

COMMITTEE DATE: [26/09/2017](#)

Application Reference: 17/0501

WARD: Brunswick
DATE REGISTERED: 27/07/17
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Outline Planning Permission
APPLICANT: Mr S Whitaker

PROPOSAL: Erection of four semi-detached dwellinghouses, with three detached garages and associated access from Olive Grove (Outline Application)

LOCATION: LAND TO REAR OF 14-20 OLIVE GROVE, BLACKPOOL, FY3 9AS

Summary of Recommendation: Refuse

CASE OFFICER

Mr M Davies

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority one of the Plan** - The economy: Maximising growth and opportunity across Blackpool in so far as it would involve construction jobs but does not accord with **Priority two of the Plan** - Communities: Creating stronger communities and increasing resilience for the reasons set out in this report.

SUMMARY OF RECOMMENDATION

Having regard to policy and other material considerations the proposal constitutes overdevelopment of the site and should therefore be resisted in favour of a more appropriate form of development which minimises its impact on the surroundings.

INTRODUCTION

No pre-application advice was sought prior to the submission of the application. Given the lack of pre-application consultation and the number of issues with the proposal, officers have not sought to negotiate an improved scheme.

SITE DESCRIPTION

The site is unallocated on the Blackpool Local Plan Proposals Map, but sits within an established residential area.

The site is currently vacant but was formerly used as a workshop and storage yard in connection with a building and joinery business. There are a number of small single storey structures along the eastern and southern boundaries of the site. The site is enclosed on all four sides by the backs of adjoining houses (fronting Mere Road, Beech Avenue, Olive Grove and Hazel Grove) and is accessed via a single unadopted alley between 12 and 14 Olive Grove, which can only accommodate single file traffic. The site is reasonably well screened by high boundary walls and mature trees, but nonetheless overlooked by residential properties on all sides. The existing structures on site are situated towards the rear boundaries of the properties fronting onto Olive Grove and have fallen into disrepair as a result of not being used for some time.

DETAILS OF PROPOSAL

The application seeks outline planning permission for four dwellings consisting of two pairs of semi-detached dwellings as well as three garages to serve the development.

Approval is sought for the following details as part of this application - access, layout and scale with details of appearance and landscaping being reserved for approval at a later date.

The application is accompanied by a location plan, a site layout plan, a drainage plan, details of house types and a topographical survey. The application form indicates that there are no trees either on the site or adjoining it that will influence the development yet the topographical survey indicates a substantial number of trees around the edge of the site. The application is not accompanied by an arboricultural survey or report.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle
- Design
- Amenity
- Highway Safety
- Parking and Servicing Arrangements
- Trees
- Topography/Levels
- Other Issues

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

CONSULTATIONS

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

Blackpool Services, Contaminated Land -There has been no indication of previous historical land uses which could have led to a concern of contamination on the land, therefore no further information is required.

WASTE- Residential -The applicant has not given consideration in the application for refuse storage and collection. The properties would need to have adequate storage for up to three waste receptacles, 240 litre wheeled bins. The access road would also need to be wide enough for a refuse collection vehicle to safely access or the residents would need to present their bins at the end of the access road for emptying.

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 09 August 2017

Neighbours notified: 01 August 2017

Seven letters of objection have been received from neighbours (26, 30, 32 and 34 Mere Road, 16 Olive Grove and 55 and 57 Beech Avenue) in relation to the proposed development. The reasons for objection can be summarised as follows:

- Overdevelopment
- Inadequate Access
- Off Street Parking Provision
- Residential Amenity
- Noise and Disturbance
- Loss of Trees
- Impact on nature conservation
- No refuse storage provision
- Party wall issues
- Inaccurate plans and application forms

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) states that there is presumption in favour of sustainable development where approving development proposals that accord with the development plan and 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, when assessed against the policies in the NPPF taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

Of particular relevance to this proposal are paragraph 17, Core principle 6 “Delivering a Wide Choice of High quality Homes” (Paragraphs 48- 50) and Core Principle 7 “Requiring good design” of the NPPF (Paragraph 56 - 66). 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 local planning authorities should deliver a wide choice of high quality homes, widen opportunities for home

ownership, and create sustainable, inclusive and mixed communities. Paragraphs 56 – 66 relate to the need to achieve high quality design.

