

COMMITTEE DATE: 11/12/2018

**Application Reference:** 18/0669

WARD: Stanley  
DATE REGISTERED: 04/10/18  
LOCAL PLAN ALLOCATION: Countryside Area

APPLICATION TYPE: Outline Planning Permission  
APPLICANT: Mr Porter

**PROPOSAL:** Erection of 23 dwellings following demolition of existing house and outbuildings (outline application to agree the matters of access and layout).

**LOCATION:** BRENTWOOD HOUSE, 442 MIDGELAND ROAD, BLACKPOOL, FY4 5EE

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**Summary of Recommendation:** Refuse

**CASE OFFICER**

Miss Susan Parker

**BLACKPOOL COUNCIL PLAN 2015 -2020**

This application accords to a limited extent with **Priority Two of the Plan - Communities: Creating stronger communities and increasing resilience** as it would help to meet the borough's established housing requirements, but overall the proposal is considered to be at odds with the Council Plan as it proposes unsustainable development.

**SUMMARY OF RECOMMENDATION**

The application site falls within the designated Marton Moss Strategic Site. Policy CS26 of the Core Strategy makes it clear that development proposals not directly related to agriculture, horticulture or rural recreation will not be supported in advance of the production of a Neighbourhood Plan for the area. As such, and notwithstanding the quantitative contribution the scheme would make towards meeting the borough's identified housing requirement, the proposal is considered to be unacceptable in principle. The scheme is considered to constitute significant over-development of the site given the character of the surrounding area and the layout proposed is poorly designed. The applicant has failed to demonstrate that a safe means of access could be provided or that biodiversity could be adequately safeguarded. The development would offer a poor standard of residential amenity. As such, Members are respectfully recommended to refuse the application.

## **INTRODUCTION**

This application is before Members in accordance with the Council's published constitution as it is a major scale development that is recommended for refusal.

## **SITE DESCRIPTION**

The application relates to a 0.87ha site that sits on the north-western corner of the junction between Midgeland Road and Kitty Lane. It has a frontage of around 125m to Midgeland Road and a frontage of some 105m to Kitty Lane. The site is bound by open countryside to the north with a stable complex to the west. Houses fronting Midgeland Road and Kitty Lane lie to the south whilst the land to the east is open countryside.

The application site has a house at its northern end with an out-building running the length of the western boundary. Planning permission was granted in 2008 for the use of this former stable building as offices. There are a number of other, much smaller out-buildings within the site. Mature trees and hedgerow run along the northern, eastern and southern boundaries and much of the site is grassed.

The site is in flood zone 1. It also falls within the designated Marton Moss Strategic Site. No other specific designations or constraints apply.

## **DETAILS OF PROPOSAL**

The application seeks outline planning permission for the erection of 23 bungalows with vehicular access from Midgeland Road. The application seeks to agree the details of the access and layout at this stage with all other matters reserved for later consideration.

The submitted layout plan shows the bungalows arranged in a spiral shape around a central, elongate pond and eleven communal/visitor car parking spaces. Each bungalow would have an accessibility parking space within its curtilage. Four additional parking spaces would be provided near to the site access. Footpaths would be provided on either side of the access point and along the outside edge of the internal road loop.

Two house types are proposed. Type A would provide a lounge/dining room, a kitchen, a bathroom, and two double bedrooms, one of which would be en-suite. Type B would provide a lounge, a kitchen/diner, a bathroom and three bedrooms, one of which would be en-suite.

The application has been supported by:

- Planning statement
- Design and access statement
- Accessibility information
- Transport statement

- Drainage strategy
- Geotechnical assessment
- Bat survey
- Tree survey
- Planning Inspectorate appeal decision notice for a site in Fylde

### **RELEVANT PLANNING HISTORY**

17/0490 – pre-application advice sought in respect of residential development on the site. The Council advised that it would not be looked upon favourably.

18/0095 – pre-application advice sought in respect of residential development on the site. The Council advised that it would not be looked upon favourably.

### **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- The principle of residential development in this location
- The density of development and impact on the character of the area
- The acceptability of the housing mix
- The acceptability of the proposed layout and the impact on residential amenity
- Acceptability of the access arrangements and the impact on highway safety
- Sustainability appraisal

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

### **CONSULTATIONS**

**Marion Moss Neighbourhood Forum:** the development would not be in-keeping with the area and would be over-development. The existing junction with Kitty Lane is very difficult to cross, the junction of Midgeland Road and School Road is already a traffic hotspot and the proposal would generate additional traffic. Kitty Lane is a private road that is maintained by residents and the scheme would increase traffic along this road. The proposal would be contrary to the relevant policy in the Core Strategy. Properties aimed at retired persons would not need three bedrooms. If Marion Moss is designated as a Conservation Area, this proposal would be inappropriate.

