

# Blackpool Council

6 November 2020

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

The above members are requested to attend the:

## **PLANNING COMMITTEE**

Tuesday, 17 November 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 20 OCTOBER 2020** (Pages 1 - 6)

To agree the minutes of the last meeting held on 20 October 2020 as a true and correct record.

### **3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED** (Pages 7 - 10)

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

**4 PLANNING ENFORCEMENT UPDATE REPORT** (Pages 11 - 14)

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

**5 PLANNING APPLICATION 20/0021 - LAND EAST OF MARPLES DRIVE (PART OF FORMER N S & I SITE) OFF PRESTON NEW ROAD, BLACKPOOL.** (Pages 15 - 70)

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.

**6 DATE OF NEXT MEETING**

The Committee to note the date of the next meeting as Tuesday 15 December 2020 at 6pm.

**Information:**

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

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at [www.blackpool.gov.uk](http://www.blackpool.gov.uk).

### **Present:**

Councillor Owen (in the Chair)

Councillors

D Coleman  
Farrell

Hugo  
Jackson

O'Hara  
Robertson BEM

D Scott  
Stansfield

### **In Attendance:**

Mr Ian Curtis, Legal Officer

Mrs Bernadette Jarvis, Senior Democratic Governance Adviser

Ms Susan Parker, Head of Development Management

### **1 DECLARATIONS OF INTEREST**

Councillor D Coleman declared a prejudicial interest in Agenda Item 7, Publication and Use of Semi-Independent Supported Living Accommodation for Children and Young People Advice Note. The nature of the interest being that she worked within the industry sector.

Councillor Stansfield declared a prejudicial interest in Agenda Item 7, Publication and Use of Semi-Independent Supported Living Accommodation for Children and Young People Advice Note. The nature of the interest being that he worked within the industry sector.

### **2 MINUTES OF THE MEETING HELD ON 1 SEPTEMBER 2020**

The Planning Committee considered the minutes of the last meeting held on 1 September 2020.

**Resolved:** that the minutes of the last meeting held on 1 September 2020 be approved and signed by the Chairman as a correct record.

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

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

The Committee noted that three appeals had been lodged since the last meeting against the decision of the Council to refuse permission in respect of the following planning applications:

1. Application 20/0353 that sought permission for advertisement consent for the display of internally illuminated 3.2m x 6.2m LED digital advertisement on the east elevation of the building at 9-17 Bloomfield Road, Blackpool.

## **MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 20 OCTOBER 2020**

2. Application 20/0187 that sought permission for alterations to the front elevation and use of the ground floor premises as altered as an adult gaming centre at 40 Abingdon Street, Blackpool.
3. Application 20/0257 that sought permission for the erection of a single storey side/rear extension following demolition of the garage to the rear of 23 Winsford Crescent, Blackpool.

The report also stated that no planning/enforcement appeals had been determined since the last meeting.

**Resolved:** To note the report.

### **4 PLANNING ENFORCEMENT UPDATE REPORT - AUGUST 2020**

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

The report stated that 47 new cases had been registered for investigation with 576 complaints remaining outstanding by the end of the period, 18 cases had been resolved by negotiation without recourse to formal action and 64 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 and issued between 1 August 2020 and 31 August 2020. A Section 215 notice had also been issued during the same period.

**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 ENFORCEMENT UPDATE REPORT - SEPTEMBER 2020**

The Committee considered the summary of planning enforcement activity within Blackpool between 1 September 2020 and 30 September 2020.

The report stated that 46 new cases had been registered for investigation with 546 complaints remaining outstanding by the end of the period, 15 cases had been resolved by negotiation without recourse to formal action and 59 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 two enforcement notices had been authorised and issued between 1 September 2020 and 30 September 2020.

The Committee noted the continued significant workload involved in undertaking planning enforcement activities, particularly in view of the size of the team. The Chairman reported his view of the benefit in requesting a representative of the enforcement team to attend a future meeting to report on departmental pressures.

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**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.

### 6 PLANNING APPLICATION AND APPEALS PERFORMANCE

The Committee considered the Planning Application and Appeals Performance Report that provided an update on the Council's performance in relation to Government targets for the second quarter of the 2020/2021 financial year.

The report outlined the performance from July 2020 to September 2020 as 100% for major development decisions determined within 13 weeks or an agreed extension of time against a target of 60% and 86.5% for non-major development decisions determined within eight weeks or an agreed extension of time against a target of 70%. The good performance in exceeding the statutory targets for the period was noted.

**Resolved:** To note the report.

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

Ms Parker, Head of Development Management, reminded the Committee that its previous approval of an advice note for publication on the Council's website and use as a material consideration in the determination of planning applications related exclusively to children's residential care homes. Recent planning applications for children's residential care homes had highlighted the need for similar arrangements to be considered for semi-independent supported living accommodation for young people to provide consistency and control the placement of young people within this type of accommodation.

Ms Parker advised on her view of the benefits of extending the advice note to include semi-independent supported living accommodation for young people in terms of ensuring priority was given to the placement of young people and preventing an over concentration of this type of use in a particular area. Ms Parker referred to current restrictions preventing children's residential care homes to be located within a 400 metre radius of a similar facility and that if approved, the same control would be extended to semi-independent supported living accommodation for young people. However, it was noted that as the two uses were considered materially different in planning terms, it would not prevent a children's residential care home and a semi-independent supported living accommodation for young people being located within a 400 metre radius of each other. Ms Parker reported on a map that had been developed that detailed the location of existing premises for children's residential care homes and semi-independent supported living accommodation for young people and advised that new uses for these facilities would not be permitted within the defined inner area.

Ms Parker concluded her report by advising on the intention to publish the advice note on the Council's website and advised on its main aims which were to provide local accommodation for local children and young people, and direct applicants to appropriate areas to avoid the impact on the character and amenity of an area from an

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overconcentration of children and young people's care homes and supported living accommodation.

The Committee acknowledged the aims of the advice note in terms of seeking the placement of local children and young people in care in acceptable areas of the town and the guidance provided to applicants.

**Resolved:** To approve the advice note for publication and use.

**NOTE:** Councillor D Coleman and Councillor Stansfield, having declared a prejudicial interest, left the meeting and took no part in the discussion or voting on this item.

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

The Committee considered planning application 20/0021 that sought permission 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.

Ms Parker, Head of Development Management, provided an overview of the application and presented the site location, layout plans and aerial view of the site. She referred to a previous hybrid application that had been granted full planning permission for a housing development on part of the site and an outline planning permission for employment use on the southern area of the site, which was the location of the current application. Ms Parker referred to a number of representations received in objection to the proposal that had been addressed in the officer's report and update note. Ms Parker referred to the recommendation for the Committee to support the proposal in principle, subject to conditions and a Section 106 agreement and deferral from the Secretary of State as it represented a departure from the Local Plan. She advised that the Secretary of State had the option to call the application in for his own determination or refer it back to the Council for determination. The Committee was advised that the applicant, following an unsuccessful period of marketing, had demonstrated that there was currently no appetite for employment use on the land.

Ms Parker acknowledged that there was no unmet need for housing within Blackpool, however, she advised on the benefits of a large scale development in terms of meeting future requirements for housing supply. Ms Parker also acknowledged that whilst the proposed development's housing mix conflicted with policy, a viability appraisal had demonstrated that the required housing mix could not be met if the scheme was to remain viable. This also demonstrated that the necessary planning obligations could not be met in full. A contribution of £125,000 had been agreed and would be secured through a Section 106 agreement if approval was granted. Ms Parker reported her view of the benefit of directing this contribution towards local health care provision and public open space requirements, particularly given the existing affordable housing provision in the area.

Ms Parker concluded by referring to the lack of objections from statutory consultees and

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the conditions suggested that would be attached to the planning permission, if approved.

Mr Daley, a resident of Phase 1 of the development, spoke in objection to the application and referred to the concerns raised by residents of the same development as detailed in the update note. He reported on unresolved issues with Phase 1 of the development and disputed the developer's and planning officer's view on the relevance of many of the concerns raised. He highlighted crime and anti-social behaviour issues that in his view could have been prevented through the imposition of appropriate security conditions. Other questions and concerns raised related to drainage, highways, the local play area, lack of available green space and the historic nature of the Supplementary Planning Guidance 11. He also questioned the amount and distribution of the financial contribution and the community value of Phase 1 of the development.

Ms Beardsley, the Applicant's Agent spoke in support of the application and responded to some of the concerns raised by the objector. She advised that the local play area met current minimum standards and that some open space would be provided within the site, and referred to the financial contribution towards the provision of offsite open space that would be subject to a Section 106 agreement. She also referred to drainage information that was publicly available and the marketing report that had demonstrated a lack of interest from prospective employment operators which was also available to the public. She concluded by reporting on her view of the benefit of the development to the local economy.

Ms Parker, referred to the condition regarding security lighting that would be attached to the planning permission if granted and explained the standard procedure for agreeing the details of conditions as part of a separate application. She also confirmed that insurance liability for the play area was not a valid planning consideration. Ms Parker also advised that the Supplementary Planning Guidance 11 was currently being updated through the local plan process. She advised on the annual publication of a schedule of spend from financial contributions and the procedure for determining the allocation of funds.

The Committee considered the application at length and raised concerns relating to the absence of certain statutory consultee responses, the density of the development and failure to meet the national standards in terms of floor and bed space, the housing mix and lack of affordable housing, the designation of the land for employment uses and lack of green space and the allocation of the financial contribution. Concern was also raised over restrictive covenants imposed by the developer at point of sale relating to the installation of renewable energy equipment, particularly solar panels.

Ms Parker responded by acknowledging that the full requirement for open space had not been met, however, the standard requirement for separation distances including garden length had been met. With regards to the national floor space standards, Ms Parker advised that there was no policy currently that required minimum standards for new build housing developments. Whilst she acknowledged that not all consultees had responded, she emphasised that they had all been consulted and been given the opportunity to respond. In terms of meeting all the requirements for housing mix, affordable housing and open space, Ms Parker referred to the viability of the development. She also reported on lack of interest for industrial development on the site

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despite the long term designation of the site for employment use, and the proposal to allocate the land for housing use in emerging policy. With regards to solar panels and other energy saving initiatives, Ms Parker reported that there were no planning restrictions to prevent their installation, but that the covenants to be required by the developer were not a material planning consideration. In response to further questions, Ms Parker referred to the viability appraisal submitted by the applicant and verified by an independent consultant that demonstrated that it was unviable to meet all the required obligations in terms of housing mix and affordable housing and reported her view that on balance, given the town's housing needs, the proposed development was considered acceptable. Ms Parker reminded the Committee that where there was more than one phase of a development each application had to be determined on its own merits.

Following further discussion, the Committee continued to express concern regarding the density of the development and lack of green space.

**Resolved:** To defer a decision on the application to the next meeting to provide the opportunity for the Head of Development Management to agree a reduction in the number of units with the developer and in the event that this was unsuccessful the report to Committee to include suggested reasons for refusal based on the Committee's concerns regarding the availability of green space.

### 9 DATE OF NEXT MEETING

The Committee noted the date of the next meeting as Tuesday 17 November 2020 at 6.00pm.

### Chairman

(The meeting ended 7.18 pm)

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



<b>Report to:</b>	<b>PLANNING COMMITTEE</b>
<b>Relevant Officer:</b>	Susan Parker, Head of Development Management
<b>Date of Meeting:</b>	17 <sup>th</sup> November 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 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 Planning Appeals Lodged**

5.1 Reference: 20/0278 - 92-100 Bond Street, Blackpool, FY4 1EX

An appeal has been submitted by Daneet Developments Limited against the Council's refusal of planning permission for the installation of seven dormers and five roof lights to Bond Street and Station Road elevations; reconfiguration of an approved flat and alterations to form three self-contained flats in the roof space.

**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 Financial considerations:**

6.1 None

**7.0 Legal considerations:**

7.1 None.

**8.0 Risk management considerations:**

8.1 None.

**9.0 Equalities considerations:**

9.1 None

**10.0 Sustainability, climate change and environmental considerations:**

10.1 None

**11.0 Internal/ External Consultation undertaken:**

11.1 None

**12.0 Background Papers**

12.1 None

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<b>Report to:</b>	Planning Committee
<b>Relevant Officer:</b>	Tim Coglan, Service Manager, Public Protection
<b>Date of Meeting:</b>	17 <sup>th</sup> November 2020

## PLANNING ENFORCEMENT UPDATE

### 1.0 Purpose of the report:

1.1 The Committee is requested to consider the summary of planning enforcement activity within Blackpool, between 1<sup>st</sup> October 2020 and 31<sup>st</sup> October 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.