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 -

CS2 - Housing Provision

Provision will be made for the delivery of 4200 (net) new homes in Blackpool between 2012 and 2027. These new homes will be located on: Identified sites within the existing urban area, including major regeneration sites; Identified sites within the South Blackpool Growth area; and Windfall sites.

CS7 - Design Quality

1. New development in Blackpool is required to be well designed, and enhance the character and appearance of the local area and should:
 - a. Be appropriate in terms of scale, mass, height, layout, density, appearance, materials and relationship to adjoining buildings
 - b. Ensure that amenities of nearby residents and potential occupiers are not adversely affected
 - c. Provide public and private spaces that are well-designed, safe, attractive, and complement the built form
 - d. Be accessible to special groups in the community such as those with disabilities and the elderly
 - e. Maximise natural surveillance and active frontages, minimising opportunities for antisocial and criminal behaviour
 - f. Incorporate well integrated car parking, pedestrian routes and cycle routes and facilities
 - g. Provide appropriate green infrastructure including green spaces, landscaping and quality public realm as an integral part of the development
 - h. Be flexible to respond to future social, technological and economic needs.
2. Development will not be permitted that causes unacceptable effects by reason of visual intrusion, overlooking, shading, noise and light pollution or any other adverse local impact on local character or amenity.
3. Contemporary and innovative expressions of design will be supported, where appropriate.

Policy CS12 - Sustainable Neighbourhoods

The Policy states that to secure a better quality of life for residents and to deliver sustainable neighbourhoods, the Council will support development and investment which provides high quality housing with an appropriate mix of types and tenures to meet the needs and aspirations of existing and future residents and assists with rebalancing the housing market, creates a healthy, safe, secure and attractive environment and public realm, which promotes local pride and a sense of place and addresses the need for a balanced provision of resident and visitor parking alongside streetscape enhancement.

Policy C13 - Housing Mix, Density and Standards

New residential development will be required to provide an appropriate mix of quality homes which help to rebalance Blackpool's housing supply and support sustainable communities, by providing quality living accommodation, which meets the relevant standards in place for conversions or new build development.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

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

The following policies are most relevant to this application:

- LQ1 - Lifting the Quality of Design
- LQ2 - Site Context
- LQ3 - Layout of Streets and Spaces
- LQ4 - Building Design
- LQ6 - Landscape Design and Biodiversity
- HN4 - Windfall Sites
- BH3 - Residential and Visitor Amenity
- BH10 - Open Space in New Housing Developments
- AS1 - General Development Requirements

National Guidance

The National Technical Housing Standards provide guidance on the minimum acceptable standards for new dwellings and is a relevant consideration in relation to this proposal.

ASSESSMENT

Principle - The site is located within an established residential area and as such the principle of residential development is acceptable in purely land use terms from a planning policy perspective. However the form this takes will be determined by the confined nature of the site in relation to its surroundings and its other characteristics such as trees and topography.

Design - The four proposed dwellings would each have an internal floorspace of 85.75sqm spread across two storeys and three bedrooms. There is a two person bedroom in each dwelling with the others being single person bedrooms. Under the National Housing Technical Standards the minimum size for a four person three bedroom dwelling is 84sqm. Therefore the proposed dwellings meet the minimum size standards.

The design of the properties is utilitarian in approach rather than aesthetically pleasing, but given the location on a backland site they will not be visible in the street scene and it is therefore considered that the design is acceptable in this context.

Amenity - The distance between the gable end of the Plot 1 and the rear elevation of 7 and 9 Hazel Grove is a 6.4 metres. Whilst, the gable end of Plot 4 is located 9 metres from the rear elevation of 30 and 32 Mere Road. The rear gardens to the existing properties on Hazel Grove and Beech Avenue are fairly small with the Hazel Grove gardens being approximately 3.2 metres in length along the perimeter backing onto the site and the Beech Avenue gardens being longer at approximately 9.8 metres. It should also be noted that a retaining wall runs around the perimeter of the site on these two sides and that the properties on Hazel Grove and Beech Avenue are elevated above the site on higher ground.