**Head of Highways and Traffic Management:** the parking provision of one per property is half the required standard. Typically parking provision for sheltered housing is inadequate. Two parking spaces per property should be provided, particularly given the inaccessibility of the location. The footpath on the eastern side of Midgeland Road is less than the requisite 1.8m width and would require improvement. Additional footway provision would be needed for

pedestrian access to the nearest bus stops. The existing hedgerow limits visibility and a scheme to ensure adequate visibility would have to be agreed. Given the straight geometry of the road and vehicle speeds a 4.5m-deep visibility splay would be sought rather than the standard 2.4m deep splay. The visibility splay would depend upon the maintenance of the hedgerow to the north. An 11m x 3m refuse vehicle should be able to access the site but the layout does not appear able to accommodate such a wagon. The access drawing is not dimensioned but does not appear to provide the necessary 6m radii and 5.5m width. Ordnance Survey mapping shows a dyke along the frontage but the application does not reflect this. It would not be acceptable to leave this outside of the fence following the removal of the hedgerow. The wider area needs consideration with regard to access and highway network requirements as part of the proposed Neighbourhood Planning exercise. Any development on this site may require a contribution towards a wider scheme.

**Service Manager Public Protection:** no response received in time for inclusion in this report. Any comments that are received in advance of the meeting will be reported through the update note.

**United Utilities:** foul and surface water to be drained on separate systems and this should be secured through condition. Surface water to drain in the most sustainable way in accordance with the established hierarchy and a suitable scheme should be agreed through condition. No surface water to discharge into the public sewer directly or indirectly. Discharge to a watercourse would require agreement of the Lead Local Flood Authority or Environment Agency. A lifetime management and maintenance plan should be agreed for any sustainable drainage system. An appropriately worded condition has been provided. The applicant should consult with UU at the earliest opportunity regarding connection. All pipework and fittings to be to current standards. The level of cover to UU assets must not be compromised. If a sewer is discovered during construction, a building control body should be consulted. Any drainage systems proposed for UU adoption must be agreed with UU and would be subject to a S104 agreement.

**Head of Coastal and Environmental Partnership Investment:** no response received in time for inclusion in this report. Any comments that are received in advance of the meeting will be reported through the update note.

**Head of Parks and Greens:** no response received in time for inclusion in this report. Any comments that are received in advance of the meeting will be reported through the update note.

**Head of Property and Asset Management:** verbal confirmation has been received that there is existing school capacity in the area and that no contribution towards local education provision would therefore be required.

**Lancashire Archaeological Advisory Service:** the site lies within Marton Moss which was examined as part of the North West Wetland Survey in 1995. This survey revealed a large number of previously unrecorded archaeological sites in this area and identified it as a key area for settlement from the late Mesolithic era to the Bronze Age. Very little of the original peat resource remains in the south-west Fylde area. Such peats could hold organic archaeological matter but the greatest potential for well-preserved remains lies with buried deposits. The area has already yielded Bronze Age metal weapons including a Celtic axe with a wooden handle in 1837. It is therefore recommended that an archaeological desk-based assessment and rapid identification site walkover survey be carried out prior to any development. This should be followed by a trial trenching to investigate the potential for archaeological remains, including organic deposits. Any geo-technical work or investigation should be monitored and the results of any existing borehole surveys examined to assess survival of peat, including any paleo-environmental value. If this cannot be carried out, an archaeological auger survey with associated assessment and analysis would be required. A phased programme of archaeological work should therefore be secured through condition if planning permission is granted and suitable wording for this condition has been provided.