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

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

### 4.0 Other alternative options to be considered:

4.1 Not applicable.

### 5.0 Council priority:

5.1 The relevant Council priority is: "The economy: Maximising growth and opportunity across Blackpool."

## 6.0 Background information

### 6.1 Cases

#### 6.1.1 New Cases

In total, 32 new cases were registered for investigation in October 2020.

As at 31<sup>st</sup> October 2020, there were 531 “live complaints” outstanding.

#### 6.1.2 Resolved cases

In total, 9 cases were resolved by negotiation without recourse to formal action.

#### 6.1.3 Closed cases

In total, 36 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.

## 6.2 Formal enforcement notices / Section 215 (s215) notices

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

## 6.3 Section 215 Notice authorised

Reference	Address	Case	Dates
19/8349	101-103 Marton Drive (FY4 3EX)	Poor condition	s215 notice authorised 01/10/2020

## 6.4 Enforcement Notice issued

Reference	Address	Case	Dates
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 issued 20/10/2020. Compliance is due by 01/03/2021 unless an appeal is lodged with PINS by 01/12/2020

6.1 Does the information submitted include any exempt information? No

**7.0 List of Appendices:**

7.1 None.

**8.0 Financial considerations:**

8.1 None.

**9.0 Legal considerations:**

9.1 None.

**10.0 Risk management considerations:**

10.1 None.

**11.0 Equalities considerations:**

11.1 None.

**12.0 Sustainability, climate change and environmental considerations:**

12.1 None.

**13.0 Internal/external consultation undertaken:**

13.1 None.

**14.0 Background papers:**

14.1 None.

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## Blackpool Council Development Management

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### Officer Report to Committee

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<b>Application ref:</b>	20/0021
<b>Ward:</b>	Marton
<b>Application type:</b>	Full
<b>Location:</b>	Land east of Marples Drive (Part of former N S & I site) off Preston New Road, Blackpool.
<b>Proposal:</b>	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.
<b>Recommendation:</b>	Resolve to grant planning permission and defer the application to the Head of Development Management to issue the decision based on the originally submitted plans, subject to the conditions set out in the appended update note and subject to delegation from the Secretary of State and the signing of a Section 106 agreement.
<b>Case officer:</b>	Clare Johnson
<b>Case Officer Tel No:</b>	01253 476345

#### 1.0 INTRODUCTION

- 1.1 The application was initially presented to Members at the Planning Committee meeting on the 20<sup>th</sup> October 2020. The original report and recommendation is appended to this report along with the update note containing additional representations and proposed conditions.
- 1.2 In that meeting, Members of the Planning Committee considered representations from the agent acting on behalf of the applicant and from a local objector. The application was discussed in detail with Members raising a number of concerns with the proposal, with the principle objection to the scheme being the lack of open space resulting in an overly-dense development. Notwithstanding the officer recommendation to approve the application, Members were minded to refuse planning permission. As a result, the Planning Committee voted to defer the application to a future meeting to either, give the developer the opportunity to take

on board the concerns raised and make amendments to the scheme, or to enable a suggested reason for refusal to be drafted.

## **2.0 DISCUSSION**

### **Housing delivery**

- 2.1 The Committee is respectfully reminded of the key objectives in the Core Strategy which was approved by Member. These include
- Goal 1 – support new housing provision to deliver a choice of quality homes across the Borough for new and existing residents
  - Goal 2 – achieve housing densities that respect the local surroundings whilst making efficient use of land
  - Goal 4 – provide a complementary housing offer between new homes in South Blackpool and those delivered through regeneration in the Inner Areas to avoid competition within Blackpool’s housing market.
- 2.2 Looking at the existing housing stock in Blackpool, there is a shortage of good quality detached family housing when compared to the offer in the wider Fylde Coast. The 2014 Fylde Coast Strategic Housing Market Assessment (SHMA) identified that just 8.5% of the housing stock in Blackpool comprised detached properties, compared to 26.2% in Fylde and 28.3% in Wyre. Given the expected economic growth at the Enterprise Zone and through significant regeneration projects across the town, it is considered necessary to provide suitable homes for the skilled/professional employers/employees that this economic growth is expected to attract, who may otherwise locate in neighbouring authorities.
- 2.3 Furthermore, Members will recall that Part 2 of the Local Plan: Site Allocations and Development Management Policies document went through an informal consultation at the beginning of 2019. This site was identified in that document as suitable for 90 houses and no objections were received to this proposed site allocation. Although little weight can be attached to it at present, Part 2 is due to be published for a formal consultation early next year and includes this site as a housing allocation for 90 dwellings.
- 2.4 Once adopted, the site allocations in Part 2 will form part of the Council’s future housing land supply to meet the requirement of delivering 4200 new homes between 2012 and 2027 set out in Core Strategy Policy CS2. The National Planning Policy Framework (NPPF) sets out the government’s objective to significantly boost the supply of homes across the country (Paragraph 59 refers). The NPPF also states that when allocating sites for housing, the sites need to be available and deliverable. This site is both available and deliverable, with a house builder (the applicant) on site completing phase 1. There are few remaining sites in Blackpool of this scale that

could make a meaningful contribution towards the town's identified housing needs to the end of the plan period.

### **Housing density**

- 2.5 In terms of the density of the proposed scheme, the site area is 3.85 hectares with a density as submitted of 26.3 dwellings per hectare. Members are respectfully advised that the following densities have been approved by the Planning Committee as part of other housing schemes:

#### Land at Moss House Road

Reference 13/0378 approved by Planning Committee 13/01/2014

No of houses 579

Site area 16.7 hectares

Density 34.7 dwellings per hectare

#### NS&I phase 1 (the adjacent scheme currently under construction)

Reference 15/0420 approved by Planning Committee 28/10/2016

No of houses 115

Site area 4.95 hectares

Density 23.3 dwellings per hectare

#### Land at Moss House Road

Reference 17/0095 approved by Planning Committee 03/04/2017

No of houses 422

Site area 15.4 hectares

Density 27.4 dwellings per hectare

#### Former Co-operative Club, Preston New Road

Reference 17/0361 approved by Planning Committee 23/08/2017

No of houses 53

Site area 1.57 hectares

Density 33.7 dwellings per hectare

#### Former Booths site, Highfield Road

Reference 17/0416 approved by Planning Committee 08/09/2017

No of houses 26

Site area 1.02 hectares

Density 25.4 dwellings per hectare

#### Troutbeck Crescent

Reference 19/0144 approved by Planning Committee 04/06/2019

No of houses 75

Site area 2.3 hectares

Density 32.6 dwellings per hectare

- 2.6 Planning Committee Members are also drawn to the density of the refused housing application at Warren Drive, which was subsequently granted permission at appeal:

Land at Warren Drive

Reference 17/0466 refused by Planning Committee 23/01/2018, permission granted at appeal 09/04/2019

No of houses 86

Site area 3.12

Density 27.6 dwellings per hectare

- 2.7 It is not considered that the density of this development is significantly different to these approved schemes and in most cases, is less dense.
- 2.8 Members are also advised that the Council's Strategic Housing Land Availability Assessment which has been subject to consultation and provides a methodology of estimating the development capacity of potential housing sites, uses a housing density for this type of site of 50 dwellings per hectare. For a 3.85 hectare green-field site like this one, where the net developable area would be approximately 60% of the gross, this would equate to a maximum level of provision of some 116 dwellings. Clearly the number proposed, at 90, would be significantly short of this. On this basis, the proposed density of development on site is considered to be entirely reasonable.

**Planning Obligations**

- 2.9 Core Strategy Policy CS11: Planning obligations states that development will only be permitted where existing infrastructure, services and amenities are already sufficient, or where the developer enters into a legal agreement to meet the additional needs arising from the development.
- 2.10 As stated in the appended report, the total planning obligations for this site amount to a financial equivalent of just over £1.67million. This figure is made up of the following requirements: £1,547,000 for affordable housing; £99,321.23 towards public open space; and £24,805 towards local health care. Members are advised that, when initially submitted, the scheme did not include any provision either on site or through contribution to meet these obligations.
- 2.11 Officers challenged this and requested a viability appraisal to demonstrate that the impact of the necessary contributions on the viability of the scheme. The submitted appraisal identified that a total sum of £125,000 could be made available. This was independently verified by Lambert Smith Hampton consultants who have also carried out the viability testing on the Local Plan. It is considered that this money is best put towards the provision/improvement of public open space and local healthcare provision. The reasons for this are set out in the original officer report attached.

## **Open Space**

- 2.12 Saved Policy BH10 states that all developments should provide open space on site where possible, but where constraints preclude the full rate of provision on-site, developers may instead pay a commuted sum to improve open space provision to meet the needs of the development.
- 2.13 The developer is prepared to enter into a legal agreement to provide the full amount of contributions to mitigate the shortfall of on-site public open space (calculated at £99,321.23), to be spent on improving public open space off-site for the benefits of not just the future occupants of this site, but for the wider Marton ward community and beyond. This approach is supported by Policy CS11 and Saved Policy BH10. Officers in the Council's Parks Department have identified Lawsons Field as being in need of significant investment to improve toilet facilities, boundary treatment including hedge planting, tree planting, seating, improved entrances, paths and signage. Lawsons Field was identified in the most recent Open Space Assessment as being poor quality public open space and so the commuted sum offered by the developer would go some way to raising the quality of that open space to 'good'. Lawsons Field is approximately 1 mile from the development site and is within the same ward (Marton). Upgrading Lawsons Field would be in accordance with the requirements of SPG11. The details would be set out in a legal agreement.
- 2.14 The developer has considered the concern raised by Members regarding the lack of on-site open space and the density of the development, and they have confirmed that they could reduce the number of houses to 87 by losing a 3 bed detached and a pair of 3 bed semi-detached dwellings from the scheme. This would reduce the density of the scheme to 22.3 dwellings per hectare which would be one of the lowest density housing schemes that Planning Committee has considered in recent years. However, in reducing the number of houses from 90 to 87 and to retain a viable scheme, the applicant's offer to enter into a legal agreement to provide the £99,321.23 contribution towards off-site open space would be withdrawn.
- 2.15 Draft layout plans (attached at Appendix 5b) have been submitted showing three different scenarios where the additional open space could be provided. Having regard to the submitted draft layouts, officers consider that the loss of three houses would not result in more meaningful public open space for the development and would not achieve the most efficient use of the land. However, if the Committee did wish to pursue the option of on-site provision in place of off-site improvement, the area of public open space that would be provided by option 1 is considered to be preferable. This is because it would be immediately visible upon entry to the site and would also be easily accessible by residents of phase 1.
- 2.16 Nevertheless, on balance, it is considered that the £99,321.23 contribution to upgrade facilities at Lawsons Field is preferable to reducing the density of the development slightly and losing three good quality family homes.

### 3.0 RECOMMENDATION AND OPTIONS

3.1 It is considered that Members now have three options:

1. Resolve to grant planning permission and defer the application to the Head of Development Management to issue the decision based on the originally submitted plans and subject to the conditions set out in the appended update note. This permission would be subject to delegation from the Secretary of State, and the signing of a Section 106 agreement to secure £125,000 of which £100,000 would contribute towards the improvement of off-site public open space and £25,000 would contribute towards local healthcare provision.
2. Resolve to grant planning permission and defer the application to the Head of Development Management to issue the decision upon receipt of amended plans showing the provision of on-site public open space pursuant to Option 1 identified by the applicant. This permission would be subject to delegation from the Secretary of State, the conditions set out in the appended update note, and a Section 106 agreement to secure £25,000 towards local healthcare provision with no contribution towards the improvement of off-site public open space.
3. Refuse the application.

3.2 The above sets out the professional advice of your planning officers on the application, and reflects the advice given at the previous meeting of the Committee. If, notwithstanding that advice, Members wish to refuse the application, the following wording articulates officers' understanding of the concerns expressed by Members at the previous meeting:

*"The proposed housing scheme is considered to be an over-development of the land resulting in insufficient open space for future residents. In this instance, given the distance from the site to existing public open space provision, a financial contribution in lieu of on-site provision is not considered to be acceptable. As such, the proposal is considered to be contrary to policies CS6, CS7 and CS12 of the Blackpool Local Plan Core Strategy 2012-2027 and saved policies LQ1, LQ3 and BH10 in the Blackpool Local Plan 2001-2016 and Paragraph 130 of the NPPF."*

## **ORIGINAL REPORT TO COMMITTEE - 20/10/2020**

### **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 application is recommended for approval 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.

