

COMMITTEE DATE: 14/08/2018

Application Reference: 18/0077

WARD: Stanley
DATE REGISTERED: 07/02/18
LOCAL PLAN ALLOCATION: Countryside Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: Denmack Holdings

PROPOSAL: Erection of four detached dwellinghouses, two with integral garages and two with detached garages, with associated landscaping and access from Stockydale Road.

LOCATION: LAND ADJACENT 27 STOCKYDALE ROAD, BLACKPOOL, FY4 5HP

Summary of Recommendation: Defer for delegation

CASE OFFICER

Miss. Susan Parker

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority one of the Plan** - The economy: Maximising growth and opportunity across Blackpool **and Priority two** of the Plan - Communities: Creating stronger communities and increasing resilience.

SUMMARY OF RECOMMENDATION

The proposal is considered to be acceptable and so it is recommended that planning permission be granted. However, it is considered that the off-site highway works that are needed to make the scheme acceptable would require third party land. Appropriate legal notice should be served on any land-owners whose land would be affected by a development proposal. The correct notice was not served when the application was first submitted but has since been served on 3 August 2018. The notice period is 21 days and will end on 24 August 2018. The Committee is therefore respectfully recommended to defer the application for approval by the Head of Development Management under delegated powers subject to the conditions set out below and only once the relevant legal notice period has elapsed.

INTRODUCTION

This application is a resubmission of application reference 17/0301 which was refused by the Planning Committee at its meeting on 30 August 2017 contrary to officer recommendation for the following reason:

"The proposed development would involve access onto a narrow country lane with limited lengths of footpaths and sharp bends where visibility is obscured by hedgerows. As such the proposed development would exacerbate existing issues of pedestrian and vehicular conflict, it would be detrimental to highway safety and it would conflict with paragraphs 17 and 32 of the National Planning Policy Framework and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy AS1 of the Blackpool Local Plan 2001-2016".

SITE DESCRIPTION

The application relates to a 0.37ha site on the western side of Stockydale Road. The site is roughly rectangular in shape with a frontage of some 75m and is around 60m in depth. Work has commenced on a residential development to the north-west and west of the site and there are residential properties to the south fronting Stockydale Road as it turns a corner. There is ribbon development along Stockydale Road and new housing estates are being developed further to the north and west meaning that the road effectively delineates the current urban boundary of Blackpool.

The site falls within the Marton Moss Strategic Site as defined under Policy CS26 of the Core Strategy and illustrated in the associated Policies Maps document. It falls outside of flood zones 2 and 3 and is not subject to any other designations or constraints. At present the site comprises unmanaged vegetation including some trees.

DETAILS OF PROPOSAL

The application seeks planning permission for the erection of four detached dormer bungalows. The scheme has been amended since first submission when four detached two-storey houses were proposed but the layout has remained largely the same. All properties would offer four bedrooms and two of the properties would provide an integral double garage. The properties would be arranged in a row facing towards Stockydale Road and the two end properties without integral garages would have detached garages set to the side. These garages would sit forward of the houses on the same building line as no. 27 Stockydale Road. Each property would have a driveway to the front capable of accommodating three cars. Communal refuse stores would be provided on either side of the site access from Stockydale Road. The properties would all have sizeable gardens to the rear and landscaping would be provided along the Stockydale Road frontage.

With regard to design, two property types are proposed. Both would have a pyramidal roof with a single, central dormer to the front elevation and two dormers to the rear. These dormers would be small and traditional in design with dual-pitched roofs. Both property types would have a dual-pitched forward projection to the front. This would house an integral garage for two of the bungalows and a second lounge for the others. Overall the design is relatively simple, the front dormer would sit over the main entrance doors and the rear dormers would sit over patio doors opening onto the gardens. The windows would have stone headers and cills. It is proposed that the bungalows have a brick plinth with render above. The roofs would be finished in concrete tile.

This application varies from the previous submission by providing additional details of works to the bend in Stockydale Road around no. 23 to the south. The plan now shows that a strip of land would be taken from the eastern side of the road to enable the provision of a new, repositioned road around the corner with a pedestrian footpath on the inside curve of the corner. These works would require the removal of a section of hedgerow. The area that would be affected by these highway works falls within the red edge of the application site as shown on the submitted location plan.