### **PUBLICITY & REPRESENTATIONS**

Press notice published: 12<sup>th</sup> October 2018

Site notice displayed: 6<sup>th</sup> October 2018

Neighbours notified: 4<sup>th</sup> October 2018

Five representations have been received from The Poplars, The Conifers and Avondale on Kitty Lane and from no. 14 Dunes Avenue raising the following issues:

- One of the reports refers to the site as a house with kennels and cattery, this is incorrect
- The drainage report states the site to be bound by dykes on three sides, this is incorrect as they have been infilled
- Given these errors the information submitted is unreliable
- Potential for settlement merger
- Excessive development on the Moss
- The proposal would harm the character of the area
- The hedgerow along the southern boundary is used by nesting birds
- Impact on wildlife
- The hedges should be retained in-situ
- The scheme would generate traffic along Kitty Lane which is unsuitable for additional traffic
- Kitty Lane is a private road that is maintained privately
- Kitty Lane is used as a rat-run
- Impact on highway safety
- Conflict with Policy CS26 of the Core Strategy
- Retirement properties do not require three bedrooms
- Disturbance during construction

- The site is in an inaccessible location
- Smaller, affordable housing should be provided for young people
- Impact on view

Members are respectfully reminded that a potential impact on a view and a preference for an alternative scheme are not valid planning considerations.

### **NATIONAL PLANNING POLICY FRAMEWORK**

The revised NPPF retains the key objective of achieving sustainable development and hence there is a presumption that planning applications proposing sustainable development will be approved. It provides advice on a range of topics and is a material planning consideration in the determination of planning applications. The parts most relevant to this application are:

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

### **NATIONAL PLANNING PRACTICE GUIDANCE**

The NPPG expands upon and offers clarity on the points of policy set out in the NPPF. For the purpose of this application, the following sections are most relevant:

- Design
- Flood Risk and Coastal Change
- Health and Well-Being
- Natural Environment
- Open Space, Sports and Recreation Facilities, Public Rights of Way and Local Green Space
- Planning Obligations
- Travel Plans, Transport Assessments and Statements in Decision-Taking

## **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
- CS5 Connectivity
- CS6 Green Infrastructure
- CS7 Quality of Design
- CS9 Water Management
- CS11 Planning Obligations
- CS12 Sustainable Neighbourhoods
- CS13 Housing Mix, Density and Standards
- CS14 Affordable Housing
- CS15 Health and Education
- CS26 Marton Moss



## **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
- LQ6 Landscape Design and Biodiversity
- HN4 Windfall Sites
- BH3 Residential and Visitor Amenity
- BH10 Open Space in New Housing Developments
- NE6 Protected Species
- NE7 Sites and Features of Landscape, Nature Conservation and Environmental Value
- AS1 General Development Requirements (Access and Transport)

## **OTHER RELEVANT DOCUMENTS**

Supplementary Planning Guidance Note 11: Open space: provision for new residential development and the funding system – this document was adopted in October 1999 as sets out the amount of open space required per person and per property depending upon size. It also sets out the equivalent financial contributions that can be made in lieu of on-site provision.

## **ASSESSMENT**

### **Principle**

Policy CS26 of the Core Strategy relates specifically to Marton Moss and replaces saved Policy NE3 of the Local Plan in relation to the Moss. Like its predecessor, Policy CS26 precludes development in the area other than that directly related to agricultural, horticultural or rural recreational uses. This approach will hold until a formal Neighbourhood Plan is developed for the area. Thereafter the Neighbourhood Plan will direct the nature of development on the Moss. One exception permitted by Policy CS26 under section 2 is housing intended to meet the requirements of paragraph 55 of the NPPF. This policy was drafted when NPPF 1 (2012-2018) was in force and so this criterion relates to paragraph 55 of that document. This paragraph relates to housing required to enhance or maintain the viability of rural communities. Such examples would include housing that would support service delivery, agricultural workers dwellings, properties of innovative and exceptional design, or conversions of heritage assets or disused buildings where the works would enhance the setting. This approach is continued in the latest NPPF at paragraphs 78 and 79.

At present, although local residents are looking to progress with the development of a Neighbourhood Plan for the area, there is currently no such plan in place for Marton Moss. The proposal must therefore be judged against the criteria of part 2 of Policy CS26 of the Core Strategy. The housing proposed would not re-use any existing buildings and there is no indication that it would be of exceptional design. There is no justification for the housing to accommodate rural workers. Whilst Marton Moss is rural in character, it sits on the edge of the urban area of Blackpool. The existing pattern of development in the wider area is well-established. Notwithstanding issues of connectivity and accessibility, the wider area is reasonably well served in terms of education, employment, services and public transport. As such, the development is not required in order to sustain population numbers to safeguard the provision of community facilities. On this basis, as the scheme is not for a use appropriate to a rural area, it is contrary to the provisions of Policy CS26 of the Core Strategy.