### **3.0 INTRODUCTION**

- 3.1 The application site forms part of the former 9 hectare N S & 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. N S & 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 semi's 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 28<sup>th</sup> 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 (HRP) 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 Lancashire County Council:** 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 N S & 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. This 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 about reducing their intake numbers from September 2021.

For secondary schools, we predict that things will be tight from September 2023 for 4 or 5 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 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 Ecological Consultations** (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**

Press notice published: 24<sup>th</sup> January 2020

Site notices x 4 published: 29<sup>th</sup> January 2020

Neighbours notified: 16<sup>th</sup> January 2020

Two representations have been received raising the following issues:

**9.1 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.

**9.2 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**

10.2 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

### **10.3 National Planning Practice Guidance**

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

### **10.5 Blackpool Local Plan Part 1: Core Strategy 2012-2027**

10.6 The Core Strategy was adopted in January 2016.

- 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.

### **10.7 Blackpool Local Plan 2011-2016 (saved policies)**

10.8 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

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

10.10 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).

## **10.11 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**

11.2 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 be referred to the Secretary Of State for the final decision.

11.3 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. Little weight can be given to this proposed change of allocation in advance of the publication of Part 2. However, 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.

11.4 There is concern over the loss of the employment land, especially given the Council has had to approach Fylde Council to provide 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 and whilst the housing proposal is a departure from the current Local Plan, there are material considerations which outweigh this conflict and demonstrate a closer alignment to national policy and the adopted Core Strategy.

11.5 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.

11.6 Furthermore, since 2016 the Government and the Council has 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.

11.7 The scheme would make a notable quantitative contribution towards meeting Blackpool's housing requirement and provide a qualitative improvement to the housing stock by the addition of 2, 3 and 4 bedroom family homes. This weighs heavily in favour of the scheme in the planning balance.

#### **11.8 Site layout and housing mix**

11.9 The proposal would deliver a mix of 2, 3 and 4 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 2 bedrooms to deliver a good housing mix. The scheme proposes just 6 houses with 2 bedrooms, contrary to the required mix in CS13. However, the applicant has demonstrated that there is limited demand for 2 bedroom properties within their developments, with the highest demand coming for houses with 3+ 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 3 and 4 bedroom units with 2 bedroom units would render the scheme unviable.

11.10 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.

11.11 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 including 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.

#### **11.12 Amenity**

11.13 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 and the landscaping/tree planting to be provided.

11.14 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.

11.15 The scheme includes green infrastructure which would soften the appearance of the estate and provides some local amenity space which would benefit future occupants of the estate.



11.16 Refuse collection would either be from the pavement or from dedicated bin collection points, all of which would meet bin drag distances.

11.17 On balance, no adverse impacts on amenity are anticipated.

#### **11.18 Visual Impact**

11.19 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.

11.20 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.

11.21 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.

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

#### **11.23 Other Issues**

#### **11.24 Planning Obligations:**

11.25 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.

11.26 How this sum would be split will be reported in the Update Note.

#### **11.27 Affordable Housing**

11.28 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.

11.29 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).

11.30 The issue of the viability on this site has been verified independently by consultants Lambert Smith Hampton. The lack of affordable housing provision weighs notably against the scheme.

### **11.31 Health**

11.32 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.

11.33 The sum of £24,805 contribution can be secured in a Section 106 agreement.

### **11.34 Public Open Space**

11.35 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.

11.36 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.)

11.37 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. However, this would leave no contribution towards off-site affordable housing.

11.38 Colleagues will be consulted on whether the remaining £100,000 should contribute towards affordable housing or public open space or a mix of both. The update note will report the findings.

### **11.39 Flooding and Drainage**

- 11.40 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.
- 11.41 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.
- 11.42 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.
- 11.43 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.

### **11.44 Ecology**

- 11.45 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).
- 11.46 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.
- 11.47 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.
- 11.48 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.

#### **11.49 Highways**

- 11.50 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.
- 11.51 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.
- 11.52 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 car being parked on the highway.
- 11.53 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.

#### **11.54 Contaminated Land**

- 11.55 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.

#### **11.56 Security**

- 11.57 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.
- 11.58 Issues to do with the quality of the build are dealt with under the Building Regulations rather than planning.
- 11.59 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.
- 11.60 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).
- 11.61 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.

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

- 11.63 Sustainability comprises economic, environmental and social components.
- 11.64 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 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.
- 11.65 Some limited employment would be generated through the construction process and future residents would help support local shops and services.
- 11.66 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.
- 11.67 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.
- 11.68 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 grant planning permission and defer the application to the Head of Development Management to issue the decision based on the originally submitted plans, subject to the conditions set out in the appended update note and subject to delegation from the Secretary of State and the signing of a Section 106 agreement.
- 13.2 If the Committee is not minded to grant planning permission it is referred to the other options proposed in paragraph 3 of the report.

**Planning Application Reports – Update Note**

Listed below are changes to the planning reports made as a result of additional information received since the publication of the agenda for this meeting.

Case:	Address:	Update:
20/0021	LAND EAST OF MARPLES DRIVE, (PART OF FORMER NS & I SITE) OFF PRESTON NEW ROAD BLACKPOOL, FY3 9YP	<p>The following was omitted from the Committee Report: Site history – A non-material amendment to Phase 1 was agreed in May 2017, reducing the number of dwellings on Phase 1 from 118, to 115.</p> <p>An objection has been lodged from a resident from Phase 1 of the Marples Drive development, stating that he speaks on behalf of all residents of the Phase 1 development.</p> <p>Given the length of the objection is appended to the Update Note.</p> <p>Officer response:</p> <ul style="list-style-type: none"> <li>• With regards to tandem parking the Council's approach reflects national practice and standards. On busy roads we would expect cars to be parked clear of the road and to be able to enter and leave in forward gear. On roads like the main route into the site we would expect to avoid tandem parking but would expect some parking on the road. On the minor side roads off the main route tandem parking is generally acceptable to be able to provide some amenity space and to prevent the streetscene being dominated by cars parked side by side.</li> <li>• Similarly, the streetscene would be dominated by cars parked in what should be, front gardens if a parking space was required for each bedroom. The scheme meets the Council's adopted parking standards. The garages are counted as parking spaces and a restrictive condition is proposed to prevent the use of the garages for any use that would preclude the parking of a vehicle.</li> </ul>

		<ul style="list-style-type: none"> <li>• Furthermore, the site is in a highly accessible location, close to bus routes. A condition requiring that secure cycle storage is provided at each property will further encourage sustainable modes of transport.</li> <li>• If vehicles parked on any road cause an obstruction either to the road, or a driveway, the police have powers to have the vehicles removed.</li> <li>• The Head of Transportation is satisfied with the highway layout and parking provision and has confirmed that a number of the points made can and will be addressed by conditions on any approval or by the terms of the highway adoption agreement.</li> <li>• Wider and straighter roads might appear to solve many problems but they invite higher vehicle speeds. People are more likely to park on the road outside their property if the obstruction caused is not seen as a major problem. Many main roads amply demonstrate this where driveways aren't used and cars are parked on the road out of convenience. The same goes for wider footway and many main roads amply demonstrate this too.</li> <li>• How much the houses sell for are not a planning issue in this instance. The rear access for plot 179 would be shared with plot 178, and it is assumed the access would be to facilitate bin collection. A condition requiring the details of refuse storage for each property is proposed.</li> <li>• The use of shared road space and service strips goes back to the 1970's in the UK and a generation before that in Europe and is generally acceptable where vehicles speed are expected to be low, such as when turning a corner into a residential cul-de-sac.</li> <li>• A condition is proposed that requires a detailed landscaping scheme, including planting for the attenuation basin. A reed bed or something similar could resolve the issues around the appearance of the basin and any smells. In any case, this is a management issue rather than a planning matter.</li> <li>• A condition requiring the full details of both foul and surface water management is proposed and this will be assessed in consultation with United Utilities.</li> <li>• Legal boundaries are not a planning issue and are usually drawn up after permission has been granted. Setting fences and boundaries away from the highway softens the impact of a development and creates an open plan feel to the estate. A condition is proposed which would remove permitted development rights on the estate relating to walls and fenced in order to maintain the open plan appearance of the estate.</li> </ul>
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		<ul style="list-style-type: none"><li>• The garden sizes for plots 143, 144 and 179 are smaller than other gardens in the proposed estate but they are approximately the same size as the footprint of the house to which they are associated with and this is considered to be sufficient.</li><li>• The lack of meaningful public open space is acknowledged and the developer has agreed to enter into a legal agreement and contribute £100,000 towards upgrading public open space in the vicinity of the development. The Council would not normally adopt landscape buffers in a private development.</li><li>• Management fees are not a planning consideration.</li><li>• The details of the Local Area of Play will be agreed by condition including the site levels.</li><li>• Regarding the quality of construction, this is a matter for Building Control. The Head of Building Control has confirmed that only one complaint has been made to them and that the fault was rectified.</li><li>• The development would have to proceed in accordance with the submitted Construction Management Plan (CMP), which confirms that the development site will be enclosed by 1.8m high hoarding or anti-climb fencing. The CMP confirms that residents will be given a contact number for the Site Manager if they have any concerns during the construction phase.</li><li>• As stated in the Committee Report, the case officer is satisfied that the site has been appropriately marketed for employment use.</li></ul> <p>Highways England have been consulted. Highways England have no objections to the proposed development.</p>
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This document aims to provide feedback on Planning Application 20/0021 (Phase 2) from Residents of Phase 1 of the Rowland Homes development located off Preston New Road.

Residents have significant concerns regarding the proposed plans for Phase 2 and issues experienced with the developer during Phase 1 which is nearing completion; for planning purposes this document is classed as an objection however residents do not object to a residential development but they do object to the current plans provided by the developer.

To make this document manageable each area of concern has been titled and key points have been made. We appreciate planning time is limited however the points raised in this document are important and should not be overlooked or simply dismissed.

### **Layout**

1. Phase 2 proposes to use driveways with tandem parking. Based on how this works with Phase 1 these should be changed. Tandem parking is not practical, if you consider a property with residents who have different work patterns (night shift, day shift) or other commitments (school drop off / pickup) trying to organise 2+ vehicles so they can be accessed when needed is next to impossible and ultimately results in vehicles being parked on pavements (usually >70% of the vehicle obstructing the pavement) or on the grass service strips and various other areas which cause access issues. Side by side spaces should be used for all properties not just those that are accessed directly from Marples Drive.
2. Phase 2 contains a high density of 3-4 bed properties with a lack of parking. Off street parking needs to be increased to one space per bedroom to stop the roads and pavements being obstructed. If you look at the population of Phase 1 there are a significant number of young children, as they grow older probably in the next 10-15 years the number of vehicles on the estate will increase by 2-3x; if planning looks at the ONS data, more young adults (20-34) live with their parents than ever before, in 2019 this figure was at 27%, with Covid-19 and any economic down turns in the future this will increase. Residents are not purchasing 3-4 bedroom properties to have 2-3 bedrooms empty; they will ultimately be used for either children growing up or visitors. Neither internal or external garages should be considered as off-street spaces for a vehicle. There are three core reasons for this, the first they are not very large which means some modern vehicles do not fit (you cannot get in and out of the vehicle once its parked in the garage), secondly it creates a tandem parking issue (a vehicle will be blocking the garage door), thirdly the properties have limited storage space, as with most new builds the loft space is not usable by design therefore garages are used for storage.
3. Following on from point 2, plots 147-150 and 184-187 have no guest parking and due to the design if a single vehicle parks on the unadopted section cars will not be able to access their parking spaces. The same applies to 158-159 again cars will park on the road, due to the restricted road width this will cause access issues to a number of properties.
4. Plot 140 requires the driver of the vehicle to mount the pavement on the corner, this will not work unfortunately. As planning will be aware of, there is a similar plot on Phase 1 (Plot 20) if a vehicle parks next to or on the pavement the driveway becomes inaccessible. This is not acceptable and should not be permitted. The Plot 20 issue was missed by planning under the Phase 1 application, the developer was made aware of this issue however they appear to have ignored the problem and created the same situation for Phase 2.
5. Plot 134 driveway does not appear to be accessible, based on the width of the mouth of the driveway and the limited width of the road you will not be able to get two vehicles on this driveway. The design for access to this property is not practical.