The application has been accompanied by a Design and Access Statement.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- principle of residential development
- amenity
- design and visual impact
- access, parking and highway safety
- drainage and flood risk
- ecological and arboricultural impact
- environmental impact
- sustainability appraisal and planning balance

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

RELEVANT PLANNING HISTORY

08/1181 – outline planning permission refused for the erection of a residential development on land that included the application site and the former Baguley's Garden Centre.

10/0220 - outline planning permission refused for the erection of a residential development on land that included the application site and the former Baguley's Garden Centre.

12/0264 – outline planning permission granted for the erection of up to 36 dwellings on land that included the application site and the former Baguley's Garden Centre with vehicular access from Midgeland Road.

16/0196 – reserved matters approval granted for the erection of 22 houses on land that included the application site and the former Baguley's Garden Centre with vehicular access from Midgeland Road.

17/0301 – planning permission refused for the erection of four houses on the application site.

CONSULTATIONS

Head of Highways and Traffic Management (initial comments): there appears to be some debate relating to the extent of the public highway. An AutoCAD scheme drawing should be provided so that the highway extents can be confirmed. Ordnance Survey maps contain inherent discrepancies and cannot be relied upon. The current scheme improves upon the previous proposal in terms of connectivity through footpaths and a widening of the road in the immediate vicinity of the site. The other off-site highway works proposed rely upon third-party land and would have to be properly secured through condition or legal agreement. The extent of public highway must be established. Any new highway would have to be dedicated as such for ongoing public maintenance. Visibility at the corner of Stockydale Road would be improved under this scheme but only slightly and regular maintenance of the set-back hedge would be required to maintain adequate visibility. The visibility splay to the north currently includes third-party land. The internal site layout does not appear to have changed and so previous comments stand. These previous comments concluded that better access for future occupants and refuse vehicles had been achieved through amendments to the scheme and withdrew the previous objection. Blackpool Council as Local Highway Authority would not adopt the new infrastructure and so a Management Company would have to be established.

Head of Highways and Traffic Management (follow-up comments): due to an error with the drawing previously requested, it has not been possible to overlay it with the OS plan. The extents of land ownership and boundaries remains an issue. A sketch plan has revealed that the highways scheme proposed could only be delivered through encroachment onto neighbouring land (no. 23 Stockydale Road). It is noted that a landowner on the opposite side of the road has consented to encroachment onto his land but it must be acknowledged that this consent could be withdrawn at any time. It has not been clearly demonstrated that the off-site highway works proposed can be implemented within existing highway limits. As there is no agreement between all relevant landowners in the area, there is no guarantee that the highway works could be delivered and so the scheme cannot be supported.

Head of Highways and Traffic Management (further comments): following the submission of amended drawings, the revised site and highway layout has again been overlaid onto the public highway adoption register which is based on an OS plan. These overlays show that the off-site highway scheme would continue to encroach onto third party land. As such, the situation has not changed from initial submission. On this basis, the proposal cannot be supported.

Head of Highways and Traffic Management (final comments): the issues initially raised relating to the visibility splay crossing third party land have been resolved. It is understood that a condition could be imposed to prevent development until the highway works have been delivered and this would overcome the ownership issues previously identified. It is recommended that consideration should be given to an amended off-site highway scheme and this could be secured through the condition process. On this basis, notwithstanding the land ownership, and subject to conditions preventing development until a scheme of off-site highway works has been agreed and implemented, no objection is now raised.

United Utilities: No objection subject to the imposition of three conditions. These would require foul and surface water to be drained separately; require agreement of a surface-water drainage strategy based on sustainable drainage principles and in accordance with the established sustainable drainage hierarchy; and require agreement of a lifetime management and maintenance plan for this system. The developer should contact United Utilities regarding supply and connection. All fittings must meet current standards. In the event that a sewer is discovered during construction, a Building Control body should be consulted. Any drainage system proposed for adoption by United Utilities must be appraised and agreed by them and the developer would be expected to enter into a Section 104 legal agreement.

Head of Environmental Protection (Amenity): A Construction Management Plan is required.

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

Electricity North West Ltd: 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.

Head of Environmental Protection (Land Contamination): the site has a long history of horticultural use. A phase 1 desk study of the ground conditions is required to determine. If this shows there to be a possibility of contamination, a phase 2 investigation would be required along with any necessary remediation. All details to be submitted to and agreed by the Council prior to the commencement of work.

Fire Service: The development must comply with Building Regulations requirements relating to access and an adequate water supply must be ensured. Officer comment - compliance with these requirements would be the developer's responsibility and would go beyond the planning remit. The developer is advised to contact a Building Control body or the Fire Service for more guidance.

