site, would be utilised by the proposed development for the discharge of surface water.

5.3 The application is accompanied by the following supporting documents:

- Planning statement
- Transport Assessment and Travel Plan
- Ecological Appraisal
- Tree Survey and Arboricultural Method Statement
- Flood Risk Assessment Addendum Strategy
- Viability Assessment (Confidential)
- Marketing Report
- Construction Environmental Management Plan
- Design and Access Statement
- GeoEnvironmental Statement
- Remediation Strategy
- Shadow Habitat Regulation Assessment

6.0 RELEVANT PLANNING HISTORY

6.1 **15/0420** Hybrid Planning application comprising -

- a) full planning application for the erection of 118 dwellings with associated garages, landscaping, highway works and new access off Preston New Road.
- b) outline planning application for the demolition of the existing National Savings and Investments Building and the erection of offices (Use Class B1a) and light industrial premises (Use Class B1c) with associated roads, parking/servicing areas and landscaping. Granted 28th Oct 2016 subject to a Section 106 Agreement relating to phasing of the development.

7.0 MAIN PLANNING ISSUES

7.1 The main planning issues are considered to be:

- principle of the development

- site layout and housing mix
- impact on residential and visual amenity
- impact on highway safety / car parking provision
- design and layout considerations
- public open space/ children play provision
- planning contributions

8.0 **CONSULTATION RESPONSES**

8.1 **Blackpool Services, Contaminated Land:** The Phase 1 and 11 reports shows that there are elevated concentrations within some of the ground conditions. Following the recommendations of the report a remediation and validation is required. These matters can be dealt with by way of condition.

8.2 **Natural England:** For residential development in this area, proportionate assessment of recreational disturbance impacts on the coastal designated sites resulting from the development is required via the Screening stage of the Habitats Regulations Assessment (HRA), as required under the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations').

Under Regulation 63 of the Habitat Regulations the determination of likely significant effect is for the Local Planning Authority. If your authority can be satisfied that the proposal can conclude no likely significant effects there is no further need to consult Natural England. Where the HRA Screening cannot rule out a likely significant effect on the coastal designated sites then an Appropriate Assessment is required, of which Natural England is a statutory consultee, please consult us again at this stage. Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

The planning agent submitted two Habitats Regulations Assessment (HRA) screening documents which show no significant effects. In response, Natural England have not objected to the scheme but are requiring that the development should proceed in accordance with the mitigation measure identified in the submitted Habitats Regulations Assessment (HRA) by Envirotech dated 09/04/2020 (householder information packs to be provided in the new dwellings).

8.3 **Electricity North West Ltd:** standard comments where proposed development adjoins and could have an impact upon infrastructure.

8.4 **County Archaeologist LCC:** The site is largely under the footprint of the former "ERNIE" complex and its associated car parks. Evaluation of land to the west suggested that area had been planed off to the top of the subsoil levels as part of the development of the NS&I complex, removing any features of archaeological or historical significance. We are of the opinion that the current proposal, which is on a site which will have undergone considerable more disturbance, is extremely unlikely

to be of archaeological interest and would therefore not offer any objections to, or further advice on, the proposed development

- 8.5 **NHS Blackpool Clinical Commissioning Group (CCG):** This proposal will generate approximately 216 new patient registrations based on average household size of 2.4. The proposed development falls within the catchment area of Harris Medical Centre. This need, with other new developments in the area, can only be met through the refurbishment and reconfiguration of the existing premises in order to ensure sustainable general practice. The practice is located less than 0.2 miles from the development and would therefore be the practice where the majority of the new residents register for general medical services. The CCG has assessed the implications of this proposal on delivery of general practice services and is of the opinion that it will have a direct impact which will require mitigation with the payment of an appropriate financial contribution. This contribution amounts to £24,805.
- 8.6 **Police Architectural Liaison Officer:** I recommend that the development is designed and constructed to Secured by Design 'Homes 2019' security specification early in the design phase to mitigate any risk to crime.
- 8.7 **United Utilities Plc (Water):** No comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note.
- 8.8 **Head of Transportation:** I accept the parking provision currently shown. I also accept the conclusions in the Transport Assessment. I have a few minor points on the detail of the layout, as below. Tandem parking spaces are unacceptable on the main road into the site. That applies to plots 120,168,172,173 and 204. They should be amended to side by side, people do not use tandem spaces.
- The bin collection points need to move. The one at plot 116 should be moved as close to the road as possible to reduce the standing time for the collection vehicle. The ones at plots 132 and 157 should both be moved as close to the road as possible to reduce the drag for the loaders to a minimum. I also do not see why a small number of plots have no footway adjacent to what will be an adopted road. For example plots 125,134,157. Without a good reason the strips should be replaced with footway. The will not be accepted in s38 negotiations. Any other highway issues can come out in the s38 process. Amended plans have been submitted which satisfy the above comments.
- 8.9 **Head of Housing and Environmental Protection Service:** No comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note.
- 8.10 **Assistant Director - Enterprise and Business Development:** No comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note.