The intention of Policy CS26 is to safeguard the character and function of Marton Moss as an area of rural fringe around the Blackpool settlement. This approach accords with the objectives of the NPPF to make efficient use of land, direct development to brownfield sites, and respect the function and character of local areas. The application site sits within an area that is characterised by sporadic dwellings and rural buildings along rural roads interspersed with open land. It is recognised that some of these buildings are substantial in size. Kitty Lane is a relatively narrow private road without footpaths. This section of Midgeland Road is also a

fairly narrow road with a footpath along the eastern side only. The site itself is largely open albeit with some outbuildings, areas of compacted hardstanding and a paddock area. The land to the north and east is open countryside. There is a farm complex immediately to the west with houses to the south. The development of 23 dwellings on the site would equate to a housing density of 26.4 dwellings per hectare. This would significantly exceed existing built densities in the immediate area and thereby appear incongruous and overly urban in the setting.

At present the application site is surrounded by tall and substantial hedgerows. Based on the site layout plan submitted, much of this hedgerow would have to be lost or significantly reduced in order to enable the construction of the properties and the provision of an adequate visibility splay. Along both Midgeland Road and Kitty Lane the properties would be very close to the site boundary and there is therefore a significant risk that homeowners would remove or thin any retained hedgerow in order to maximise direct sunlight into their properties or gardens. Loss or degradation of the hedgerow would further compromise the rural character of the site and area. The very close proximity of built form to the road boundary would, in itself, be significantly detrimental to the character of each road.

The development of a Neighbourhood Plan for Marton Moss is advocated on the basis that any significant development of the area should be adequately supported by an appropriate highway network, transport connections and community facilities and services. A comprehensive approach is therefore required in order to ensure that development is sustainable, would facilitate community integration and cohesion, and would not depend upon private car use. As stated, Kitty Lane is a private road without footpaths and Midgeland Road only has a relatively footpath along the eastern side. The nearest bus stops are around a 1.1km walk from the application site on Common Edge Road to the west. These stops are served by line 17 which is a half-hourly service running between Blackpool Town Centre and Lytham via St. Annes. The nearest primary school, St. Nicholas Church of England, is around 670m away. The nearest retail facilities that would sustain day-to-day needs are around 2km away on Squires Gate Lane. It is proposed that the accommodation would be intended for occupation by older persons, although neither the design of the properties or the layout of the site would particularly lend themselves to older-person occupation over general household use. Nevertheless, it would be possible for a condition to be imposed on any permission granted to restrict occupancy to this effect. However, it is not accepted that older people have reduced accessibility or connectivity requirements. Indeed, it can be argued that older people have greater need for easy pedestrian access and good public transport connections to a range of shops and services, along with good opportunities for social interaction. As such it is highly likely that residents of the site would be dependent upon private car use and this reduces the sustainability of the proposal and further weighs against the scheme.

It is recognised that the government places heavy emphasis on the need to ensure an adequate supply of new homes. Local Planning Authorities are expected to be able to demonstrate a five year supply of housing land and to monitor delivery in order to ensure supply. The development of 23 new homes would make a notable quantitative contribution towards meeting the Blackpool's identified housing requirement. It is also recognised that

there is a need for accommodation suitable for older persons within the borough. However, current indications are that a five year housing land supply is available. Whilst some need for retirement housing is acknowledged, it is not considered to be over-riding. Furthermore, and in-line with the brownfield focus set out in the NPPF, the priority in Blackpool is to direct new housing development to the established urban area and particularly the defined Inner Area to promote regeneration and a rebalancing of the housing market to create more stable and sustainable communities. As such, the weight that can be attached to the specific quantitative contribution proposed is limited, and is not considered sufficient to outweigh the harm that would result from the impact on the character of the area and the poor accessibility of the site.

### **Housing Density and Mix**

As stated above, the application proposes a density of 26 dwellings per hectare. Policy CS13 of the Core Strategy seeks to achieve efficient land use by encouraging developers to optimise proposed densities as appropriate to the character of the site and surrounding area. In this case, the surrounding area is characterised by very low housing densities as would be expected in a rural fringe location. The level of development proposed is therefore considered to be excessive and inappropriate.

The proposal would provide 10 two-bed properties and 13 three-bed homes. Policy CS13 of the Core Strategy requires development sites of this size to contribute towards a balanced mix of housing in the surrounding area. Marton Moss offers a variety of property types and sizes but does tend towards the provision of larger homes. As such, the development of smaller properties would contribute towards the overall housing mix in the area and so would be acceptable.