6. In phase 1 significant access issues have occurred when residents have had deliveries of furniture or materials, Lorry's have to reverse down the narrow roads and all it takes is for a single vehicle to cause an obstruction. This has resulted in a number of near misses with both pedestrians and vehicles. We would suggest the width of the roads be equal throughout Phase 2 rather than reducing in width in certain sections.
7. Plots 152-156 will again have parking issues this is a small group of 4x 4 Beds and 1x 3 Bed on an unadoptable road
8. Rear access to 179 is not practical and reduces the length of 178's garden. Please note these properties will usually be priced the same
9. Grass service strips are heavily used on Phase 1, on the original Phase 2 plans they existed near to Plots 125, 134 and 157. The developer has adjusted the Phase 2 plans based on initial feedback from planning. For both the developer and council's future reference a pedestrian should never be forced to walk along an adoptable road especially when it comes to corners, shared spaces/surface schemes put lives at risk. A separate case is currently being raised with planning/highways on how they will be dealing with the grass service strips in Phase 1 after legal adoption. They should not have been approved by planning for Phase 1 and ultimately action will need to be taken by the council at significant cost to the tax payer to stop a member of the public being seriously injured or killed.
10. The attenuation basin at the front of the estate is in poor condition. In all marketing material and coloured plans, the basin contains blue water, unfortunately this has never been the case, it's a rather disgusting brown mess that during summer emits a stomach churning smell. Attenuation basin/ponds are used on many new developments normally they are turned into a feature and are well maintained. The developer in this case has carried out no works to improve the attenuation basin. Plots 116-119 will look directly over this pond and the view/smell will not be appealing. Planning needs to look at forcing through improvements to the attenuation basin. The residents would also like to seek clarity on why United Utilities are not adopting the attenuation basins on this site, residents have to pay a management fee each year which goes towards the maintenance of both the basins; residents pay United Utilities for Wastewater which includes 'Rainwater removal' the basins are part of that system so therefore residents at the moment are technically paying twice (storage and removal). A photo of the basin can found on [Page 12](#) of this document.
11. The developer appears to prefer to set the fencing for properties a fixed distance away from the legal boundary, this reduces the garden space available to the property owner. The property owner should have full usage of their land; some examples of this for Phase 2 are 125, 135, 134, 160, 173. In Phase 1 this was done we believe so the residents will maintain the grass service strips as there is no separation between the resident's land and the service strip.
12. Phase 1 has issues with bin collections and it appears Phase 2 will have similar issues.
  - There appears to be no collection point for 126 and 127, surely this should be on the corner to allow easy access for collections.
  - Based on what occurs in Phase 1 the bin collection truck will have to reverse down past Plot 123 to get to the 12 properties on this section, the road width is not suitable for this. On Phase 1 it has been observed on a number of occasions that the truck will either struggle or not be able to get past if a single car is parked on the road side. If they are able to get past its usually at a very slow speed which is not efficient. On a couple of occasions this has involved mounting the curb. A similar issue would occur with collections for 159 to 150. The layout needs to be efficient for bin collections.
13. Gardens for 143, 144 and 179 are very small in comparison to the rest of Phase 2, this needs to be looked at.

14. On a number of properties in Phase 1 the access paths to the rear of the properties are not wide enough to accommodate the standard council bins without dragging them through the gravel drainage strips along the side of the properties. We would suggest Planning specify a minimum width for the paths (including getting through the gate to the rear of the property) to make sure bins can be moved/stored safely.
15. The lack of public open space has been brought up by residents on many occasions, Phase 1 includes 'so called' public open spaces unfortunately these are not usable. The areas simply cannot be built on for technical reasons so the developer labels them as public open spaces. These can have a steep incline, drain easement or boundary features (hedges, bushes, trees etc). Phase 2 plans originally included no real open space except for a very small area next to plot 191. With the number of families with young children and the lack of public open space outside the development the residents would support an area being created on Phase 2 however there is one key issue that the council needs to understand and factor in to any decision they make. The residents pay a site management fee each year, this covers various elements (more info will be provided towards the end of this document) if a public open space is created residents will be responsible to pay for it to be maintained. Residents pay a significant amount of council tax, the vast majority of properties are band D with a handful of C and E's; for Phase 2 this will be D and C's based on current sale prices; residents believe the council should adopt any public open space created as anyone from outside the estate can use it. The residents would actually prefer the council to adopt the entire estate, the developer has not provided an answer on why this is not possible. The developer has updated the plans to include a very small Local Area of Play, there are no details on the drawings published by planning that this area is actually usable e.g. is the area on an incline.
16. We would request Planning add a restriction requiring the developer to install street lights and street signs prior to properties being occupied on each street. One of the problems with Phase 1 is properties have been occupied for 3-6 months before lighting is installed. Street signs on Phase 1 did not go in for over 12 months. Lights are required for safety purposes especially over winter months and street signs are necessary on new developments as maps are not immediately updated. The lack of signage became a serious problem during the Covid-19 lockdown as deliveries were being made to the wrong properties or the properties could not be found.

### **Quality & Construction**

Phase 1 of the development has experienced a large number of quality issues which continue to this day, the developer has a track record of issues that are persistently repeated across all their developments. Residents are aware planning cannot force the developer to improve the quality of the homes they construct but we believe some of these issues should be highlighted for public record purposes.

1. Plumbing, not a single property on the estate will have plumbing that is up to an acceptable standard, the contractor G&M Heating Utilities Ltd (based in Wigan) appears to lack the basic skills required
  - On completing on a property, its not unusual to find they have failed to bleed the heating system correctly; this results in radiators not operating efficiently if at all
  - Kinked pipework has been found in walls resulting in non-functional radiators. The plumbing contractor always blames other trades rather than the fact they failed to test the system.
  - Missing TRV's for radiators, in some cases this has occurred in bathrooms, towel radiators get exceptionally hot which could have resulted in burns being incurred
  - Signing off of boilers when its not possible to remove the boiler cover, this is usually down to the kitchen fitters (KAM Design, Preston) installing a cupboard around the boiler. The boilers should not be signed off until the kitchen is complete, at that point they can confirm the boiler is accessible and is compliant with gas safe regulations
  - In one case a fused spur had been installed in the wrong place again this stopped the boiler cover from being removed without disconnecting the socket

- Issues have occurred with boilers losing pressure, the developer has never identified the true cause. In some cases, the manufacture (Baxi) has had to replace parts within the boilers in other cases weeping pipe joints have been found in the airing cupboards. A number of properties still have this issue outstanding and residents have given up with trying to get the developer to identify the cause.
  - In one case a property had a defective gas meter that cut off supply, had the installation been tested correctly this issue would have been identified prior to legal completion.
  - Leaks from pipework are common; this can be from baths, radiators, taps, toilets essentially anywhere the plumbers have failed to tighten/check connections correctly
  - In one case the waste pipe from a kitchen sink was found to be damaged (during installation), the waste water had been leaking into the wall cavity resulting in quite a bit of damage and a build-up of mould.
  - The plumbing contractor is the designated emergency contact for out of hours plumbing issues, on one occasion during the winter a resident called them with a non-functional boiler (persistent over heating eventually identified as being caused by a leak in the airing cupboard pipework), the on-call engineer who answered the phone stated he was not on call and refused to attend. The developer did not investigate why the plumbing contractor failed to comply with their contractual obligations.
  - In a number of properties, the thermostats for the upstairs and downstairs heating zones have been installed the wrong way around, this results in upstairs thermostats controlling downstairs radiators, this is a very basic issue and is simply down to the system not being tested
2. Electrical, as far as residents are aware there have only been a couple of serious issues with the electrical work on this development.
3. Drainage
- The developer has opted for a complex design for removal of foul waste, pipes cross multiple properties creating an extensive network of shared sewers. The developer has refused to hand over drawings showing where foul waste pipes are located ultimately denying the residents their right to identify pipes located under their land. When it comes to dealing with blockages being able to trace where the waste goes is critical, residents only get to see the drawing for the foul waste layout during the reserve process, the sales executive will only highlight inspection chamber positions on their property and will not go over the full layout; this process takes <5mins therefore residents do not get the time to review the drawing fully. We would recommend planning instruct the developer to provide drawings showing the external pipework layout for each plot.
  - Blockages have occurred on a frequent basis; on a number of occasions these blockages have stopped foul waste from flowing for the entire development. As United Utilities have not adopted the estates pipe network residents have to rely on the developer to deal with the issues.
  - The developer will only deal with the first couple of blockages reported by an individual resident after that point they will refuse to attend even when blockages exist in shared runs. United Utilities (UU) have made their position very clear on this, they expect the developer to meet their standards this means where a blockage occurs in a shared run which will be eventually adopted by UU the developer is responsible for clearing the blockage, just as UU would be responsible.
  - When the developer has refused to deal with blockages residents have had to pay for private contractors to attend and deal with the issues. In all occurrence's where a private contractor has come on-site, they have identified defects; these defects include pipework not having the correct fall, pipework being clogged with rubble and cement.
  - The developer does not carry out camera inspections prior to the legal completion on each property which in reality should be done to identify any defects. When they send out their chosen contractor to clear blockages they rely on the word of the contractor and not video evidence. On at least one occasion the contractor stated a blockage was due to baby wipes, the two properties on the shared run did not have any children and did not use any form of wipes; when a private contractor was brought on site, they identified within 5mins that the fall of the pipe was incorrect which meant waste was being held under another plots land. They made it quite clear that if the contractor was competent, they would have identified the problem.

- If a blockage occurs out of office hours its down to the residents to deal with the issues, the developer does not provide an out of hours emergency contact for blockages. United Utilities cannot deal with blockages until adoption due to liability issues. This situation needs to be addressed; we would recommend Planning look at adding some form of restriction to deal with this issue to protect future residents of Phase 2
4. Windows & Doors, in every property on the development issues have been identified with the windows and doors
- Window beading (plastic strip used to hold the glass in place), these are usually cracked/damaged on the corners and mostly do not line up correctly (not flush to the frame). The developer has been aware of these issues for nearly two years but still allows the window supplier/fitter to complete the works to a poor standard
  - Handles on windows have been found to be very difficult to use, the developer has opted for a low-quality window frame and unfortunately the parts used during assembly are not of a high standard. A number of residents have ended up snapping the handles.
  - Sealant around the windows is not usually up to a high standard, gaps are often found and the finish is poor
  - A number of patio doors have been damaged due to being caught by the wind and swinging back resulting in damage to the door and frame. The developer on multiple occasions has blamed residents for this stating they should claim on their own insurance. The cause of these issues is usually down to the patio doors not being fitted with Stay's which stop the doors from swinging back. Residents have to provide evidence to show the issue was caused by a defect.
  - The quality of the windows and patio doors are poor, its quite embarrassing for Blackpool as they are made by Direct Windows Co. There is no resident on this development who would use Direct Windows Co in the future based on the quality of the windows/patio doors they have supplied.
  - A number of properties have experienced leaks through their front and back doors, this can be anything from missing sealant, damaged rubber seals and missing rain deflectors. Again, this is ultimately down to a lack of attention to detail.
  - One resident unfortunately had a window installed in the wrong place (not to the plans approved by the council), this was not spotted by the developer, building control or the NHBC. The window was installed in the middle of the stairs rather than on the turn at the top of the stairs. This meant it was not possible to open the window. This issue was raised prior to the 2020 lockdown however the developer did not deal with the issue prior to lockdown or after the site was opened post lockdown. The only method the resident had to get the issue resolved was by raising a case with planning enforcement, as soon as the developer was notified this had occurred, they arranged for the window to be moved to the correct location. The issue should have been found in 2018 when the property was built
5. Brickwork
- The standard of brickwork on the estate can only be described as shoddy. Walls are rarely plumb or level the developer appears to accept any bricklayer that is available, going as far as to leave a sign outside the development for 12 months stating they are looking for bricklayers.
  - Properties will have pointing missing as the developer does not check the walls properly prior to removing the scaffold. This is one of the reasons why its important to have the properties professionally snagged so any missing or damaged pointing can be identified.
6. Landscaping / Gardens, the developer has provided planning with documentation related to how they carry out landscaping, we would like to highlight most if not all of what the developer has stated is not what happens in reality.
- Soil depths are below the required depths of the NHBC
  - Soil is clay based and of a very low grade, tests performed at a certified Laboratory confirmed pH levels of 7.7 (alkaline due to the clay contents) this should be at around 6.5, the soil lacks basic nutrients like Manganese, Phosphorus

- Soil has been found to contain rubble and various other building materials, in one case broken glass was discovered
- The gardens created by the developer are often referred to as being 'hard as concrete'
- Due to the high concentrations of clay during the summer dry weather the gardens will shrink creating channels and ultimately dropping well below paving, foul waste/land drain inspection chamber height.
- During the winter the gardens become heavily saturated, due to the clay-based soil the water is not able to drain away efficiently
- The developer will not deal with garden issues, a large number of residents have already had to have their gardens completely dug up and replaced by professional landscapers at significant cost.
- Planting at the front of the properties is poor, the developer is using the wrong type of plants and is excessively overcrowding the beds. They do not use any membrane to stop weeds growing, they then place bark on top of the beds to provide nutrients to the soil this unfortunately ends up feeding the weeds. A number of residents have given up trying to maintain the planting provided by the developer and have replaced them with proper beds.
- The developer clearly needs to find a professional landscaper to not only design but carry out the required works.