- 8.11 **Environment Agency:** No comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note.
- 8.12 **Fylde Borough Council:** No comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note.
- 8.13 **Fire Service:** No comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note.
- 8.14 **Education - Property and Development Officer:** We do not envisage any issues with the proposed 90 additional properties in relation to primary school places. The forecast is for surplus primary places in the next few years. Primary forecasts for Blackpool's south planning area predict surplus places running at around 100 in relation to overall availability. Mereside and Marton Primary Academies are currently consulting on reducing their intake numbers from September 2021. For secondary schools, we predict that things will be tight from September 2023 for four or five years when pupil numbers will rise. This will require additional secondary places and the Council will be addressing this matter. However, the small number of proposed houses and potential additional pupil yield would not seem to present a significant change. We also expect that the main increase in secondary demand will be in north and central planning areas.
- 8.15 **WASTE- Residential:** No comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note.
- 8.16 **Parks and Green Environment:** Recommended the on-site provision of a LAP (local area for play and intended for young children) to be enclosed with fencing and a minimum of 100sqm in area. The amended location of the LAP accessed direct from one of the cul-de-sacs and increased in size to 125sqm is acceptable. (The LAP will be fitted with an appropriate level of play equipment to be provided by the applicants. The details of which can be dealt with by condition, including the long term maintenance of the play equipment)
- 8.17 **Greater Manchester Ecology Unit (GMEU) (i.e Biological Heritage Sites):** No comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note.
- 8.18 **Head of Transportation (Network Maintenance):** No comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note.

9.0 REPRESENTATIONS

- 9.1 Press notice published: 24th January 2020
Site notices x 4 published: 29th January 2020
Neighbours notified: 16th January 2020

- 9.2 Two representations have been received raising the following issues:

15 Stock Road- concerns regarding the quality of construction of existing houses built on adjoining land. It is considered the applicants should not be allowed to build any further homes until the existing properties meet the required technical standards.

26 Mythop Road- concerns regarding the loss of trees which run along the south eastern site boundary with gardens of the properties facing Mythop Road and the distance the proposed houses will be sited from the common boundary.

The Police Architectural Liaison Officer states that 'rear gardens that are adjacent to public spaces, public rights of way, woodland or countryside are more vulnerable as a concealed and less visible approach is available that makes them more likely to be targeted.' Therefore, the proposal makes the proposed dwellings 140-191 backing onto Mythop Road and the houses along Mythop Road more vulnerable to intrusion.

10.0 RELEVANT PLANNING POLICY

10.1 National Planning Policy Framework

- 10.1.1 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:

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

10.2 National Planning Practice Guidance

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

10.3 Blackpool Local Plan Part 1: Core Strategy 2012-2027

10.3.1 The Core Strategy was adopted in January 2016. The following policies are most relevant to this application:

- CS1 - Strategic location for development
- CS2 - Housing provision
- CS3 – Economic development and employment
- CS5 – Connectivity
- CS6 - Green infrastructure
- CS7 - Quality of design
- CS9 - Water management
- CS10 - Sustainable design
- CS12- Sustainable neighbourhoods
- CS13 - Housing mix density and standards
- CS14 - Affordable housing
- CS15 - Health and education
- CS24 - South Blackpool employment growth
- CS27 - South Blackpool connectivity and transport

None of the policies listed conflict with the policies in the Saved Blackpool Local Plan.