PUBLICITY AND REPRESENTATIONS

Site notice displayed 6 March 2018 and again on 27 July 2018 following revisions to correct the red edge on the location plan.

Neighbours notified on 14 February 2018 and again on 26 July 2018 as above.

Eighteen representations have been received, including one to the second round of publicity. These representations have come from the occupants of the following properties:

Dunes Avenue, no. 14 (x2)

Stockydale Road, nos. 18, 20, 23, 27, 30, 38, 40 (x2), 46 and 50

Common Edge Road, no. 211

New Hall Avenue North, no. 1, 14

Ecclesgate Road, no. 3
George Avenue, no. 6a

An objection has also been received from no. 4 Moorclose Road, Harrington, Cumbria.

These representations raise the following issues:

- Increase in traffic
- Stockydale Road is narrow and winding and it is difficult for cars to pass
- Stockydale Road cannot accommodate additional traffic
- Potential for precedent to be set for other developments with access onto Stockydale Road
- Access should be taken from Midgeland Road
- Adequate visibility splays cannot be achieved
- The necessary visibility splays would require third-party land
- The road is used as a rat-run and by HGVs
- Vehicle speeds need to be controlled
- If pavements are provided they will be used for parking
- Increase in parking pressure
- The road is in poor condition and would get worse
- Recent increases in traffic have worsened the road condition
- The road works do not address other issues on the road that should be rectified
- The red edge of the application site is not accurate and other properties are not shown accurately
- The dimensions of Stockydale Road and the existing highway verges are not accurate

Ecology

RELEVANT PLANNING POLICY

National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) was adopted in July 2018 and sets out a presumption in favour of sustainable development. The following sections of the NPPF are most relevant to this application:

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

National Planning Practice Guidance (NPPG)

The National Planning Practice Guidance (NPPG) expands upon and offers clarity on the points of policy set out in the NPPF. For the purpose of this application the section on design is most relevant.

Blackpool Local Plan Part 1: Core Strategy 2012-2027

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
- CS9 - Water Management
- CS11 - Planning Obligations
- CS12 - Sustainable Neighbourhoods
- CS13 - Housing Mix, Density and Standards
- CS14 - Affordable Housing
- CS26 - Marton Moss

Saved 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
- BH3 - Residential and Visitor Amenity
- BH10 - Open Space in New Housing Developments
- AS1 - General Development Requirements (Access and Transport)

Extending Your Home Supplementary Planning Document (November 2007)

Although not strictly applicable to this proposal, this document contains a section on roof extensions, this is relevant in terms of what can be considered to be suitable design. The guidance expects dormers to occupy no more than 35% of a roof-plane, be well-contained

within that roof-plane, and have a pitched roof and be and finished in materials to match those of the host dwelling.

ASSESSMENT

Principle

The principle of residential development on the application site has been established as acceptable through the grant of outline planning permission and reserved matters approval for a new housing estate on the land at the former Baguley's Garden Centre and the application site. This wider site incorporated the application site. As this development has been commenced, the planning permission is extant. As such, whilst local resident concerns relating to compliance with planning policy, the impact on the character of the area, the need for housing and the loss of greenspace are noted, the proposal could not reasonably be resisted on the matter of principle. The reserved matters approval for the wider site included the provision of five detached houses along the Stockydale Road frontage, albeit without any vehicular access onto that road. The highways implications of the current scheme will be considered below but the residential development of the site is considered to be acceptable in principle.

The application would result in a quantitative reduction in unit numbers on the site from seven as approved under reference 16/0196 to four as proposed now. The reduction in the density of development would arguably be more appropriate in this rural fringe locality.

Housing Mix

The site is some 0.37ha in area. As such, no specific housing mix is required on site but the development must contribute towards a balanced mix in the local area. The available census information reveals that 5% of properties in the area offer a single bedroom, 29% offer two bedrooms, 40% three bedrooms and 26% four bedrooms or more. The application proposes four four-bedroomed houses. It is recognised that the recent housing developments approved at Runnell Farm and Moss House Road predominantly comprise larger properties. Nevertheless, the scheme proposed would not result in an unacceptable imbalance in the local housing market and the provision of larger homes is considered to be acceptable in this area.