Most of the quality issues would be avoided if the developer used higher quality materials and experienced professional contractors, unfortunately to maximise profits the developer uses neither.

The developer refuses to allow professional inspection of properties prior to legal completion (this is known as professional snagging), professional snagging is usually conducted by a qualified (RICS accredited) surveyor that specialises in new builds, they are able to identify non-compliance with building regulations, NHBC technical requirements and general issues that would not normally be expected to occur in a 'New Property'.

Residents who have purchased a property during the build phase only get to see the property once during the 'home demo' prior to legal completion. After legal completion the resident will need to provide their initial snagging list to site management, this is usually around 7 days after completion. After the snags have been fixed the property is signed off with site management. The resident then has to deal with head office, unfortunately this is where the larger issues occur. Issues reported to head office can take anywhere from a couple of days to several months to get resolved, as the developer already has the money for the property there is no incentive to carry out repairs in a reasonable time frame.

There is growing frustration among residents that the NHBC and Building Control are signing off properties that do not comply with NHBC technical requirements or Building Regulations. The excuse from building control is that they cannot be there all the time this is not acceptable; if a developer is not able to construct properties to the required standards additional supervision should be provided, the developer can then be billed for this supervision. Building Control take a strict approach to dealing with DIY based construction and compliance with building regulations, they do not take the same approach when it comes to dealing with large developers, simply because the properties have a warranty attached does not mean they should be inspected to a lower standard than DIY based construction. The head of building control needs to start making sure inspections are carried out correctly.

There have been a large number of instances of antisocial behaviour committed by individuals who do not live on the estate. This happens frequently over the summer months; they gain entry to the areas of the development that are under construction, they cause damage to the properties being built including accessing scaffold. In one incident bricks were thrown off scaffold into the road. The police have been called on many occasions to the above incidents, in addition various items have been stolen from outside properties (plants, milk etc). The developer does not have any security on-site in the evening or at weekends.

### **Management Fees**

All though the properties on the development are sold as 'Freehold' they all carry a management fee charge. This management fee covers a wide range of items. This fee is estimated to be £178.36/year per property on Phase 1 generating a total revenue of over £20,000 per year to cover what the developer claims to be Maintenance. There is



no indication yet on how Phase 2 will affect on-going costs. With an additional 90 properties the charge per property should decrease.

During legal completion property owners are required to pay the first year's management fee up front, this is either for the entire year or pro-rata. Some residents have not been charged any fee for the first year. To add to the confusion the developer has not charged any fees after the first year e.g. if the resident completed on a property in 2018 they were charged for 2018 but not issued a bill for 2019. There is no explanation from the developer as to why a fee is applicable when the development is not complete.

The estimated management cost breakdown is shown below, these figures have been provided by the developer. We believe its extremely important for planning to understand the on-going costs to residents on what are claimed to be 'Freehold' properties.

Item	Maintenance Costs		Notes
1	Grounds Maintenance (Inc. open spaces, hard landscaped areas)	£7,200.00	Grounds maintenance to be carried out fortnightly in the growing season and monthly in the winter. To include the incidental open space areas.
2	General Repairs	£1,000.00	General allowance for repairs, to hard landscaping, knee rail fencing and high railings around attenuation basin and other managed items.
3	Drainage / Gutters	£0.00	No provision made as It is understood that the foul water drainage will be adopted.
4	Street lighting and road maintenance	£300.00	Cost to maintain the stretch of road and street lighting by the entrance.
5	Pond maintenance	£800.00	Cost of maintaining the balancing pond.
6	Water attenuation basin	£550.00	Cost to maintain depth, shape and growth of plants and wildlife
7	Tree Maintenance	£600.00	Tree Maintenance and Inspections, noting that there may be TPO's on the development and appropriate tree surgery works as may be required.
<b>Utilities</b>			
8	Landlord's Electricity	£500.00	Cost to run street lighting to the road by the entrance
9	Landlord's Water	£0.00	No provision made as it is understood that the supply and drainage throughout will be adopted
<b>Insurances</b>			
10	Professional Insurance (D&O insurance)	£430.00	Cost of Directors & Officers liability Insurance once resident directors are appointed
11	Public Liability Insurance	£840.00	Cost of public liability insurance for the communal areas and facilities at the development
<b>Professional Services &amp; Fees</b>			
12	Management Fees	£6,900.00	Calculated against the quantity of units - £50+VAT per unit per annum.
13	Accountancy Fees	£660.00	Cost of preparing the annual accounts and financial statements in accordance with the legal documentation and current legislation
14	Other Professional Fees (Company Business)	£300.00	Fee for acting as Company Secretary and registered office, administration costs
15	Health & Safety Risk Assessment	£356.00	Provision for the cost of carrying out a Health & Safety Annual inspection to comply with current legislation
16	Contingencies and Disbursements	£0.00	To commence in second year after consultation with owners
17	Bank Charges	£75.00	Bank charges for the current account

18	Reserve Fund	£0.00	Reserve fund contribution to commence in second year after consultation with owners
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Total Estimate	£20,511.00
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Cost per unit per annum based on 115 contributing units	£178.36
Cost per unit pcm based on 115 contributing units	£14.86

V1 27/02/2018  
 All prices are based on information provided and are subject to change. The budget is based on an assumption of the below from reviewing the initial plans

From our understanding the street lighting and road maintenance costs listed above apply to the unadoptable section of access road that leads to the NS&I building, this is of concern to residents as this is the access road to a private business and its maintenance should not create a financial burden for residents. As the land the development is constructed on was sold by NS&I (UK Gov) its not acceptable for residents to have to pay for their access road, this should have formed part of the agreement of sale of the land. Based on the number of employees working for NS&I at this building we believe the council should adopt the remaining access road or the NS&I should be responsible for its ongoing maintenance.

At the moment nearly 50% of the management costs are going towards maintaining the land surrounding the estate, we can't see how this is justifiable, the developer so far has carried out no maintenance other than to the area of land in front of the show homes. Again, we can't see why the council cannot adopt the estate as a whole, considering the amount of council tax income generated. Any maintenance costs to the council would be far less than the amounts being charged by the developer.

Nearly 50% of the on-going management fee relates to 'Admin' charges. There is no method for residents to establish how the money is being spent, copies of the books/receipts are not provided. As residents have no control of how the money is spent costs could quickly increase, residents are legally required to pay the management fee requested by the management company in other words the management company and ultimately the developer are in control of on-going management fees.

The on-going management fee also raises an issue over affordability, a Band C property currently incurs £1,689.51 per year in council tax, the management fee represents just over 10.5% of the council tax paid, this is not good value for money considering how little is being provided.

**Residential vs Commercial**

The original Phase 1 application included outline planning permission for office units (referred to as commercial in this document) located on the land that Phase 2 is going to be using. Residents have a number of concerns over how this has been handled

1. During the reserve process for a property the customer is shown the plans for the estate, the sales executive focuses on the area surrounding the customers plot. The sale executive does not point out the proposed commercial side of the development. If customers ask what is happening with this section of the development the executive will say they do not know. The development is currently on its fourth long term

sales executive, the response is always the same. If customers question further, they receive answers along the lines of 'Rowland Homes do not build commercial property'

2. A number of customers have expressed they did not know about the original commercial proposals, the reserve process is quite complex and requires customers to process a significant amount of information in a very short time, its easy to miss the details when you are focused on dealing with elements specific to your property.
3. The development has significant signage, two large signs exist at the entrance on Preston New Road, a number of smaller signs are displayed on the grass verge when you approach the development from the Paddock Drive junction, there is a further large sign where the old security cabin was located close to the turning for Kentmere Drive. The only sign advertising the commercial development was hidden behind the boundary fence at the furthest point away from the active development, the sign was pointing in one direction which means it was only visible to traffic on the opposite side of the dual carriageway assuming no vehicles were obstructing it.

Google street view images showing these signs are below



The commercial sign is shown circled in red in the above image, this is clearly not visible to traffic



This is the only position the commercial sign was visible



The above is the contents of the commercial sign



The above are the signs shown at the entrance from Preston New Road



These are the small signs outside the development, clearly not hidden behind any fencing



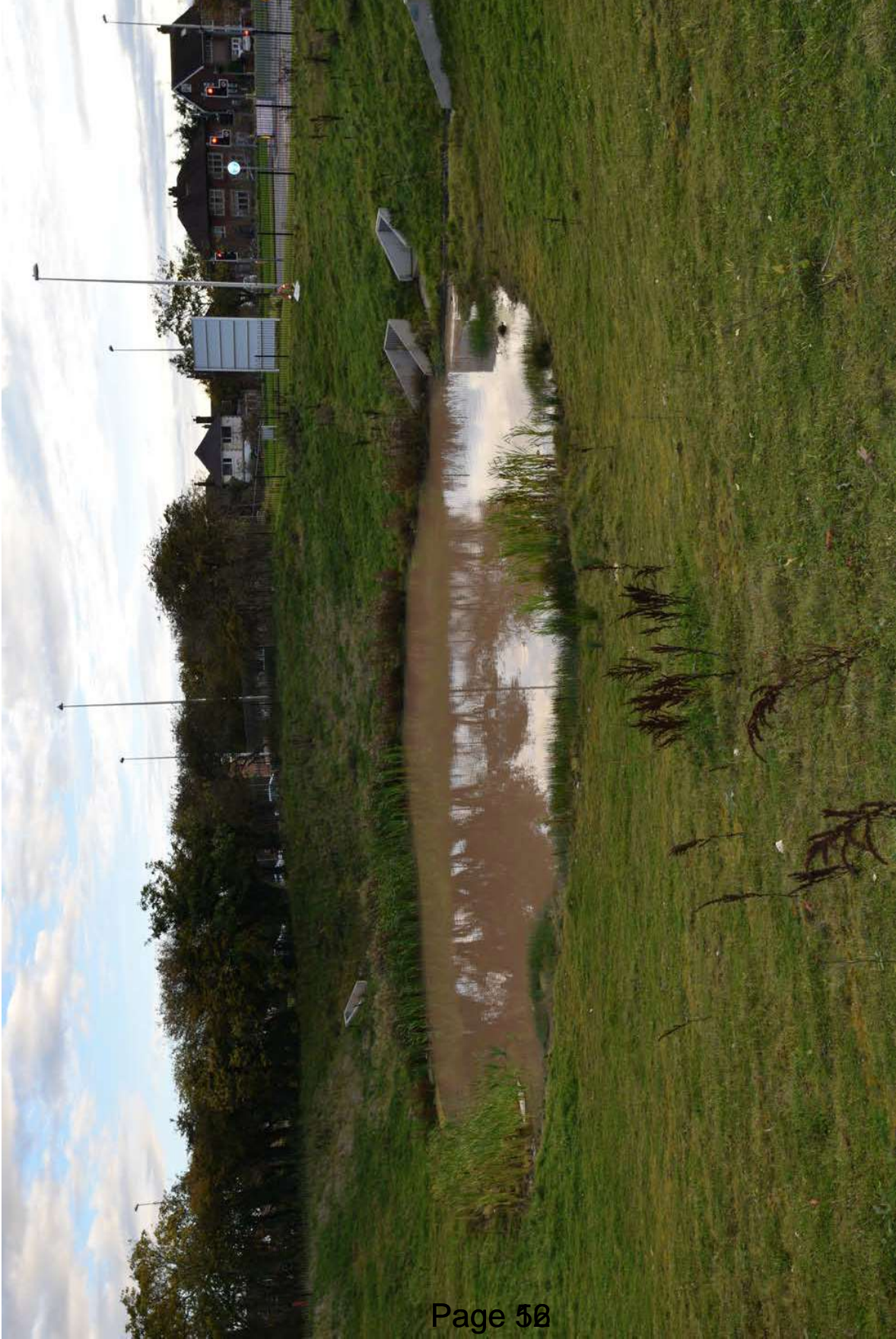
This is the sign close to the junction of Kentmere Drive

The point to the above is to highlight what appears to be a complete lack of effort by the developer to market the commercial side of the development at its physical location. If their intentions were to promote the commercial side and attract businesses why would they not use signs of the same size, the sign at the junction of Kentmere Drive is on the area where the commercial development would have occurred.