### **Planning Obligations**

Policy CS14 of the Core Strategy requires all developments of 15 dwellings or more to provide affordable housing at a rate of 30% of the total number of dwellings created. In this case, as 23 units are proposed, seven of them would have to be made available on an affordable basis. This would be secured by condition should planning permission be granted.

Policy CS15 of the Core Strategy expects developers to contribute towards the provision of school places where the development would impact upon the capacity of existing schools. In this case there is existing capacity in the area and so no contribution would be required.

Saved Policy BH10 of the Local Plan relates to the provision of public open space as part of new housing developments. Supplementary Planning Guidance note 11 sets out the amount of public open space required per property based on the number of bedrooms, and the equivalent financial contribution that can be paid in lieu of on-site provision. The development proposed would generate a requirement for 1,416sqm of public open space on site, or a financial contribution of £20,296 in lieu. Policy BH10 makes it clear that public open space should be provided on-site where it is possible to do so. It is appreciated that on many sites across Blackpool, financial contributions have been sought in lieu of on-site provision.

However, this has generally occurred where the site does not lend itself to on-site provision, or where the numbers of units proposed mean that a financial contribution towards off-site provision would provide greater benefit than a small and isolated area of provision on-site. In determining whether provision should be made on-site or through a financial contribution, a key consideration is the proximity of the off-site provision to the site and the quality of the connectivity between the two. In this case, there are no areas of public open space within reasonable walking distance of the site. Furthermore, given the lack of pavements along Kitty Lane and the narrow footpath along Midgeland Road, connectivity to the nearest sites is poor. It is recognised that the site falls within an area of countryside. However, the surrounding land is privately owned and so is not accessible for use as public open space. On this basis, it is considered that provision of public open space should be made on site. The central area containing the pond is some 570sqm in area. This is only around 40% of that required. This shortfall in provision is significant and this weighs against the proposal.

### **Layout and Amenity**

The site would be accessed from Midgeland Road. The acceptability of the access arrangements will be discussed below. The properties would be arranged in a spiral with properties backing onto all boundaries of the site and facing in to a central parking area and elongate pond.

The layout makes no reference to the form or building lines of the surrounding area and therefore appears contrived to maximise the level of development on site. The arrangement of the properties would mean that the Council's minimum front-to-front separation distance of 21m would be achieved. This minimum separation standard would not be met between the rear elevations of the properties on the site and the front elevations of the properties on the southern side of Kitty Lane. Only 17m would separate the dwelling on plot 14 from the bungalow at Kitty Lane Cattery but, given the single storey height of both buildings, this would be acceptable. The units on plots 11 and 12 would be separated from Avondale by 19m and 18m at the closest points but this would be at an oblique angle and so again this would be reasonable. However, the arrangement on site would see the dwellings set very close to the site boundaries. Only four of the 23 properties would have rear gardens meeting the Council's minimum garden length of 10.5m and these gardens would have angled boundaries and so would only meet the standard in part. The other gardens would fall significantly short of the minimum standards with some gardens between 2m and 5m in length. The property on plot 12 would sit just 1m from the southern side boundary. This arrangement would not only compromise the retention of meaningful landscaping along the site boundaries, it would also result in properties without adequate outdoor amenity space. Along the eastern and western boundaries of the site, and particularly along the southern boundary, the short length of the rear gardens would compromise outlook and light levels into the properties, and would result in over-shadowing of the gardens themselves. This would further reduce residential amenity.

As stated above, given the distance to the nearest area of designated public open space, some provision should be made on site. The layout shows an elongate pond at the centre of the site surrounded by soft landscaping and a row of car parking spaces. This area is some 570sqm excluding the parking. It would provide some passive recreation space. However, the separation between the pond and the estate road is only 3m on the north-eastern side. This could accommodate a footpath with some planting on either side but it would make the provision of seating or other facilities difficult. On the south-western side, a wider area of landscaping would be available next to the parking strip and this could accommodate a small seating area with street furniture. However, the proximity to the parking spaces would reduce the attractiveness of this space. Overall, and notwithstanding the significant shortfall in area highlighted above, the public open space provision is considered to be of poor quality.

In light of the above, the site layout is considered to be unacceptable and contrary to the provisions of paragraphs 124 and 127 of the NPPF, Policy CS7 of the Core Strategy, and saved Policy BH3 of the Local Plan.