Visual impact

The four properties proposed would be 10.9m in width and between 14.8m and 17.7m in depth. The houses initially proposed would have been 12.8m in width and around 10.8m in depth with eaves and ridge heights of 4.9m and 8.5m respectively. The bungalows would have an eaves height of 3.8m and the roof would rise to an apex of 7.7m. The reduction in the width and height of the properties is considered to be a significant visual improvement. Whilst it is recognised that the properties would be notably longer, the reduction in built form when viewed from the road would help to maintain some feeling of openness appropriate to a semi-rural location. The reduced building height in conjunction with the degree of set-back

from the road frontage would prevent the properties from having an overbearing impact on the streetscene.

Stockydale Road is characterised by a variety of house types, sizes, forms and ages and so there is no dominant architectural vernacular. Paragraph 127 of the NPPF requires new developments to be sympathetic to local character and history. It is noted that the properties already approved along the Stockydale Road frontage under application reference 16/0196 vary between 10.5m and 11m in width and there are a couple of existing properties of similar widths evident along this stretch of the road.

The houses would be set back from the highway by between 20m-25m with hedgerow and tree planting proposed along the front boundary on either side of the site access. The properties have been designed to minimise massing with the forward projection intended to break-up the frontage and provide some depth and visual interest. The pyramidal roofs effectively reduce scale. The dormer windows would be traditional in form with a dual-pitch roof finished in tiles to match the main roof. The cheeks and face of the dormers would be rendered to match the main walls. They would be well contained within the roof planes and would otherwise accord with the requirements set out in the Extending Your Home Supplementary Planning Document (SPD). Whilst this document does not specifically apply to new-build properties the design principles contained within it are nonetheless relevant and applicable.

Overall the design of the properties is relatively simplistic. The use of a brick plinth with render above would introduce some variety and visual interest, as would the use of stone headers and cills to the lintels. The alignment of the dormers over the entrance doors to the front help to give some prominence to the point of access and create a visual focus. Again the alignment of the dormers to the rear over the patio doors provides some verticality and a strong symmetry and balance. The design now proposed is considered to be a significant improvement over that initially suggested as the simplicity is felt to be more appropriate to the wider character of the Moss and the semi-rural location of the site. On this basis, the design is considered to be acceptable.

Within the site, two detached, dual-pitched garages are proposed. These would sit forward of the houses but roughly in line with the building line created by the side elevation of no. 23 Stockydale Road and the front elevation of no. 27. These garages would be screened by hedgerow and tree planting from the main road and so would not appear overly obtrusive. Two communal bin storage areas are also proposed on either side of the vehicular access point. Again these would be screened from Stockydale Road. Detail of the materials and design of the garages, the refuse store and the solid boundary treatments could be agreed through condition. Similarly conditions could be imposed to require the agreement of the materials of the properties, the surfacing of the site and landscape planting. Subject to these conditions and based on the assessment above, no unacceptable visual impact is anticipated.

Amenity Impact

The Council expects modern housing developments to meet minimum separation distances of 21m front/rear-to-front/rear and 13m front/rear-to-side. Rear gardens should be 10.5m in length and the side elevations of properties should be separated by at least 2m. These standards would be met between the proposed properties and those existing. Since first submission, the internal layout of the properties has been amended such that the former day-rooms of the two properties with detached garages would be used as en-suite bedrooms, with the rooms previously marked as second bedrooms used as studies. This would enable all side windows in these properties to be obscure glazed to protect privacy. Notwithstanding this change, the windows of the second bedrooms would sit around 5m from the side wall of the neighbour and this proximity is not ideal. However, whilst the rooms are marked as being second bedrooms, they would in fact be the smallest bedrooms in the property. On this basis, and as the larger rooms are likely to be more intensively occupied, this relationship is considered to be acceptable.

The roof-lights would allow additional light into the bedrooms in the roof-spaces but would not allow outlook. These rooms would be served by the front and rear dormers and so would obtain their outlook from these windows. As such, subject to the imposition of conditions requiring the side glazing to be obscured where appropriate, no unacceptable loss or privacy is expected. Given the scale of the buildings proposed and the separation distances shown, no unacceptable impact arising from loss of daylight, sunlight or an over-bearing presence is anticipated.

The rear gardens would be large enough for the storage of refuse and cycles, the drying of clothes and the enjoyment of occupants. All residents would have access to communal refuse stores on either side of the vehicular access to present their bins for collection.