The developers own website does not show anything to do with the commercial part of the development.

The signs above were in place at the end of 2018, this is not a case of the developer simply moving the commercial signage, the size and position has remained the same.

4. A number of the drawings submitted for the Phase 2 application show document dates going back to August 2019. The developer did not inform residents legally completing on properties that they intended to submit a 'change of use' application for what was the commercial side of the development.
5. The developer has not engaged with residents of Phase 1 regarding their Phase 2 application. As Phase 2 has a significant impact on Phase 1 all residents should have been notified. Residents are surprised that Planning did not require the developer to notify all residents of Phase 1.
6. Residents primary concern with a commercial development was the lack of parking for the office units, Marple Drive would end up being used as a car park and ultimately this would have an impact on residents of Phase 1.
7. We would request that planning seek evidence from the developer to show what efforts they made to market the commercial side of the development. Simply rubber-stamping change of use to meet government house building targets is not acceptable.



The photo above is of the 'Attenuation Basin (Pond)' at the front of the development

Clare Johnson  
Development Control  
Blackpool Council  
PO Box 17  
Corporation Street  
Blackpool, FY1 1LZ

Our Ref: 2009

Date: 15 October 2020

Dear Clare

**REF. 20/0021 - LAND SOUTH EAST OF MARPLES DRIVE, BLACKPOOL**

As requested, we have now had an opportunity to review the representation made by the residents of the adjacent Marples Grange development.

As you are no doubt aware, a large number of the issues raised are not relevant planning matters. Notwithstanding, each general issue is considered in turn below.

Layout

The submission layout has been fully assessed by the Council's Planning Officers and statutory consultees. Any required amendments have been made and included in the scheme that is being put before Committee with a recommendation for approval.

Parking, Garages & Road Widths

The representation raises a number of concerns regarding parking provision and the width of unadopted roads.

The Council's Highways service has been formally consulted on the scheme and have asked for a number amendments. All of the requested amendments have been made and the Highway Authority (HA) are now satisfied with the proposal. The HA has considered the proposed layout in detail and no concerns have been raised regarding access to the driveways of specific plots or concerns regarding on-street parking.

Boundary Treatments

A comment has been made suggesting that fencing is set in from the boundaries on corner plots so that residents are required to maintain grass service strips and which in turn reduces the garden space available to the property owners. In these cases, such boundary treatments comprise 1.8 metre high timber fencing or walls to provide privacy in rear garden spaces. Having the fencing set in from the boundary allows for the provision of soft landscaping to soften the impact of the fencing on the streetscene and add visual interest. More importantly, the setback provides for visibility for residents exiting driveways immediately adjacent to these boundaries. The proposed planting provides a further layer of security to the rear gardens of these properties.

It is anticipated that residents would maintain these landscaped areas as they would the remainder of their front gardens. These areas of soft landscaping are not service strips as suggested in the representation.



#### Rear Access/Bins

The rear access to plot 179 is typical of mews/terraced plots and relevant bin carry distances are met. Paragraph 11.3.4 of the Committee Report confirms that all dwellings meet bin drag distances. The Council's Waste service has not raised any objection to the proposals.

#### Attenuation Basin

Whilst United Utilities adopt the sewer network within the existing Marples Grange development, the attenuation basin itself is not adopted, although structures such as headwalls are. The attenuation basin will be maintained by the management company, together with the other areas of public open space (POS), with its maintenance funded through the existing properties. The future residents of the subject scheme would also contribute to the future maintenance of the basin. This is standard for new housing developments and there is no requirement for United Utilities to adopt such surface water drainage features.

#### Provision of Open Space and Maintenance

The LAP is at the end of a cul-de-sac and will be level with the adjacent public footway. Details of the eventual LAP will be agreed by condition but it will include equipment primarily target at the under 6 age group. The size of the LAP exceeds the minimum requirement.

In terms of the future management of open space, the Council would not adopt these areas and as such would be managed by the management company, rather than the Council.

The fees relating to the maintenance of the open space to be provided on the subject scheme will be borne by the future residents of the application site only.

#### Street Lights and Street Signs

Street lighting and signage will be installed as part of the development in accordance with a scheme to be agreed directly with the highway authority, under a Section 38 Agreement.

#### Quality & Construction

Rowland Homes strives to build a quality product. They have systems and checks in place throughout the build process to ensure that a good quality product is handed over to the purchaser together with a system post legal completion to ensure that any issues are rectified. Each home benefits from a 10 year NHBC Warranty.

Across Rowland Homes' developments reputable contractors are employed in conjunction with good quality materials. Local Authority Building Control and the NHBC also carry out key stage inspections during the build process.

As a company Rowland Homes use the New Homes Consumer Code and will be joining the New Homes Ombudsman scheme when it is released in the new year.

Rowland Homes also use an external company to carry out post completion surveys with their purchasers. The returned surveys on Marples Grange show that 90% of the purchasers would recommend Rowland Homes which is consistent with the results for 2019/2020 legal completions across all developments.

#### Management Fees

The properties on the development will all be sold on a freehold basis, the management of areas by a management company is a separate matter.





A quote for the service charge for maintaining the management company managed areas, together with their fees, will be sought from a managing agent at the outset of the development, which will be included on the price lists for the new houses.

The purchasers of each new house pay a proportion of the annual service charge up to the end of that year dependent upon what time of year they purchase their new home. No further service charge is requested from the new homeowners until the management company managed areas are handed over to the managing agent to manage on behalf of the management company.

Until such time Rowland Homes maintain the management company managed areas without utilising the service charges paid by the new homeowners. These monies are held in a fund on behalf of the management company until it is handed over to the new residents who appoint directors to run the management company.

Ultimately the residents can then retain the services of the appointed managing agent or may then wish to appoint a different managing agent or administer the management company themselves.

#### Residential vs Commercial

There has been no attempt by the applicants to conceal the extant outline permission for the employment use adjacent to the Marples Grange development. Indeed the detailed residential scheme was approved at the same time as the employment use under the same permission. The prospects of the subject land being developed for commercial uses has simply been uncertain for some time given the lack of interest from prospective operators.

As confirmed in the Officer's Report to Committee, the developers have conducted an appropriate marketing exercise which has proved unsuccessful. The residential development of the site will make a substantial contribution to the Council's housing needs in a sustainable location which makes efficient use of previously developed land. The site also forms a proposed housing allocation in the Council's emerging Site Allocations document (Local Plan Part 2), to which no objections have been received.

In any case, it is noted that the introduction to the representation confirms that the residents do not object to the principle of its development for housing.

In summary, it is considered that the large majority of issues raised in the representation are not matters relevant to the determination of the application. There have been no objections raised by statutory consultees and the Officer's Report to Committee confirms that the principle of development is acceptable. The detailed proposals have also been found to accord with relevant policies within the Development Plan.

There have been no matters raised which would warrant a refusal of the application.

Yours sincerely

**JEN BEARDSALL MRTPI**

[jen@depol.co.uk](mailto:jen@depol.co.uk)

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

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

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

Location Plan - Drawing No R087/1001 dated 11/2019  
Topographical Land Survey - Drawing No RH.RL.16 Rev G dated 15/10/2017  
Planning Layout - Drawing No R087/1 Rev C dated 02/10/2020  
Coloured Planning Layout - Drawing No R087/1 Rev C dated 02/10/2020  
External Works Layout Sheet 1 - Drawing No 30437/7/1 Rev B dated 24/09/2020  
External Works Layout Sheet 2 - Drawing No 30437/7/2 Rev B dated 24/09/2020  
External Works Layout Sheet 3 - Drawing No 30437/7/3 Rev A dated 10/09/2020  
Site Sections - Drawing No 30437/200 Rev A dated 24/09/2020  
Street Scenes - Drawing No R087/1000 dated 08/2019  
Bowes House Type - Drawing No HT104/P/11 Rev D dated 15/02/2019  
Bowes House Type - Drawing No HT104/P/12 Rev D dated 15/02/2019  
Burlington House Type - Drawing No HT105/P/117 Rev B dated 18/06/2019  
Victoria House Type - Drawing No HT132/P/114 Rev B dated 07/03/2017  
Ashgate House Type - Drawing No HT138/P/11 Rev B dated 28/04/2017  
Ashgate II House Type - Drawing No HT138/P/20 dated 11/2018  
Bonington House Type - Drawing No HT147/P/110-1 dated 07/2012  
Bonington House Type - Drawing No HT147/P/110-11 dated 06/2012  
Bonington House Type - Drawing No HT147/P/112-12 Rev A dated 15/02/2019  
Bonington - Drawing No HT147/P/113 dated 03/2012  
Bonington - Drawing No HT147/P/114-2 dated 02/2017  
Bonington - Drawing No HT147/P/207 dated 03/2012  
Bonington House Type - Drawing No HT147/P/209 dated 03/2017  
Bonington - Drawing No HT147/P/210 Rev A dated 15/02/2019  
Renishaw House Type - Drawing No HT149/P/300 Rev C dated 15/02/2019  
Renishaw House Type - Drawing No HT149/P/301 Rev C dated 15/02/2019  
Holbrook House Type - Drawing No HT162/P/115 Rev A dated 14/08/2018  
Lowry House Type - Drawing No HT164/P/5 dated 09/2019  
Gladstone House Type (OPP) - Drawing No HT165(H)/P/6 dated 09/2019  
Charleston House Type - Drawing No HT166/P/115 dated 02/2017  
Single Detached Garage - Drawing No P/SG/1 Rev B dated 09/04/2019  
Materials Schedule - Drawing No R087/3 Rev A dated 29/09/2020  
Landscape Proposals Plots 116-205 - Drawing No 2288\_02 Rev E dated 30/09/2020  
Landscape Proposals Plots 118-119, 123-141 - Drawing No 2288\_03 Rev E dated 30/09/2020  
Landscape Proposals Plots 116-124, 161-177 - Drawing No 2288\_04 Rev E dated 30/09/2020  
Landscape Proposals Plots 172-173, 199-205 - Drawing No 2288\_05 Rev E dated 30/09/2020  
Landscape Proposals Plots 142-160, 178-198 - Drawing No 2288\_06 Rev E dated 30/09/2020  
Fencing Layout - Drawing No R087/2 Rev B dated 02/10/2020  
1000mm High Bow Top Railings - Drawing No SD.239 dated 09/2020

Timber Fence details - Drawing No SD.1 Rev A dated 10/11/2011  
Post and Rail Fence details - Drawing No SD.21 dated 08/2004  
Knee Rail Fence details - Drawing No SD.23 Rev B dated 07/03/2016  
High Screen Wall details - Drawing No S.D.46 Rev A dated 11/06/2010  
Tree Protection Plan - Drawing No 2288\_07 Rev D dated 29/09/2020  
Arboricultural Method Statement 2288 Rev D dated 09/2020  
Shadow Habitats Regulation Assessment ref. 3385 dated 19/05/2020  
Transport Statement and Travel Plan dated 12/2019  
Construction Environmental Management Plan dated 09/01/2020  
Ecological Appraisal dated 12/11/2019  
FRA Addendum 881915-R1 (02)-FRA dated 01/2020  
Highways and Drainage Layout - Drawing No 30347/1 dated 06/2020  
Geoenvironmental Site Assessment 13-834-R1 dated 11/2019  
Build Phase Remediation Strategy Letter 13-834-L1 Rev A dated 17/07/2020

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

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

- 3 The external materials to be used on the development hereby approved shall be as specified on the Materials Schedule - Drawing No R087/3 Rev B dated 29/09/2020 unless otherwise first submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any above ground construction.

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

- 4 Prior to the first occupation of the development hereby approved:
- (a) a landscaping scheme shall be submitted to and agreed in writing by the Local Planning Authority. This scheme shall include a full planting schedule detailing plant species and initial plant sizes, numbers and densities and shall include planting details for the attenuation basin;
  - (b) the landscaping scheme agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details; and
  - (c) Any trees or plants planted in accordance with this condition that are removed, uprooted, destroyed, die or become severely damaged or seriously diseased within 7 years of planting shall be replaced within the next planting season with trees or plants of similar size and species to those originally required unless otherwise first submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall in accordance with Policies CS6, CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies NE6, LQ1 and LQ6 of the Blackpool Local Plan 2001-2016.