10.4 Blackpool Local Plan 2011-2016 (saved policies)

10.4.1 The Blackpool Local Plan was adopted in June 2006. A number of policies in the Local Plan have now been superseded by policies in the Core Strategy but others have been saved until the Local Plan Part 2: Site Allocations and Development Management Policies has been produced. The following saved policies are most relevant to this application:

- LQ1 - Lifting the Quality of Design
- LQ2 - Site Context
- LQ3 - Layout of Streets and Spaces
- LQ4 - Building Design
- LQ5 - Public Realm Design
- LQ6 - Landscape Design and Biodiversity
- BH3 - Residential Amenity
- BH4 - Public Health and Safety
- BH10 - Open Space in New Housing Developments
- HN4 - Windfall Sites (for housing development)
- NE6 – Protected Species
- NE7 – Site and Features of Landscape, Nature Conservation and Environmental Value
- DE1 - Industrial and Business Land Provision
- AS1 - General Development Requirements
- AS2 – New development with Significant Transport Implications

10.5 Blackpool Local Plan Part 2: Site Allocations and Development Management Policies (emerging policies)

10.5.1 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 policies proposed. Nevertheless, the following draft policies in Part 2 are most relevant to this application:

- Policy DM5: Design Requirements for New Build Housing Development
- Policy DM33: Biodiversity
- Policy DM39: Transport Requirements for New Development

The application site is identified as a housing allocation in the Blackpool Local Plan:Part 2 (H22).

10.6 Other relevant documents

- Supplementary Planning Guidance 11: Open Space: provision for new residential development and the funding system.
- Draft Affordable Housing Supplementary Planning Document.

11.0 ASSESSMENT

11.1 Principle

11.1.1 The site is allocated as a Main Industrial/Business Area on the Proposals Map to the Local Plan and as such, the application constitutes a departure from the Local Plan. Should the Planning Committee be minded to grant planning permission, the application will have to be referred to the Secretary Of State who may wish to call the application in for his own determination.

11.1.2 There is concern over the loss of the employment land, especially given the Council has had to approach Fylde Council to provide 14ha of employment land to meet Blackpool's future needs, but this needs to be balanced against the circumstances on the site and the need to look for a solution in bringing the site back into use. The applicant has demonstrated that the site has been unsuccessfully marketed for business development for a number of years. Furthermore, since 2016 the Government and the Council have been actively encouraging new businesses to locate at the Blackpool Airport Enterprise Zone, with incentives such as Business Rates Relief and Enhanced Capital Allowances, making employment land elsewhere a less attractive proposition for new businesses.

11.1.3 The National Planning Policy Framework (NPPF) states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and should reflect changes in the demand for land. The NPPF confirms that where the local planning authority considers there to be no reasonable prospect of development coming forward for

the use allocated in their local plan, they should reallocate the land for more deliverable use that can help address identified needs, and in the interim, applications for alternative uses on the land should be supported where proposals would contribute to meeting an unmet need for development in the area.

- 11.1.4 The scheme would make a substantial quantitative contribution towards meeting Blackpool's housing requirement and provide a qualitative improvement to the housing stock by the addition of two, three and four bedroom family homes. Whilst at present the Council is able to identify a five year supply of housing land, it must be acknowledged that Blackpool is a very tightly constrained, urban borough, with relatively little opportunity for major housing development. An approval in this instance would provide a valuable buffer to offer greater choice and availability in the market-place. Nevertheless, there is no unmet housing need at the current time.
- 11.1.5 The site is allocated for housing under the draft Part 2: Site Allocation and Development Management Policies document, to assist the Council in meeting its five year housing supply. Although little weight can be given to this proposed change of allocation in advance of the publication of Part 2, the draft document was subject to an informal consultation early in 2019 and it should be noted that no objections were made to this site being allocated for housing.
- 11.1.6 As stated above, the NPPF advocates that proposals on land that is unlikely to come forward for its allocated use should be supported where they would meet an unmet need. In this case, the applicant has demonstrated and it is accepted by officers that the land is unlikely to come forward for employment uses in the short to medium term. At present, Blackpool does not have an unmet need. That said, and whilst the proposed allocation in Part 2 cannot be afforded much weight, it is likely that larger sites such as this will be required to meet housing need in the future. Given the constrained nature of the borough and the rarity of sites of this scale, this is considered to weigh very heavily in favour of the application. As such and on balance, whilst this proposal represents a departure from planning policy, it is considered to be acceptable in principle.