Access, Highway Safety and Parking

The highway implications of this proposal are a key issue. Stockydale Road is very rural in character. The road runs roughly eastwards from Midgeland Road before a sharp bend takes it north towards the application site. There are footpaths along either side of the road up to this bend but none thereafter. In the interests of pedestrian safety and to ensure that the site is adequately connected to nearby shops and facilities, it is considered necessary for a pedestrian footpath to be provided to link the site to the pavements along Stockydale Road to the south. The necessary footpath must be 1.2m in width. Alongside this footpath, a vehicle carriageway of 5.5m width must be achieved.

Beyond the sharp bend, Stockydale Road is bound on either side by hedgerow. It is understood that there are boundary fences within or behind these hedgerows. The highway has been measured at 6.7m in width between the fence-lines. Whilst this would be sufficient to accommodate the requisite footpath and carriageway, it would make no allowance for the hedgerows. The complete removal of the hedgerows would be unacceptable on visual and ecological grounds. It is considered that the removal and replacement of the hedgerows would require encroachment onto neighbouring land and this would need third party consent

and the serving of an appropriate legal notice. This notice was served on 3 August 2018. The period of notice is 21 days and so the notice will expire on 24 August 2018.

It is recognised that the Head of Highways and Traffic Management has raised objection to the scheme on the basis of the land ownership issues outlined above. However, land ownership is not a valid planning consideration. As long as the appropriate legal notice is served, planning permission cannot be withheld on land ownership grounds, regardless of whether or not the third party is likely to consent to development on their land. Instead, and in order to ensure that the necessary highway works would be in place to serve the proposed housing, it would be appropriate to impose a Grampian style planning condition. This condition would prevent the development of the site until a detailed scheme of off-site highway works had been agreed and implemented. The grant of planning permission does not grant a developer right of access. If the third party land-owners did not consent to the use of their land, the off-site highway scheme could not be implemented and so the development of the application site could not commence.

In his initial response to the application, the Head of Highways and Traffic Management noted that the visibility splays required to serve the site access would cross third party land. Since then the site access has been pulled back slightly and the visibility splays would no longer cross private third party land. The Head of Highways and Traffic Management has confirmed that he now has no objection on this point. Although an amended off-site highway scheme is now considered to be more appropriate, this could be agreed and secured through condition. On this basis, notwithstanding the land ownership issues and subject to the conditions proposed, the Head of Highways and Traffic Management is now satisfied with the proposal and no unacceptable highway impacts are anticipated.

Each property would have a wide driveway capable of accommodating three cars. In addition, two of the properties would have integral double garages and two would have free-standing double garages. The integral garages do not meet the minimum internal space standards of 6m by 6m for a garage but would nevertheless be capable of accommodating two average cars. As these garages would provide secondary spaces, they are considered to be acceptable. The Council's maximum parking standards require up to three parking spaces for a four bedroom house. These maximum standards are exceeded but it is accepted that the site is in a less accessible location on the rural fringe and that no safe on-street parking exists on Stockydale Road. On this basis the level of parking provision is considered to be acceptable. The gardens to the properties are of sufficient size to accommodate secure cycle storage if desired.

Ecological and Arboricultural Impact

The development and the carriageway works and footpath creation would result in the loss of some hedgerow to enable the provision of the access point, the visibility splays and adequate connectivity. Hedgerows provide important habitat and are valuable local ecological features. Any loss of hedgerow would have to be compensated for by replacement planting of native species and this could be secured through a condition attached to any permission granted.

There are some trees along the site boundaries but these are relatively small in scale and their loss would be considered acceptable subject to a high quality replacement planting scheme. It is recommended that a condition be attached to any permission granted to require the agreement of a formal tree survey, a planting plan for the site and an Arboricultural Method Statement and Tree Protection Plan for any trees to be retained. A condition would also be required to prevent tree or vegetation clearance during bird nesting season unless the absence of nesting birds has been confirmed by an ecologist.

No ecological appraisal has been submitted as part of the application but it is acknowledged that the site does not include any ponds or watercourses or other features of notable ecological value. As such it is considered to have low habitat value and is unlikely to provide key support to protected species. It is considered that the imposition of relevant advice notes to inform the developer of their responsibilities and obligations with regard to protected species would be sufficient to discharge the Council's duty as a Responsible Authority with regard to biodiversity.

Drainage and Flood Risk

The site falls within flood zone 1 and is less than 1 hectare in area. As such there is no requirement for a site-specific Flood Risk Assessment and the applicant does not need to demonstrate compliance with the sequential or exceptions tests. Conditions could be attached to any permission granted to require foul and surface water to be drained separately, and to require surface water to be drained in the most sustainable way according to the established sustainable drainage hierarchy. The details of a surface water drainage strategy and a plan for its lifetime management and maintenance could be agreed through condition. Subject to these conditions, no unacceptable drainage or flood risk issues would be anticipated.