- 5 The surfacing materials including in the rear gardens, to be used in the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the laying down of any final surfacing and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the site, streetscene and the wider estate and to ensure there is sufficient permeable surfaces and green infrastructure to act as a soak away, in accordance with Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policy LQ1 of the Blackpool Local Plan 2001-2016.

- 6 Details of how the landscape strip between plots 140-150 and 184-191 and properties fronting Mythop Road can be secured, shall be submitted to and agreed with the Local Planning Authority. The approved details shall be provided in full prior to the occupation of plots 140-150 and 184-191.

Reason: In the interests of the security of plots 140-150 and 184-191 and properties fronting Mythop Road in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policy LQ1 of the Blackpool Local Plan 2001-2016.

- 7 Details of security lighting for each dwelling shall be submitted to and agreed in writing with the Local Planning Authority. No dwelling shall be occupied in advance of the installation of the agreed security lighting.

Reason: In the interests of secured by design principles and to safeguard the amenities of nearby residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

- 8 The windows and doors hereby approved shall be recessed behind the front face of the elevation in which they are set by the same degree as the windows and doors in phase 1 of the development.

Reason: In order to secure appropriate visual articulation and interest in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ1 and LQ14 of the Blackpool Local Plan 2001-2016.

- 9 No dwelling with a garage shall be occupied in advance of the installation of a 3kV connection in that garage.

Reason: To facilitate sustainable transport by ensuring there is adequate infrastructure to enable the charging of plug-in and other ultra-low emission vehicles in accordance with paragraph 110 part e) of the National Planning Policy Framework.

- 10 The development shall not commence until the tree protection measures set out in the plans and documents below are implemented and these protection measures shall be in place for the duration of the site preparation and construction period.

Tree Protection Plan - Drawing No 2288\_07 Rev D dated 29/09/2020  
Arboricultural Method Statement Rev D dated 09/2020

Reason: To secure the protection, throughout the time that the development is being carried out, of trees and/or hedgerows growing within or adjacent to the site which are of amenity and biodiversity value to the area, in accordance with Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies NE6 and LQ6 of the Blackpool Local Plan 2001-2016.

- 11 No trees or hedgerows shall be felled or cleared during the main bird nesting season (March to August inclusive) unless written confirmation of the absence of nesting birds by a suitably qualified and experienced ecologist has been submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to safeguard biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies NE6 and LQ6 of the Blackpool Local Plan 2001-2016.

- 12 The development hereby approved shall proceed in full accordance with the recommendations set out in the revised Shadow Habitats Regulation Assessment ref. 3385 dated 19/05/2020.

Reason: In order to safeguard and enhance biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies NE6 and LQ6 of the Blackpool Local Plan 2001-2016.

- 13 Prior to the commencement of any above ground construction, a scheme of ecological enhancement shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with this approved scheme. For the purpose of this condition, the scheme of ecological enhancement shall include:

- Provision of bird and bat boxes
- Features to facilitate the roaming of small mammals

Reason: In order to safeguard and enhance biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies NE6 and LQ6 of the Blackpool Local Plan 2001-2016.

- 14 The development shall be completed in accordance with the approved Highways and Drainage Layout drawing number 3037/1 dated 06/2020, unless otherwise agreed in writing with the local planning authority.

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

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

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

b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) to include elements such as:

(i) on-going inspections relating to performance and asset condition assessments

(ii) operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

c) Means of access for maintenance and easements where applicable.

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

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development in accordance with Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027. This information must be agreed prior to the commencement of development in order to ensure appropriate drainage of the site as the development proceeds.

16 (a) Prior to the commencement of development, a plan to identify those areas of the site proposed to be adopted by the Local Highway Authority and those areas proposed to be managed and maintained by third parties shall be submitted to and agreed in writing by the Local Planning Authority.

(b) Prior to the commencement of development a Highway Management Plan to for those areas of the site to be managed and maintained by third parties shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall:

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

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

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

17 The development shall proceed in full accordance with the details in the submitted Construction Environmental Management Plan, dated 09/01/2020.

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

18 Prior to the commencement of any above ground construction, a scheme for the provision of the Local Area of Play (LAP) shown on plan Landscape Proposals Plots 118-119, 123-141 including the design and placement of the play equipment and cross sections showing finished levels, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed LAP and associated play equipment shall then be provided in full and in full accordance with the approved details prior to the first occupation of any dwelling on the site and shall thereafter be retained and maintained unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that the needs of young children occupying the development are met by the development in accordance with Policies CS6 and CS15 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.



- 19 In accordance with the details in the submitted Remediation Strategy, the remediation shall take place and a validation report shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with Saved Policy BH4 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027. This information is required to be submitted and agreed prior to commencement in order to ensure that the development hereby approved proceeds safely.

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no walls, fences or gates shall be erected within any part of the curtilage of any dwellinghouse that fronts a highway other than in accordance with the approved plans referenced in condition 6 of this permission.

Reason: The development has been designed around an open-plan layout and the erection of a variety of different boundary treatments would significantly detract from the quality, character and appearance of the streetscene. This condition is therefore required in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ1 and LQ2 of the Blackpool Local Plan 2001-2016.

- 21 The development hereby approved shall proceed and be operated in full accordance with the submitted and approved Travel Plan in the submitted Transport Statement.

Reason: In order to encourage travel to and from the site by sustainable transport modes in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

- 22 Prior to the occupation of each dwelling, the parking provision shown on the approved plans for that dwelling shall be provided and shall thereafter be retained as such.

Reason: In order to ensure that appropriate car parking provision is available to meet the needs of the development in the interests of public amenity, highway safety and the appearance of the streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ1, BH3 and AS1 of the Blackpool Local Plan 2001-2016.

- 23 Other than on collection day, no refuse or recycling bin shall be stored forward of the front building line.

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

- 24 Notwithstanding the definition of development as set out under section 55 of the Town and Country Planning Act 1990 or the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), the garages and parking spaces shall not be used for any purpose that would preclude their use for the parking of a vehicle.

Reason: In order to ensure that appropriate car parking provision is available to meet the needs of the development in the interests of public amenity, highway safety and the appearance of the streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ1, BH3 and AS1 of the Blackpool Local Plan 2001-2016.

- 25 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no change of use from Use Class C3 to Use Class C4 shall take place without the written approval of the Local Planning Authority.

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

- 26 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no property shall be used as holiday or short stay accommodation without the written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises, to ensure new holiday accommodation is provided in accordance with the Council's Holiday Accommodation Strategy and to ensure a sufficient supply of good quality family houses to support the aim of creating balanced and healthy communities, in accordance with Policies CS1, CS12, CS13, CS21 and CS23 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies BH3 and HN5 of the Blackpool Local Plan 2001-2016.

#### **ADVICE NOTES TO DEVELOPERS**

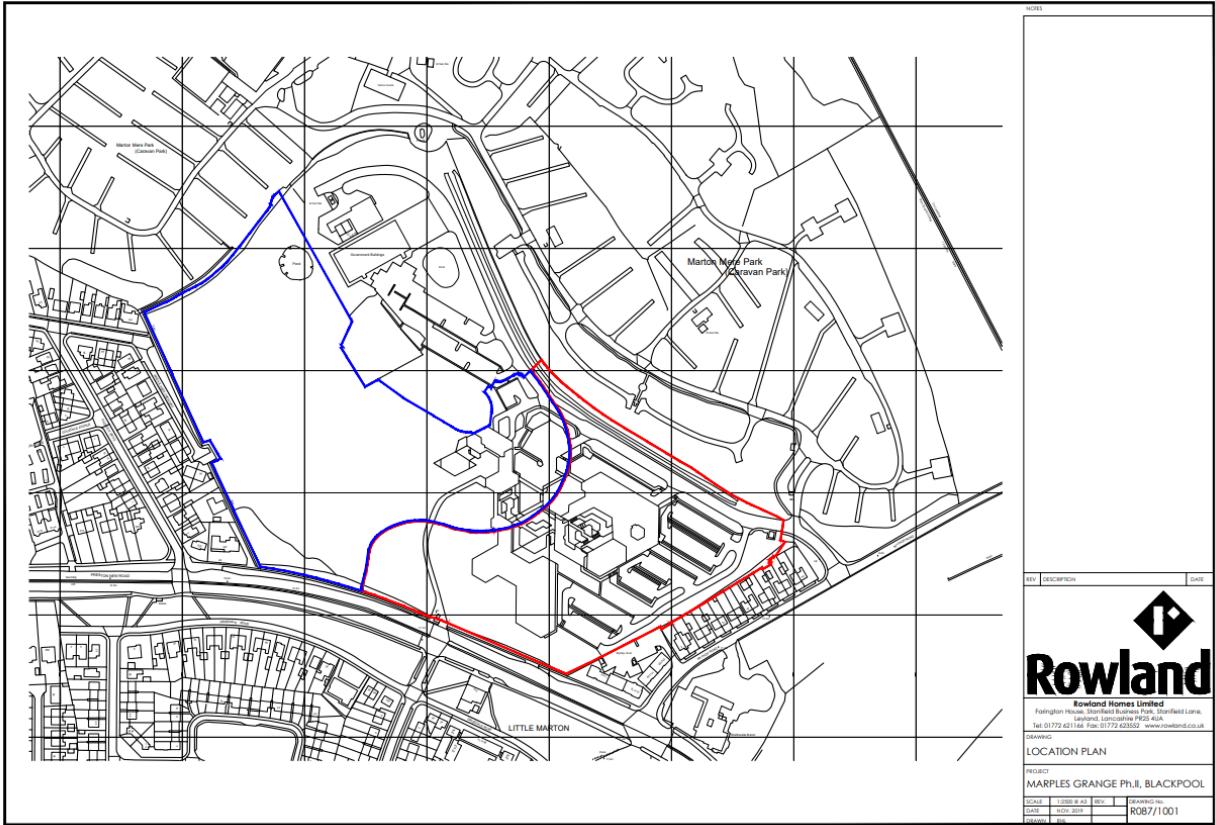
1. The grant of planning permission will require the developer to enter into an appropriate Legal Agreement with Blackpool Borough Council acting as Highway Authority. The Highway Authority may also wish to implement their right to design all works within the highway relating to this proposal. The applicant is advised to contact the Council's Highways and Traffic team via email to [highwaysandtraffic@blackpool.gov.uk](mailto:highwaysandtraffic@blackpool.gov.uk) or by telephone on 01253 477477 in the first instance to ascertain the details of such an agreement and the information provided.

2. Please note that new addresses needed as a result of this development must be agreed by the Council. Please contact the Council on 01253 477477 for further information.
  
3. Blackpool Council operates a refuse collection and recycling service through the use of wheeled bins. Developers of new residential properties, including conversions, will be required to provide these bins. Contact should be made with the Council's Waste Services team via email to [waste@blackpool.gov.uk](mailto:waste@blackpool.gov.uk) or by telephone to 01253 477477 for further advice and to purchase the bins required.
  
4. Please be advised that, as applicant, it is your responsibility to ensure the works carried out to the trees do not disturb or cause harm or injury to protected species. Nesting birds and roosting bats are both protected. It is a criminal offence to intentionally disturb or cause harm or injury to protected species under the Wildlife and Countryside Act 1981.  
  
If you propose to fell a tree or trees, you may require a felling licence. Further details can be found here: <https://www.gov.uk/guidance/tree-felling-licence-when-you-need-to-apply>.
  
5. In relation to condition 7, lighting is required to each dwelling elevation that contains a door set i.e. photoelectric 'dusk until dawn' LED fittings. Good, even coverage of street lighting will enable views within the development when natural light is minimal and certified to BS 5489:2013.