11.2 Site layout and housing mix

- 11.2.1 The proposal would deliver a mix of two, three and four bedroom properties and a mix of detached, semi-detached and terraced houses. Core Strategy Policy CS13 normally requires that 20% (18) of the houses should have two bedrooms to deliver a good housing mix. The scheme proposes just six houses with two bedrooms, contrary to the required mix in CS13. However, the applicant has demonstrated that there is limited demand for two bedroom properties within their developments, with the highest demand coming for houses with three plus bedrooms. They also argue that Blackpool has an over-concentration of smaller housing units and a lack of larger, detached and semi-detached houses and replacing three and four bedroom units with two bedroom units would render the scheme unviable.
- 11.2.2 Having considered the issue of viability and the benefits that the proposal would bring in terms of meeting an identified housing need, the conflict with Policy CS13 is

not considered to weigh significantly against the proposal and the housing mix is considered to be acceptable in this instance.

- 11.2.3 The layout has been designed to be primarily outward looking and in an attractive setting, behind linear landscaped buffers to the north, south and east. Trees are included throughout the scheme along with shrubs and grassed areas, minimising the impact of the development on neighbouring residents. The site layout is similar to, and a continuation of phase one to the west, and is considered to be acceptable.

11.3 Amenity

- 11.3.1 Cross sections have been submitted, showing the site levels in relation to the existing houses on Mythop Road. The levels are acceptable, especially when considering the 30m+ separation distances between the existing properties on Mythop Road and the proposed houses to the east of the site and the landscaping/tree planting to be provided in between.
- 11.3.2 The proposed houses would all have private amenity space to the side and/or rear and although not all of the houses meet the Nationally Prescribed Space Standards in terms of total floorspace and bedroom sizes, there is no current policy requirement for them to do so. The accommodation proposed would be of a reasonable standard and no amenity issues are identified on this ground.
- 11.3.3 The scheme includes green infrastructure which would soften the appearance of the estate and provide some local amenity space which would benefit future occupants of the estate.
- 11.3.4 Refuse collection would either be from the pavement or from dedicated bin collection points, all of which would meet bin drag distances.
- 11.3.5 On balance, no adverse impacts on amenity are anticipated.

11.4 Visual Impact

- 11.4.1 The house types used in the development are the same as in phase one to the west, including materials and should phase two go ahead, both sites would read as one development. The houses are well designed and detailed and offer a variety of materials and finishes which complement each other.
- 11.4.2 There would initially be a loss of landscaping around the perimeter of the site, particularly along the northern and eastern boundary which weighs against the scheme. However, additional landscaping and tree planting is proposed and would be secured by condition in mitigation. The landscaping scheme would soften the appearance of the streetscene and would add visual interest to the estate.
- 11.4.3 Like phase one, the estate would be open plan. Private garden space would be enclosed by either 1.8m brick walls, 1.8m or 0.9m high timber fences with timber knee rails separating the estate from green spaces. A 125sqm play area would be

enclosed by 1m high bow top railings. The various boundary treatments are considered to be appropriate and reflect phase one.

- 11.4.4 On balance, the overall design of the scheme is considered to be acceptable and no undue visual impacts are anticipated.

11.5 Planning Obligations

- 11.5.1 Policy CS11 states that development will only be permitted where the developer enters into a legal undertaking or agreement to meet the additional needs arising from the development. The application was submitted along with a viability report, which stated no developer contributions were viable. The Council worked with the applicant and consultants Lambert Smith Hampton on the issue of viability, and a sum of £125,000 contribution is viable. The applicant is prepared to enter into a Section 106 agreement to pay this sum of money towards essential infrastructure.
- 11.5.2 Policy CS14 requires that 30% of new houses should be affordable unless such requirements would render a development unviable. The draft Affordable Housing Supplementary Planning Document (AHSPD) sets out the need for affordable housing in Blackpool, the required mix and the calculations per unit.
- 11.5.3 On a development of 90 dwellings, the contribution towards affordable housing of 30% would be 27 affordable housing units on site, or a contribution towards off-site affordable housing in the order of £1,547,000 (2 x 1 bed apartments at £27,000 each = £55,000, 4 x 2 bed apartments at £42,000 each, 4 x 2 bed houses at £52,000 each, 6 x 3 bed apartments at £59,000 each, 6 x 3 bed houses at £67,000 each and 5 x 4+ bed houses at £72,000 each = £1,547,000 according to the needs and costs set out in the AHSPD).
- 11.5.4 Policy CS15 states that contributions will be sought from developers towards the provision of health facilities where their development would impact on the capacity of existing healthcare facilities. The NHS Blackpool Clinical Commissioning Group has assessed the implications of the proposal on the delivery of general practice services and are requiring a £24,805 contribution towards the refurbishment and reconfiguration at Harris Medical Centre, which falls within the catchment of the application site. The sum of £24,805 contribution could be secured in a Section 106 agreement.
- 11.5.5 Policy CS6 requires development to incorporate new or enhance existing green infrastructure and confirms that financial contributions will be sought from development for open space and green infrastructure. The Supplementary Planning Guidance 11: Open Space (SPG11) sets out the public open space requirements in new housing development, until it is replaced by the draft Greening Blackpool Supplementary Planning Document.
- 11.5.6 SPG11 calculations state that 7,056sqm of open space is required as a result of this development. 125sqm of play space for young children is proposed within the scheme so the total requirement would be 6,931sqm. (30 x 4 bed houses =