Highway Safety - This is likely to be a significant issue. The width of the access road is sub-standard for two way traffic to pass being only 3 metres wide and therefore there is significant potential for vehicles either entering or leaving the site to have to reverse to give way to an oncoming vehicle. Given that on average four dwellings will generate 32 vehicular movements per day this would be a significant drawback with the proposal. It should also be noted that the road network in the vicinity is already congested with high levels of on-street parking and vehicles reversing out into Olive Grove would exacerbate this and create a highway safety issue.

Access to the site was restricted via a gated alley way between 12 and 14 Olive Grove until recently when the gates were removed. The development will undoubtedly result in an increase in vehicular and pedestrian traffic to the site and thus present an increased opportunity for crime by compromising the security of both existing and prospective residents. Residents have already raised the issue of having the gates reinstated due to increased instances of anti-social behaviour at the rear of their properties since the removal of the gates.

Whilst, the application form indicates that the road will be handed over for adoption to the Local Authority, the nature of the access means that it will not meet adoptable standards so will have to remain private. As the road will not be adopted pedestrians will also come into conflict with vehicular traffic entering and leaving the site on an unlit access with no demarcation between the two. It is considered that this will result in further conflicts to the detriment of pedestrian and highway safety. It should also be noted that no lighting is proposed which will further exacerbate the dangers outlined.

The property at 14 Olive Grove is currently sub-divided into two flats and access to the upper flat is via a doorway at the side which opens out onto the access road. There is a step at the foot of the doorway which is not shown on the submitted plans and this further restricts the width of the access. It was also observed that residents of Olive Grove use the proposed access road to store their refuse bins on collection day when they take them out from rear gardens and wheel them round to the side of 14 Olive Grove ready for collection. This is likely to lead to a further impediment to vehicles accessing and egressing the site.

Finally, in relation to highway safety there is no ability to improve the visibility splays for vehicles entering and leaving the site due to the properties 12 and 14 Olive Grove being hard up to the access road. With the carriageway on Olive Grove already being heavily

parked any increase in vehicles entering and leaving this site can only be to the detriment of highway safety.

Parking and Servicing Arrangements - The appellant has provided a single car parking space for each of the four proposed dwellings. This is below the level of parking specified in Appendix B of the Blackpool Local Plan 2001 – 2016 which recommends two spaces for a three bed dwelling which would require a provision of eight off-street spaces on site.

With access to the site being via a narrow alley this presents a significant obstacle to emergency vehicles being able to access the site. In addition, delivery vehicles will not be able to get into the site to make deliveries. The distance between the adopted highway and the proposed dwellings is also in excess of the recommended drag distance of 25 metres for refuse bins and the width of the access track would not allow for refuse lorries to enter the site, manoeuvre and leave in a forward gear.

Taking the issues outlined above in relation to the deficiencies in relation to access, parking and servicing of the site, it is considered as such that the development is contrary to Policies CS7 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies AS1 and BH3 of the Blackpool Local Plan 2001-2016.

Trees - No tree survey was submitted with the application despite there being a number of mature trees surrounding the edge of the site. The proposals indicate that development would take place under the canopy spread of existing trees and therefore root damage is likely to occur if development takes place. The application forms indicate that no trees, either on the site or adjoining it, will impact on the development, yet the site layout plan submitted indicates that development will take place within the crown spread of mature and semi-mature trees on adjoining land. It is therefore clear that the development as proposed will have an adverse impact on these trees and will likely result in them being removed during development as it is difficult to envisage how they can be retained given their proximity to the development.

In addition, experience suggests that if houses are constructed this close to trees then future occupiers will want to remove the trees to allow more sunlight to their properties and gardens. There is also the added problems associated with leaf litter and residue at various times of the year leading to blocked gutters etc. which will again prompt future residents to seek a solution by removing trees.