Environmental Quality

The site is not close to an Air Quality Management Area and there is no reason to suppose that the development would have an unacceptable impact on air quality during its operational phase. A dust management plan could be secured through condition to avoid any undue impacts during the construction phase. As such no issues are anticipated.

A Construction Management Plan could be secured through condition to ensure that the development would not have an unacceptable impact on water quality. Similarly any drainage system would be expected to incorporate measures to prevent potential contamination of surface or ground water. As such no issues are anticipated.

It is recommended that a condition be attached to any permission granted to require a phase 1 land contamination study. If this reveals a potential for contamination on site then a scheme of investigation would have to be agreed and implemented. If this survey finds contamination then a scheme of remediation would have to be agreed and carried out and a validation report then submitted to the Council to demonstrate that the land no longer poses

a threat to human health or the environment. Subject to this condition, no unacceptable impacts are anticipated.

Other Issues

No other material planning considerations have been identified.

Planning Obligations

Policy CS14 of the Core Strategy requires proposals for more than three new dwellings to make a financial contribution towards off-site provision of affordable housing. The policy states that an Affordable Housing SPD will be produced to set out how this contribution will be calculated. At the time of writing there is no such Affordable Housing SPD in place. As such, it is not considered that a financial contribution towards off-site affordable housing provision can be justified at this time.

Saved policy BH10 of the Local Plan requires developments of three or more residential units to make a financial contribution towards the provision or improvement of off-site public open space. SPG Note 11 sets out the basis on which such contributions are calculated. The contribution for a property offering four or more bedrooms is £1,376. As four such houses are proposed, the total required would be £5,504. This would be secured through condition.

As the proposal is for less than 10 dwellings, no contributions would be sought towards local education provision.

Sustainability and Planning Balance Appraisal

Sustainability comprises economic, environmental and social dimensions.

Economically the site does not make a meaningful contribution to agriculture or any other rural operation and, given its size, has negligible potential to. Some employment would be generated during construction and future residents would help to support local shops and services, although the relatively low accessibility of site is acknowledged. Nevertheless on balance the scheme is considered to be economically sustainable.

Environmentally it is considered that conditions could be used to prevent any unacceptable impacts on air, land or water quality. Similarly no unacceptable impacts on trees or biodiversity are anticipated subject to the conditions recommended. It is accepted that the development of the site would have a localised visual impact and that the dwellings proposed are large in scale in the surrounding context. However, planning permission is already in place for residential development of the land and the design of the properties is considered sufficient to mitigate their scale. As such and on balance the proposal is judged to be environmentally sustainable.

Socially the proposal would make a marginal contribution towards meeting the borough's housing requirement and the house types are considered acceptable. No amenity impacts on

existing or future residents are anticipated. The development would not be at risk of flooding and would not exacerbate flood risk off site. No unacceptable impacts on highway safety are identified. Planning permission is already in place for residential development on the site and so the scheme cannot be considered premature and does not compromise goals for neighbourhood planning on the wider Marton Moss area. On this basis and on balance, the application is considered to be socially sustainable.

In terms of the planning balance, the NPPF sets out a strong presumption in favour of sustainable development. The scheme does not present any issues or impacts that would weigh sufficiently against it as to warrant refusal. The conditions recommended would adequately mitigate the impacts that are identified above. The scheme is judged to represent sustainable development and no other material planning considerations have been identified that would outweigh this view.

CONCLUSION

As set out above, the scheme is considered to represent sustainable development. The site has already been approved for residential development and the houses now proposed are considered to be acceptable in terms of design, scale and format. No unacceptable amenity, highway safety or environmental impacts are anticipated. The scheme is judged to represent sustainable development and no other material planning considerations have been identified that would outweigh this view. On this basis, Members are respectfully recommended to agree to the development in principle subject to the conditions set out below and delegate the issuing of the decision notice to the Head of Development Management upon the expiry of the notice (after 24 August 2018).

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

A financial contribution of £5,504 is required in accordance with the provisions of saved Policy BH10 of the Local Plan towards the off-site provision or improvement of public open space.

The scheme would require the agreement and implementation of a scheme of off-site highway improvement works. These works would be secured through a S278 legal agreement under the Highways Act.