2,880sqm, 54 x 3 bed houses = 3,888sqm, 6 x 2 bed houses = 288sqm = 7,056sqm requirement less 125sqm play space = 6931sqm requirement.). SPG11 requires a contribution of £14.33 per sqm which equates to £99,321.23 and this could be accommodated within the £125,000 contribution proposed.

11.5.7 There is currently no requirement for a financial contribution towards local education provision.

11.5.8 The issue of viability on this site has been independently verified by consultants Lambert Smith Hampton. If the £125,000 that is available were to be split proportionally between the three competing requirements of affordable housing, local health care and public open space; the over-whelming majority would be directed to affordable housing provision with negligible sums for health and open space. However, officers are mindful that a new 100% affordable housing scheme is currently being developed at Troutbeck Crescent and that a significant amount of affordable housing is otherwise available locally on the existing Mereside estate. On this basis, it is considered that the greatest public benefit in this instance would be achieved by directing the available funds to public open space and local health care provision with the nominal excess given over to affordable housing.

11.6 Flooding and Drainage

11.6.1 The site is in Flood Zone one and so has a low risk of tidal or river flooding. The site also has low risk of ground water, surface water, sewer or reservoir flooding. As the development is not at risk of flooding, the main issue is ensuring that the proposed development does not cause flooding elsewhere.

11.6.2 The submitted Flood Risk Addendum identifies that 62.3% of the site is currently impermeable. Should the site be developed for housing, the impermeable areas would be reduced to 31.7% meaning surface water could infiltrate in a greater area, resulting in less run-off and reducing the chances of flooding elsewhere. The planting of trees and green infrastructure would further increase the capacity of permeable areas to act as a soak away.

11.6.3 The drainage principles for phase one were agreed with United Utilities and phase two would adopt the same drainage principles. Surface water would be fed into an existing attenuation basin with foul water being directed into the foul sewer.

11.6.4 In terms of flood risk and the requirements of Policy CS9, it is not anticipated that the proposed development would cause flooding on site or elsewhere.

11.7 Ecology

11.7.1 The site is within 500 metres of the Marton Mere SSSI (Site of Special Scientific Interest). The submitted Habitats Regulations Assessment (HRP) screening documents show no significant effects on the coastal designated sites. In response, Natural England have not objected to the scheme but are requiring that the development should proceed in accordance with the mitigation measure identified

in the submitted Habitats Regulations Assessment (HRA) by Envirotech dated 09/04/2020 (householder information packs to be provided in the new dwellings).

11.7.2 The submitted ecological appraisal of the site confirms that plant species and assemblages recorded at the site are all common in the local area and are considered to be of low ecological value. Domestic gardens and sympathetically landscaped open space is considered to offer habitat of equal or greater ecological value. No notable or protected species were recorded on the site.

11.7.3 A tree protection plan has been submitted and the details have been agreed with colleagues in Parks. A condition requiring the felling of trees and removal of vegetation etc. to take place outside of the bird nesting season (March to September) is considered necessary.

11.7.4 Installing bird and bat boxes around the development and agreeing the landscaping by condition will offer the opportunity to ensure that the development has overall ecological benefits which would weigh in favour of the proposal.