Topography/Levels - The application was submitted with a topographical survey of the site and sections through it to show the relationship of the site to its surroundings. These plans indicate a fairly flat site, however it is clear that the site and its surrounds are situated on a slope and the submitted plans do not accurately reflect this. The perimeter block which surrounds the site is at its highest point in the north east corner at the junction of Hazel Gove and Beech Avenue and drops away to the south west corner which is the lowest point at the intersection of Olive Grove and Mere Road. The topographical survey submitted does not indicate any heights outside of the site.

Other Issues - Party Wall issues are dealt with under the Party Wall Act (1996) and are a civil matter between the landowners rather than a material planning consideration.

The impact on the development on wildlife and nature conservation has been raised as an issue. No ecological survey was required as part of this application as there is no evidence of any protected species being on site. Whilst nature conservation is a material planning consideration it is not considered that in this particular case the site warrants any further investigation.

CONCLUSION

In terms of paragraph 14 of the National Planning Policy Framework it is considered that the adverse impacts of the development would significantly and demonstrably outweigh any benefits. It is not considered that the proposal would have a sufficiently beneficial economic or social role to outweigh the significant detrimental environmental impact as outlined in the report.

Whilst it is recognised that there is some potential to redevelop this site, it is considered that the current proposals when weighed against policy and on-site constraints constitute overdevelopment and as such should be resisted.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

Not Applicable

HUMAN RIGHTS ACT

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

CRIME AND DISORDER ACT 1998

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

BACKGROUND PAPERS

Planning Application File 17/0501 which can be accessed via the link below:

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

Recommended Decision: Refuse

Conditions and Reasons

1. The means of access to the site is via a narrow alley with low levels of lighting and natural surveillance. The lack of a pedestrian footpath to access the site and inadequate levels of lighting would be potentially detrimental to public safety and pedestrian and highway safety. The proposal is therefore contrary to paragraph 17 of the National Planning Policy Framework, Policies CS7 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, AS1, LQ3, LQ4, BH3 and BH4 of the Blackpool Local Plan 2001 - 2016.
2. The development provides insufficient car parking facilities in an area where there are limited off and on street parking facilities, inadequate access and turning facilities for vehicles, including for servicing and emergency vehicles. The proposal would therefore result in on-street parking, manoeuvring and access difficulties, and additional congestion in and around the site to the detriment of pedestrian and highway safety and the residential amenities of adjoining residents. As such the development is contrary to Policies CS7 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies AS1 and BH3 of the Blackpool Local Plan 2001-2016.
3. The means of access to the proposed development would be significantly detrimental to highway safety by virtue of the inadequate width of the access road and the inadequate visibility (sightlines) and would be therefore be contrary to Policy AS1 of the Blackpool Local Plan 2001 - 2016.
4. The proposal would result in an overdevelopment of the site resulting in a detrimental impact on the amenities of adjoining residents by reason of loss of outlook, overbearing impact and visual intrusion. There will also be increased noise and disturbance from vehicular traffic accessing and egressing the site between 12 and 14 Olive Grove. As such, the proposal would be contrary to paragraph 17 of the National Planning Policy Framework, Policies CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, LQ2 and BH3 of the Blackpool Local Plan 2001 - 2016 (Saved Policies).
5. The proposal will have a detrimental impact on the trees surrounding the site, which will likely result in the loss of mature and semi-mature trees or substantial harm to their health which may necessitate their removal at a future date or during construction works. The proposal is therefore contrary Policies CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ6, NE7 and BH3 of the Blackpool Local Plan 2001 - 2016 (Saved Policies).

6. The absence of a detailed arboriculture survey and a topographical survey detailing levels of adjoining land outside the site together with accurate sectional drawings indicating the relationship of the proposals to its surroundings means that the applicant has failed to demonstrate that the proposal will have no adverse impacts on the amenities of surrounding residents and the proposal therefore fails to demonstrate that it satisfies the requirements of Policies CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, LQ2, LQ6 and BH3 of the Blackpool Local Plan 2001 - 2016 (Saved Policies).

7. **ARTICLE 35 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK paragraph 187)**

The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors which conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and the Blackpool Local Plan 2001-2016, which justify refusal.

Advice Notes to Developer

Not applicable