Internal layout plans of the two proposed house types have been provided. Both house types would have a window in each side elevation. For House Type A, one of these side windows would serve a bathroom and so could be obscure glazed. The other would serve a kitchen. As kitchens classify as habitable rooms, they should have clear glazing. On House Type B, one of the side windows would serve a double bedroom and so would have to be clear glazed. Between the properties on plots 2 and 3 this would result in two habitable room windows being separated by only 2.5m which is insufficient to preserve privacy. For all of the thirteen Type B house types the tight layout would result in bedroom windows facing onto the side elevations of the neighbours at distances of between 1.5m and 3.5m. Six of these properties would have separations of only 2m or less. This would provide extremely poor outlook and would also impact upon light levels. The internal layout of the properties is otherwise considered to be acceptable and it must be noted that the Council has no internal space standards for new build properties. Nevertheless, the poor separation between the properties would mean that they would offer an inadequate standard of residential amenity. Consequently the proposal again fails against paragraphs 124 and 127 of the NPPF, Policy CS7 of the Core Strategy, and saved Policy BH3 of the Local Plan.

Scale is not a matter for consideration as part of this application but the submitted information indicates the provision of bungalows. Were the Council minded to support the application, maximum heights for the properties could be imposed through condition. The observations above are based on single-storey development. Any increase in height would exacerbate the issues relating to inadequate privacy, daylight and outlook, as well as those of visual impact and impact on the character of the area.

## **Design**

The application seeks outline planning permission only and the details of design are not a matter for consideration at this stage. A variety of property types, sizes and forms are evident in the area and so the provision of single-storey bungalows would not be inappropriate on the site in principle.

## **Access, Parking and Highway Safety**

The parking standards set out in the Local Plan advocate that two and three-bedroom properties should have up to two parking spaces apiece in low accessibility areas. The area is low accessibility and so the development proposed would generate a requirement for up to 46 parking spaces. Each property would have its own accessibility parking space and fifteen communal parking spaces would be provided, giving 38 in total. Quantitatively this would equate to just over 80% of the maximum requirement. It is accepted that retired households are somewhat more likely to share use of a single car or be single-person households. On this basis, and subject to a condition that would restrict occupancy to older persons only, this level of provision is considered to be broadly acceptable. However, the communal spaces would not be conveniently located relative to the properties at the north-western and south-eastern ends of the site and those along the eastern boundary. This is further indication that the site layout is contrived and poorly considered.

The Head of Transportation has considered the application and would advocate the provision of two parking spaces per property. No detailed drawings to depict the proposed site access have been provided and so a substantive review has not been possible. However, the access shown does not appear to meet the requisite standards and there is a concern that the necessary visibility splay could incorporate third party land that is not in the control of the applicant. The provision of the visibility splay would certainly require the loss or repositioning of the existing boundary hedgerow and this would then impact upon the character and appearance of the site and area. The applicant has not demonstrated that a refuse vehicle could adequately access and navigate the site. The existing pedestrian footpath facilities in the area are considered to be inadequate. The provision of footpaths within the site is noted and supported but, if planning permission was to be granted, off-site highway works to provide additional footpath and improve the existing footpath to link the site to the nearest public transport connections would be required.

As stated above, Policy CS26 of the Core Strategy seeks to limit development on Marton Moss until a Neighbourhood Plan has been developed for the area. This document would identify any infrastructure necessary to enable the delivery of the plan. If major highway works were required, all developments would be expected to contribute towards the costs of these schemes. This kind of strategic and holistic planning for an area accords with the aims and objectives of the NPPF. The consideration of this scheme in isolation would preclude this kind of approach. An approval in this instance could pre-determine the location of new development on the Moss by taking up available highway capacity, and in doing so without contributing towards wider highway improvement works in the area, could sterilise alternative development opportunities.

## **Flood Risk and Drainage**

The site falls within flood zone 1 and is less than a hectare in area. As such there is no requirement for the developer to provide a site-specific flood risk assessment, or demonstrate compliance with the sequential or exceptions tests.

A drainage strategy has been submitted in support of the application. This identifies a need for further site investigation prior to detailed design to determine how the site is currently drained and whether or not infiltration is a practicable option. Given the soil type in the area, infiltration is unlikely to be a realistic option and so discharge to the surrounding watercourses at restricted rates should be considered. This may require the re-excavation of infilled ditches and this could impact upon the access to the site, particularly as Land Drainage Consent would be unlikely to be granted for the culverting of a watercourse. It is suggested that permeable paving could be used and the central pond is proposed to hold surface water. On balance, and notwithstanding any conflict with the proposed position of the access, it is considered that an appropriate drainage strategy for the site could be agreed.