11.8 Highways

11.8.1 The scheme has been considered by the Head of Transportation and all matters raised during the initial consultation and reported in the Consultation Responses section, have been resolved.

11.8.2 The submitted Transport Assessment demonstrates that the proposed housing scheme would result in a significant reduction in vehicle movements compared to the use of the land as an employment site.

11.8.3 All of the properties would have two parking spaces, with some of the larger houses also having a garage. The garages and driveways should be subject to a restrictive condition to ensure that the development has sufficient off-street parking spaces and reduce the incidences of cars being parked on the highway.

11.8.4 The site is in an established residential area, on one of the main routes into Blackpool. The site is considered to have good accessibility, on bus routes on Preston New Road and close to schools and services.

11.9. Contaminated Land

11.9.1 A Phase I and Phase II Geo-Environmental Site Assessment has been submitted which provides an assessment of the geological, geotechnical, mining, hydrological, hydrogeological and contamination setting at the site. This assessment concludes that there is a low potential for groundwater contamination. A condition requiring the submission of a remediation and validation report is necessary to demonstrate that this will be appropriately mitigated.

11.10 Security

11.10.1 A neighbour on Mythop Road has raised the issue of security posed by the landscape strip between the development and the back gardens of properties on Mythop Road. This strip could be gated at either end in a wildlife friendly manner so that the land still functions as a green corridor but prevents unauthorised/unsupervised access. These details can be secured by condition.

11.10.2 Issues to do with the quality of the build are dealt with under the Building Regulations rather than planning.

11.11 Other issues

11.11.1 The scheme would not impact upon biodiversity. Air, land and water quality would be unaffected and the site would not be expected to be at undue risk from such.

11.11.2 The application has 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 (as amended).

11.11.3 Under Article 8 and Article 1 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. This application does not raise any specific human rights issues.

11.11.4 The scheme would generate income to the Council from the collection of domestic council tax but this is not a consideration that carries any weight in the planning balance.

11.12 Sustainability and planning balance appraisal

11.12.1 Sustainability comprises economic, environmental and social components.

11.12.2 Economically, the site is safeguarded for employment use and the proposal constitutes a departure from the Local Plan which weighs against the proposal. However, the applicant has demonstrated that the site has been marketed for employment uses for a number of years without any interest. The National Planning Policy Framework (NPPF) states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and alternative uses of land should be supported where proposals would contribute to meeting an unmet need for development in the area. Although there is no unmet need at present, it is anticipated that there will be in the future and that large sites like this will be required to meet that demand. Some limited employment would be generated through the construction process and future residents would help support local shops and services.

11.12.3 Environmentally, no impacts on biodiversity have been identified. Replacement and additional tree planting and green infrastructure is proposed which will be environmentally beneficial, as would the reduced flood risk as a result of increased permeability and green infrastructure across the site. No unacceptable visual impacts have been identified.

11.12.4 Socially, the scheme would deliver good quality family homes in a pleasant environment, making a significant contribution towards Blackpool's housing requirements. No unacceptable amenity impacts are anticipated and no undue impacts on highway safety are expected. The scheme can contribute towards public open space and health provision locally, but cannot make any significant contribution towards the affordable housing requirement as this would render it financially unviable.

11.12.5 In terms of planning balance, the benefits of providing good quality family homes which will assist in re-balancing the town's housing stock and the contribution towards green infrastructure are, in this instance, considered sufficient to outweigh the employment land allocation and the lack of contributions towards affordable housing provision. The design of the scheme is otherwise acceptable and so the proposal is judged to constitute sustainable development. No other material planning considerations have been identified that would outweigh this view and so that scheme is deemed to be acceptable.

12.0 CONCLUSION

12.1 As set out above, the scheme is judged to represent sustainable development and no other material planning considerations have been identified that would outweigh this assessment. On this basis, planning permission should be granted.

13.0 RECOMMENDATION

13.1 Resolve to agree the proposal in principle and grant planning permission subject to conditions and a S106 agreement and confirmation from the Secretary of State that he does not want to call the application in for his own determination.