FINANCIAL BENEFITS

The Council would benefit financially from the development through the receipt of Council Tax payments. However, this consideration has no weight in the planning balance and does not influence the recommendation to Members. It should be noted that the development proposed would result in a lesser number of houses on the land than that approved through application reference 16/0196. Thus whilst this application considered in isolation would deliver a Council Tax gain, cumulatively it would equate to a reduction in income. Again this has no weight in the planning balance and does not influence the recommendation to Members.

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 reference is 18/0077. The application can be accessed via the following link by inserting the reference 18/0077:

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

Recommended Decision: Defer for delegation

Conditions and Reasons

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

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

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

Site location plan ref. JBA348-PL-002 Rev C

Proposed site plan ref. JBA348-PL-001 Rev /

Internal layout plans ref. 1701/02/02 Rev B and 1701/02/04

Elevations drawing ref. 1701/02/03 REV A

Proposed highway works, access and swept paths plan reference T2841/001 dated 18/07/18

The development shall thereafter be retained and maintained in full accordance

with these agreed details.

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

3. Prior to the commencement of construction of the houses and garages hereby approved, details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority and the development shall then proceed in full accordance with these agreed details.

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. Before any final surface finishes are laid, details of the surfacing materials to be used shall be submitted to and agreed in writing by the Local Planning Authority and the development shall then proceed in full accordance with these agreed details.

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

5. Notwithstanding the information shown on the approved plans, the windows and doorways of the properties hereby approved shall be inset from the face of the elevation in which they are set by no less than one brick width.

Reason: In order to ensure visual depth in the interests of the appearance of the property and locality in accordance with the provisions of 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.

6. (a) Prior to the commencement of development, the following information shall be submitted to and agreed in writing by the Local Planning Authority:

- (i) a tree survey appraising the quality of the trees and hedgerows on site and identifying those trees and hedgerows proposed for removal and retention;
 - (ii) a tree protection plan including an arboricultural method statement to set out how those trees proposed for retention would be protected during development.

- (b) The development hereby approved shall then proceed in full accordance with the tree survey and tree protection plan agreed pursuant to part (a) of this condition.

Reason: To secure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site

which are of amenity value to the area, having regards to Policy LQ6 of the Blackpool Local Plan 2001-2016 and Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

7. a) No development shall take place until full details of landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include;
- (i) the areas of soft landscaping to be controlled by private householders and those to be managed communally;
 - (ii) management arrangements for the areas of communal landscaping;
 - (iii) areas of soft landscaping and planting plans, specifications and schedules, including plant size, species and numbers/densities. The proposed soft landscaping scheme shall include the provision of replacement hedgerow and enhancement of existing hedgerow to compensate for any loss of hedgerow.
- 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.

8. No boundary treatment shall be erected until the details of position, scale, design and materials of the boundary treatment have been submitted to and agreed in writing by the Local Planning Authority. The development shall then proceed in full accordance with these agreed details.

Reason: In the interests of the appearance of the site and locality and the amenities of neighbours, in accordance with the provisions 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.

9. (a) Before any property hereby approved is first occupied, the garage and driveway car parking provision shown on the approved layout plan as relating to

that property shall be provided and shall thereafter be retained as such.

(b) Notwithstanding the definition of development set out under Section 55 of the Town and Country Planning Act 1990 (as amended) or the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) the garages and driveways hereby approved shall at all times when the associated property is occupied be kept available for use for the parking of motor vehicles.

Reason: In order to ensure that adequate parking provision is available to meet the needs of residents in the interests of the appearance of the site, residential amenity and highway safety in accordance with the provisions of 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.

10. Prior to the commencement of development, a scheme of biodiversity enhancement for the site shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then proceed in full accordance with this agreed scheme. For the purpose of this condition, the scheme shall include the provision of bird and bat bricks or boxes on properties and on trees on the site.

Reason: In order to safeguard and enhance biodiversity on the site in accordance with the provisions of paragraph 170 of the National Planning Policy Framework.

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

Reason: In order to safeguard protected species and biodiversity in accordance with the provisions of paragraph 170 of the National Planning Policy Framework.

12. Foul and surface water from the site shall be drained on separate systems.

Reason: In order to secure proper drainage and manage the risk of flooding and pollution in accordance with the provisions of paragraph 163 of the National Planning Policy Framework and Policy CS9 of the Local Plan Part 1: Core Strategy 2012-2027.

13. (a) Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

(b) The surface water drainage scheme must be in accordance with the Non-

Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and shall include the following:

(i) Information about the lifetime of the development design storm period and intensity (1 in 30 and 1 in 100 year + allowance for climate change - see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;

(ii) A demonstration that the surface water run-off would not exceed the existing greenfield rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

(iii) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);

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

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

(vi) Site investigation and test results to confirm infiltrations rates;

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

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

(d) The scheme shall be fully implemented and subsequently maintained, in accordance with the approved details including any timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To promote sustainable development, secure proper drainage of surface water and to manage the risk of flooding and pollution in accordance with the provisions of the National Planning Policy Framework (paragraph 163) and National Planning Practice Guidance and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

14. 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, management and maintenance by a Residents' Management Company;
- b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will 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 the provisions of paragraph 163 of the National Planning Policy Framework and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

15. No development shall be commenced until:

- (a) a scheme of site investigation in respect of potential land contamination has been submitted to and agreed in writing by the Local Planning Authority;
- (b) scheme of investigation agreed pursuant to part (a) of this condition has been carried out in full and in full accordance with the approved details;
- (c) a report of the results of the site investigation has been submitted to and agreed in writing by the Local Planning Authority;
- (d) If the report required pursuant to part (c) of this condition reveals that remediation measures are necessary then a scheme for decontamination of the site shall be submitted to and agreed in writing by the Local Planning Authority;
- (e) any agreed remediation shall be carried out in full and in full accordance with the approved details and a validation report 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 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.

16. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:

- dust mitigation measures during the construction period
- control of noise emanating from the site during the construction period
- hours and days of construction work for the development
- contractors' compounds and other storage arrangements
- provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
- arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways
- the routing of construction traffic.

The construction of the development shall then proceed in accordance with the approved Construction Management Plan.

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

17. 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 £5,504 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.

18. No development shall be commenced on site before:

(a) a detailed scheme of off-site highway improvement works has been submitted to and agreed in writing by the Local Planning Authority. This scheme shall include;

- the provision of pedestrian footpath links to the existing pavements on Stockydale Road to the south;
- the upgrade and widening of the carriageway
- the removal and relocation of any street-lighting columns affected by the works.

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

Reason: In the interests of highway safety in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

19. (a) No works shall commence until;

(i) a detailed scheme for the provision of a site access has been submitted to and agreed in writing by the Local Planning Authority; and

(ii) the access agreed pursuant to part (a)(i) of this condition has been provided to at least base course level in full accordance with the approved details.

(b) No works shall commence until full details of the sub-surface construction and surfacing of the internal estate road hereby approved have been submitted to and agreed in writing by the Local Planning Authority. For the purpose of this condition, the details provided shall demonstrate that the road structure and surface would be adequate to support the loading of a refuse wagon or fire appliance.

(c) No unit hereby approved shall be occupied until;

(i) the access agreed pursuant to part (a) of this condition has been finished in full and in full accordance with the approved details; and

(ii) the estate road has been installed and finished in full and in full accordance with the details agreed pursuant to part (b) of this condition.

(d) No unit hereby approved shall be occupied until a plan for the lifetime management and maintenance of the estate road has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with this agreed plan. For the purpose of this condition, as the estate road is not to be adopted by the Council as Local Highway Authority, it is recommended that a designated management company be established.

Reason: In the interests of the amenities of residents and in order to ensure that safe and satisfactory access exists to the properties during the lifetime of the development in accordance with the provisions of Policies BH3 and AS1 of the Blackpool Local Plan 2001-2016.

20. (a) No construction of the flat block hereby approved shall commence until details of the proposed bin store have been submitted to and agreed in writing by the Local Planning Authority.

(b) The bin storage agreed pursuant to part (a) of this condition shall be provided before any of the units hereby approved are first occupied and shall thereafter be retained and maintained as such.

Reason: In the interests of the appearance of the locality and the amenities of residents, in accordance with the provisions of Policies LQ14 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

21. All glazing to the side elevations of the properties, with the exception of the room marked as 'Bedroom 2' on the plan of the properties with integral garages (ref. 1701/02/02B) shall be at all times obscure glazed and fixed permanently closed.

Reason: To safeguard the living conditions of the occupants of the neighbouring premises, in accordance with Policies BH3 and LQ14 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

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 Built Environment Department, Layton Depot, Depot Road, Blackpool, FY3 7HW (Tel 01253 477477) in the first instance to ascertain the details of such an agreement and the information provided.