## **Arboricultural and Ecological Impact**

The application includes a bat and bird survey. This has been prepared by qualified ecologists and appears to have been conducted in accordance with an appropriate methodology at an appropriate time of year. This study concludes that the buildings on site are not suitable for roosting bats and showed no evidence of use by bats. Bats were recorded to forage over the site and the trees and boundary hedgerows are considered to offer important habitat in terms of commuting routes and foraging potential. The hedgerows should be retained and care should be taken to avoid potential disturbance of bats through the provision of external illumination. No evidence of barn owl activity was identified. The vegetation on site has the potential to support nesting birds although no active nests were found during the survey work. It is recommended that demolition work be carried out in winter and that roofs are dismantled by hand. Vegetation clearance should not take place during the bird nesting season and ecological enhancement should be incorporated into any approved scheme. Boundary treatments should be designed so as to enable the movement of small mammals.

Although a bat and bird survey has been submitted, no other ecological appraisals have been provided. The records available to the Council indicate that there are watercourses along the north-western, eastern and southern boundaries of the site, with further watercourses to the west and south. These may have been infilled. There are no records of ponds in the immediate vicinity and so Great Crested Newts are unlikely to be present on site. Nevertheless, whilst the land is previously developed, the nature of the site and area would not preclude the presence of other protected species or invasive plant species. As such, it is considered that a full ecological appraisal should have been submitted as part of the application. Given the issues with the proposal set out above, it has not been considered reasonable to require the applicant to undertake abortive work to produce this information prior to the determination of this application. Furthermore, this is not an appropriate time of year for such surveys to be carried out. Nevertheless, the applicant's failure to demonstrate that the proposal would not impact upon protected species or biodiversity is contrary to the

provisions of paragraph 170 of the NPPF and saved Policy NE6 of the Local Plan, and this weighs notably against the application.

The submitted tree survey advocates the retention of the existing hedgerows and the provision of a high quality landscaping scheme to mitigate any losses. None of the trees on site are considered to be of sufficient quality to warrant retention.

### **Other Issues**

No unacceptable impacts on air quality are anticipated. Water quality would be safeguarded through the design and implementation of a site drainage strategy and construction management plan. Given the intended and previous uses of the site, a condition should be attached to any permission granted to require an investigation into the potential for land contamination and any remediation measures found to be necessary.

The applicant has submitted an appeal decision relating to a proposal for residential development on a site within the jurisdiction of Fylde Borough Council in support of this scheme. However, this decision is not considered to be relevant to the current proposal because it was taken prior to the abolition of the Regional Spatial Strategy at a time when Fylde Borough Council did not have an established housing target or a strategy for housing delivery, but where the evidence base at the time indicated that some settlement boundaries would have to change to encompass necessary development in the countryside. The site in question was judged to be sustainable and its development would not have unduly compromised the character of the area. In contrast to this situation, Blackpool has a published housing target and an up-to-date Development Plan to guide development across the borough. The application site is not particularly accessible and the development proposed would be at odds the character of the area. As such the cases are not considered to be comparable.

### **Sustainability Appraisal**

Sustainability comprises economic, environmental and social components.

Economically the site is not safeguarded for employment use. Future residents would help to support local shops and services but as these are few the weight that can be attached to this is very limited. Some employment would be created during construction but again this carries little weight. Nevertheless, the proposal is considered to be economically sustainable.

Environmentally, no impacts on air quality are expected, water quality could be suitably protected and land contamination adequately addressed. A suitable drainage scheme could be agreed although implementation may be compromised by works to create an adequate access point. The proposal is not anticipated to impact unduly upon bats, nesting birds or Great Crested Newts but insufficient information has been provided to demonstrate that no other protected species would be affected or fully consider the ecological impact of the proposal. Visually, although design is not a matter for consideration at this stage, the density and layout of development would compromise the character of the area. The proximity of the dwellings to the site boundary would be likely to impact upon the boundary hedgerow and the creation of the access would be likely to require hedgerow clearance to provide the

requisite visibility splays. This would further compromise the appearance and character of the area. The site lacks accessibility and it is highly likely that future residents would be dependent upon private car use. As such, the scheme is not considered to be environmentally sustainable.