13.2 A list of proposed conditions is being prepared and will be communicated through the update note. These conditions are expected to cover the following:

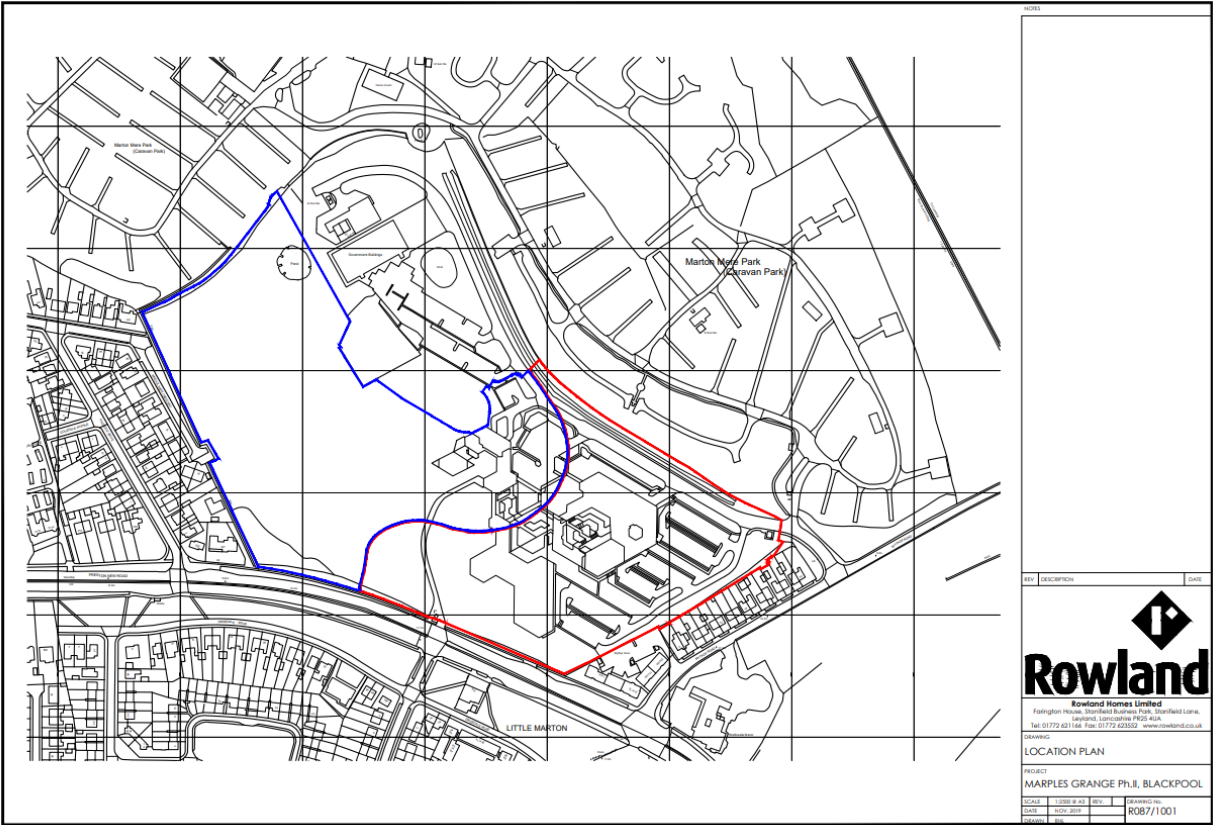
- Standard timeframe for commencement
- Development to proceed in accordance with approved plans
- Details of materials
- Fenestration to be recessed behind elevation frontage
- Details of surfacing
- Details of boundary treatments
- Details of landscaping
- Protection for existing trees to be retained in accordance with submitted tree protection plan

- No vegetation clearance during bird nesting season
- Ecological enhancement measures to be provided
- Work to proceed in accordance with habitats regulations recommendations
- Foul and surface water to be drained separately
- Surface water drainage scheme to be agreed
- Drainage management scheme to be agreed
- Highways management scheme to be agreed
- Construction management plan to be agreed
- Details of play area
- Play area to be provided as agreed
- Land contamination remediation and validation report to be agreed
- Remove permitted development rights to protect open plan character of estate
- Remove permitted development rights to protect car parking provision
- Car parking provision for each dwelling to be provided prior to first occupation
- No use of properties for holiday accommodation
- No use of properties as small HMOs
- Provision of electric vehicle charging points
- Agreement and implementation of a travel plan
- Provision of security lighting for each dwelling

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20/0021 – land at Marples Drive

Location plan:



Site layout plan:



Site sections:



Example house type:

