

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

Application Reference: 17/0439

WARD: Greenlands

DATE REGISTERED: 23/06/17

LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission

APPLICANT: Haboth Properties Limited

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

LOCATION: 50 BISPHAM ROAD, BLACKPOOL, FY2 0SX

Summary of Recommendation: Grant Permission

CASE OFFICER

Mr M Shaw

BLACKPOOL COUNCIL PLAN 2015 -2020

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

SUMMARY OF RECOMMENDATION

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

SITE DESCRIPTION

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

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

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

DETAILS OF PROPOSAL

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

MAIN PLANNING ISSUES

The main planning issues are considered to be:

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

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

CONSULTATIONS

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

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

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

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

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

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

L_{Afmax} 45dBmax indoors evening 19.00-23.00

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

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

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

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

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

PUBLICITY AND REPRESENTATIONS

Press notice: 6 July 2017

2 x site notices displayed: 29 June 2017

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

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

34 Chelsea Avenue, Blackpool-

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

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

NATIONAL PLANNING POLICY FRAMEWORK

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

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

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

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

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

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

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

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

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

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

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

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

- LQ1 Lifting the quality of design
- LQ2 Site Context
- LQ4 Building Design
- LQ6 Landscape Design and Biodiversity
- AS1 General Development Requirements
- BH3 Residential and Visitor Amenity
- BH4 Public Health and Safety
- BH10 Open Space
- HN4 Windfall sites

Also relevant are the National Technical Housing Standards.

ASSESSMENT

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

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

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

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

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

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

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

CONCLUSION

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

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

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

FINANCIAL BENEFITS

None

HUMAN RIGHTS ACT

Under Article eight and Article one of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. It is not considered that the application raises any human rights issues.

CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the Council's general duty, in all its functions, to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998

APPENDICES

Appendix 10a Location Plan

Appendix 10b: Letter from the Planning Inspectorate.

BACKGROUND PAPERS

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

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

Recommended Decision: Grant Permission

Conditions and Reasons

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

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

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

Location Plan stamped as received by the Council on 23rd June 2017

Drawings numbered

16-2237-PN001

16-2237-PN101

16-2237-PN102

16-2237-PN201

16-2237-PN301

7162/02

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

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

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

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

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

5.
 - a) No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed changes to existing ground levels, means of enclosure and boundary treatment, areas of soft landscaping, hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.
 - b) The landscaping works shall be carried out in accordance with the approved details within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner.)
 - c) Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within five years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Advice Notes to Developer

Not applicable