Socially the scheme would make a quantitative contribution towards meeting the borough's housing requirement. This weighs in favour of the scheme. However, as current indications suggest that the Council can demonstrate a five-year housing land supply, the degree of weight that can be afforded to this is limited. There is an acknowledged need for accommodation suitable for older persons but this should be directed to sustainable locations where residents would enjoy easy access to local shops and services, opportunities for social interaction, and the public transport network. The site is in a relatively remote and disconnected location offering poor connectivity to local shops and services and opportunities for social integration. The proposed layout of the site is considered to be of poor quality. The site and accommodation would not provide an adequate standard of residential amenity due to the close proximity and relationships between the buildings, the lack of outdoor amenity space, the proximity of the buildings to the site boundaries, and the lack of public open space. The communal parking provision is considered to be poorly located. The applicant has failed to demonstrate that a safe point of access could be provided, or that a refuse vehicle could adequately access and navigate the site. If approved, the scheme could pre-determine and compromise the development of a Neighbourhood Plan for the wider area, thereby undermining the comprehensive, holistic and community-led planning approach advocated by the Local Plan and NPPF. No undue flood risks are identified. Given the above, the scheme is not considered to be socially sustainable.

## **CONCLUSION**

In terms of planning balance the quantitative contribution the scheme would make towards the borough's housing requirement is not considered sufficient to outweigh the harm that would arise to the character and appearance of the area, the poor quality of the site layout, or the lack of residential amenity that would be afforded to occupants. The applicant has failed to demonstrate that a safe means of access could be provided or that biodiversity could be adequately safeguarded. As set out above, the proposal is not judged to represent sustainable development and no other material planning considerations have been identified that would outweigh this view. As such, planning permission should be refused.

## **LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION**

None sought given the recommendation for refusal.

## **FINANCIAL BENEFITS**

The scheme would generate some Council Tax income but this has not been taken into account as part of the consideration of the planning balance and merits of the scheme.

## **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(s) 18/0669 which can be accessed via the link below:

<http://idoxpa.blackpool.gov.uk/online-applications/search.doaction=weeklyList>

**Recommended Decision:** Refuse

## **Conditions and Reasons**

1. Policy CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 seeks to restrict development within the Marton Moss Strategic Area to appropriate rural uses only until a Neighbourhood Plan for the area is developed in order to safeguard the character of the area and ensure sustainable, holistic and strategically considered, future development. The development proposed would conflict with Policy CS26 and would compromise a neighbourhood planning approach by pre-determining the location of significant new development. Moreover; in the absence of a comprehensive plan including improvements to the highway network, connectivity, and associated community services and facilities; the site is relatively disconnected and poorly accessible. Residents would have limited options for social integration and would be dependent upon private car use. In the absence of a framework plan to guide development on the Moss, the proposal would not be in-keeping with and would compromise the character of the area by virtue of over-intensive development and the impact on the boundary hedgerows arising from the proposed layout of the site and the need to create a safe point of access. As such, the proposal is considered to be contrary to the provisions of paragraphs 7, 91, 92, 122, 124 and 127 of the NPPF, Policies CS7 and

CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, and saved Policies LQ1 and LQ2 of the Blackpool Local Plan 2001-2016.

2. The development proposed is considered to be over-intensive and of poor, contrived design in terms of site layout. It would offer an inadequate standard of residential amenity by virtue of the lack of public open space on site and the poor quality of the public open space that is proposed; the proximity of the properties to one another and to the site boundaries and the consequent impacts on outlook, light levels and privacy; the limited areas of private outdoor amenity space allocated to the properties; and the position and arrangement of car parking provision. As such, the proposal is considered to be contrary to the provisions of paragraphs 124 and 127 of the NPPF, Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, and saved Policy BH3 of the Blackpool Local Plan 2001-2016.
3. The applicant has failed to demonstrate that a safe means of access could be provided to the site including the provision of adequate visibility splays that do not rely upon land outside of the applicant's control, or that a refuse wagon could adequately access and navigate the site. As such, the proposal is considered to be contrary to the provisions of paragraph 109 of the NPPF and saved Policy AS1 of the Blackpool Local Plan 2001-2016.
4. The applicant has failed to demonstrate that the development would not impact upon protected species (other than bats or nesting birds) or properly assess the potential impact of the scheme on biodiversity. As such, the proposal is considered to be contrary to the provisions of paragraph 170 of the NPPF and saved Policies NE6 and NE7 of the Blackpool Local Plan 2001-2016.

5. **ARTICLE 35 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 38)**

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