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20/0021 – land at Marples Drive

Location plan:



Site layout plan:

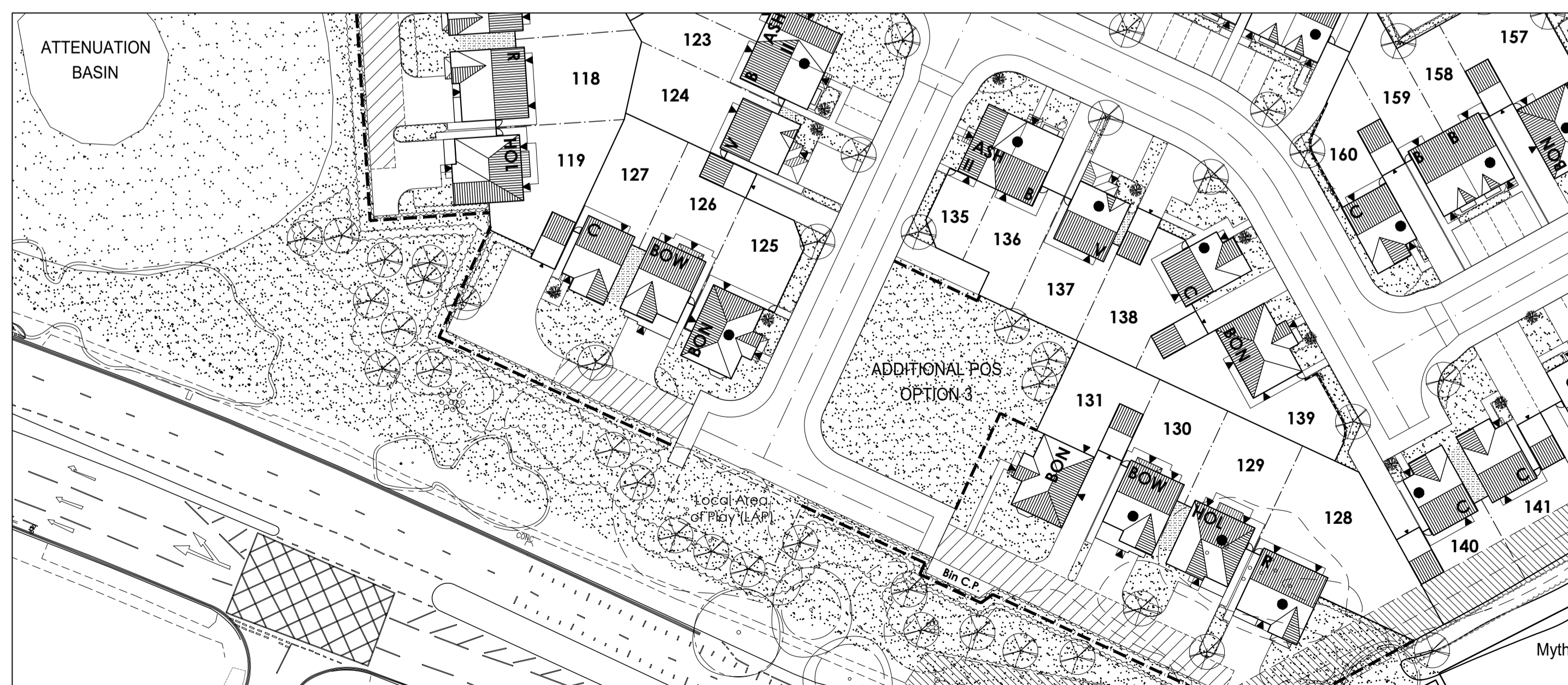
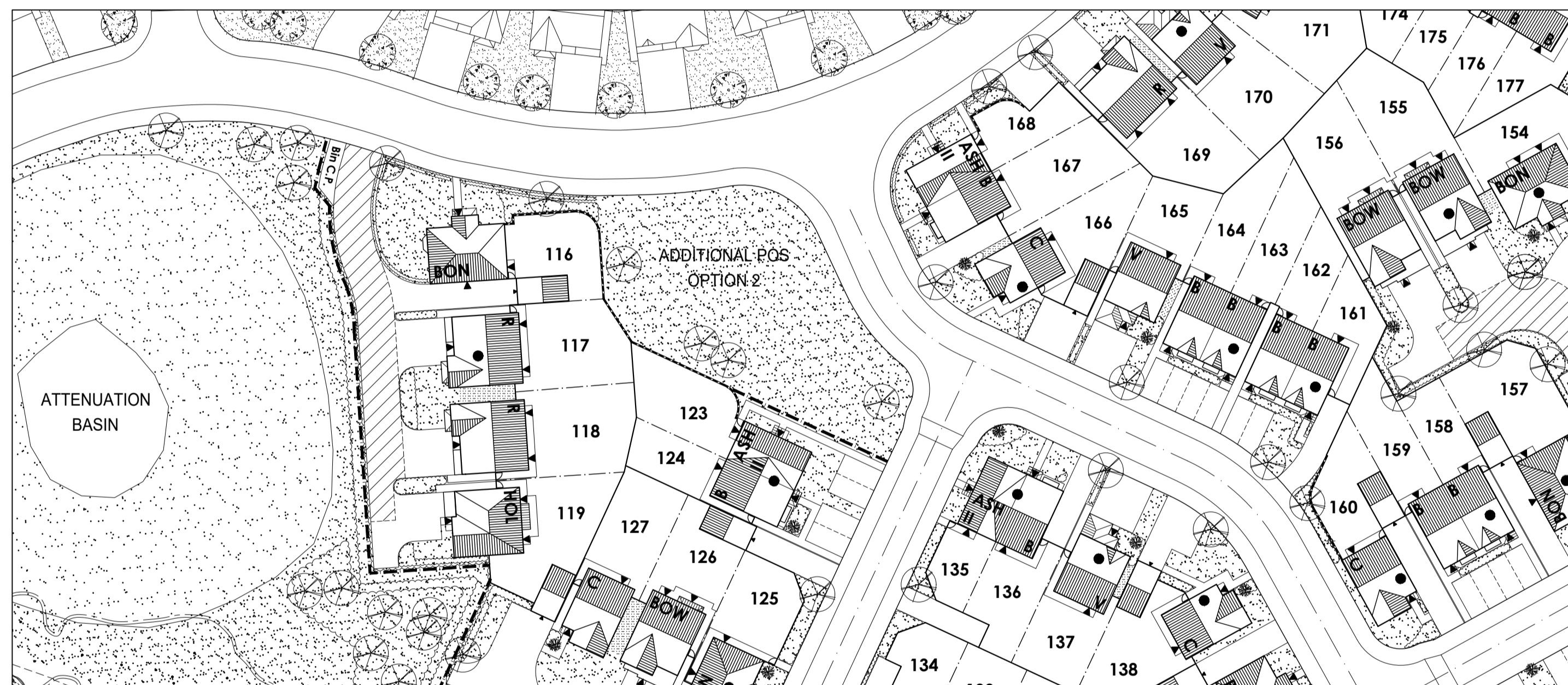
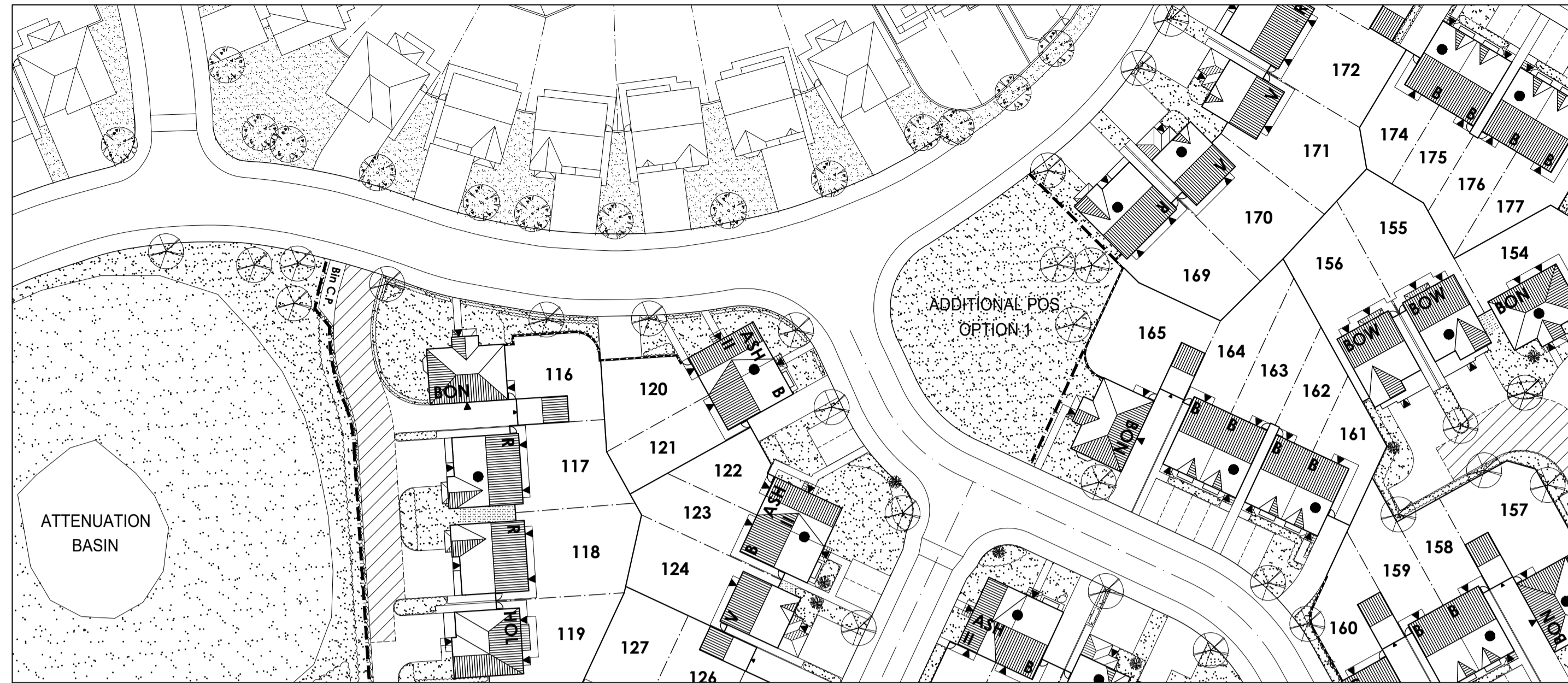


Site sections:



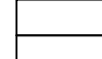
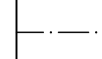
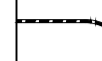
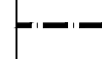








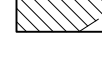
Example house type:



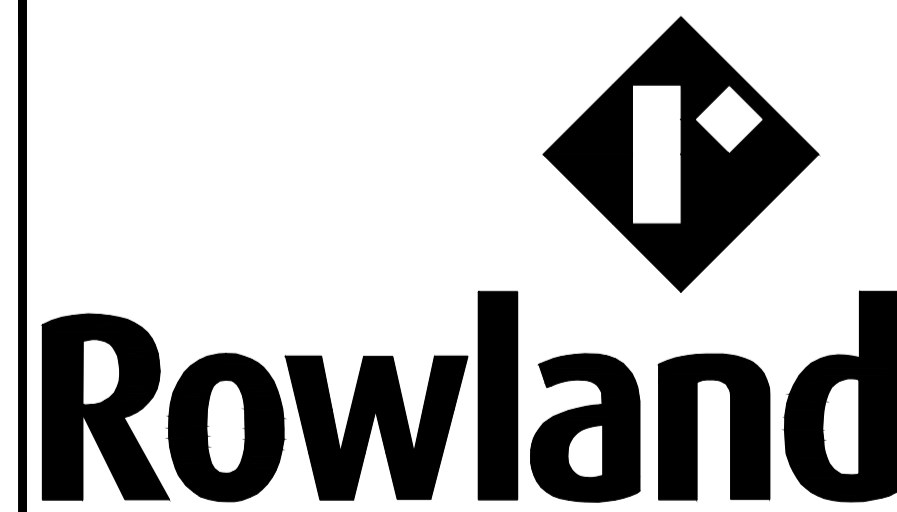


NOTES

KEY

-  1.8m HIGH TIMBER SCREEN FENCE TO SEPARATE DETAIL - SD.1
-  900mm POST & RAIL FENCE TO SEPARATE DETAIL - SD.21
-  1.8m HIGH SCREEN WALL TO SEPARATE DETAIL - SD.46
-  0.45m HIGH KNEE RAIL TIMBER FENCE TO SEPARATE DETAIL - SD.23
-  EXISTING TREES TO BE RETAINED - EXISTING TREES WITHIN SITE & ON SITE BOUNDARIES TO BE TRIMMED
-  ROOT PROTECTION AREA (RPA) OF EXISTING TREE
-  EXISTING TREE TO BE REMOVED
-  PROPOSED TREE
-  SHARED DRIVES
-  GRASS
-  MULCH
-  HANDED PROPERTIES
-  EASEMENT

REV	DESCRIPTION	DATE



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DRAWING  
**ADDITIONAL POS OPTIONS**

PROJECT  
**NS&I - Ph.II  
 MYTHOP ROAD, BLACKPOOL**

SCALE	1:500 @ A1	REV.		DRAWING No.
DATE	OCT '20			POS OPTIONS
DRAWN	RHL			

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