

COMMITTEE DATE: [02/07/2019](#)

Application Reference: 19/0168

WARD: Stanley
DATE REGISTERED: 29/03/19
LOCAL PLAN ALLOCATION: Countryside Area

APPLICATION TYPE: Outline Planning Permission
APPLICANT: Mr Porter

PROPOSAL: Erection of up to 19 retirement bungalows and an associated community building with car parking and landscaping (outline application with all matters except access reserved).

LOCATION: 442 MIDGELAND ROAD, BLACKPOOL, FY4 5EE

Summary of Recommendation: Refuse

CASE OFFICER

Miss Susan Parker

BLACKPOOL COUNCIL PLAN 2015 -2020

The Council sets out two priorities. Priority one of the Plan relates to Economy: Maximising growth and opportunity across Blackpool and Priority two of the Plan relates to Communities: Creating stronger communities and increasing resilience However, 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 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 nature of the surrounding area. It would have a fundamental, irrevocable and detrimental impact upon the character of the area and the quality of the Marton Moss Conservation Area as a heritage asset. It is not anticipated that the site could adequately accommodate the quantum of development sought. The applicant has failed to demonstrate that biodiversity would be adequately safeguarded. 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 and the Marton Moss Conservation Area. No other specific designations or constraints apply.

DETAILS OF PROPOSAL

The application is a resubmission of application ref. 18/0669 which sought outline planning permission for the development of 23 bungalows on the site. This previous application was withdrawn by the applicant and so was never determined. The current application seeks outline planning permission for the erection of 19 bungalows and a community building with vehicular access from Midgeland Road. A pedestrian and emergency-vehicle access would be provided onto Kitty Lane. The application seeks to agree the details of the access at this stage with all other matters reserved for later consideration. Initially agreement of layout was sought but, as inadequate information had been provided, this matter is now to be considered at reserved matters stage.

The submitted indicative layout plan shows the bungalows arranged around three formal, landscaped squares. The community building would face onto the northern-most square and would have a strip of landscaping to the south. Thirty-nine car parking spaces including ten accessibility spaces would be provided around the outside of the dwellings. Those parts of the site to the east and south of the buildings would be largely hard-surfaced to provide access to the parking.

No details of the house types have been provided as part of the application but the application form stipulates the provision of bungalows.

The application has been supported by:

- Planning statement
- Design and access statement
- Heritage statement
- Accessibility information
- Transport statement
- Drainage strategy
- Geotechnical assessment
- Bat survey
- Great Crested Newt survey
- Tree survey
- Details of a public consultation exercise
- Planning Inspectorate appeal decision notice for a site in Fylde

The appeal decision from Fylde Borough Council is not considered to be relevant to this proposal.

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.

18/0669 – outline planning permission withdrawn for the erection of 23 bungalows on the site. This application sought to agree the details of access and layout and would have been refused on the basis of conflict with Policy CS26 of the Core Strategy; the piecemeal nature of the development in the absence of a Neighbourhood Plan; the over-intensive nature of the scheme and the poor amenity it would offer; the failure of the application to demonstrate a safe means of access; and the failure of the applicant to demonstrate that the scheme would not have had an unacceptable impact on biodiversity.

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 type
- The acceptability of the proposed layout and the impact on residential amenity
- Acceptability of the access arrangements and the impact on highway safety
- Drainage, ecological and environmental impacts
- Sustainability and planning balance appraisal

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

CONSULTATIONS

Marton Moss Neighbourhood Forum: the proposed access onto Kitty Lane is considered to be a bad idea as the road is narrow, private and in poor condition. It is already used as a cut-through by parents taking children to the local school. Turning manoeuvres at the junction of School Road and Midgeland Road are already difficult at peak times. It is considered that the age restriction could not be sustained. There is potential for the scheme to be amended in future if the site is sold on. The site is remote from local services and facilities. The scheme would be contrary to Policy CS26 of the Core Strategy. The development would not be in-keeping with the character of the Moss. There is some wish for the site to be redeveloped but in a more appropriate manner. There is a need for affordable housing for younger people delivered in a style sympathetic to the forms evident on the Moss. Equally, large houses with large gardens would be more appropriate to keep the open feel. It is understood that economics will play a part in the future of the site.

Head of Highways and Traffic Management: the accessibility questionnaire submitted gives a skewed impression as the nearest bus stop enjoys a good frequency even though it is remote from the application site. It is considered that, in reality, the site is relatively inaccessible by any quantification. As such the residential development of the site could not be supported. The development proposed would be unlikely to have a material impact on highway capacity, function or safety on Midgeland Road. Subject to a condition securing the necessary details and visibility splays, no objection on highway grounds is raised. It would, however, be reasonable to restrict use of the community building to on-site residents only to avoid extraneous traffic.

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. Any wastewater assets proposed for adoption must be to United Utilities (UU) standards and early consultation is recommended. The applicant should consult with UU at the earliest opportunity regarding connection. The Lead Local Flood Authority should be consulted. 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: conditions should be imposed to require the agreement and implementation of a surface-water drainage strategy based on sustainable principles and a management plan for that system.

Head of Parks and Green Environmental Services: 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: 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.

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.

Built Heritage Manager: the density of development would be entirely unacceptable. The Marton Moss Conservation Area Appraisal stresses that the area is characterised by low density development with a mainly agricultural tradition. This proposal would have an irredeemably negative impact on the character of the Conservation Area.

Blackpool Civic Trust: 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.

REPRESENTATIONS

Press notice published: 11 April 2019

Site notice displayed: 16 April 2019

Neighbours notified: 2 April 2019

Eight representations have been received from:

Squires Gate Lane; No. 239

Jubilee Lane; Poplar Cottage, Silvern

Kitty Lane; Avondale, The Poplars

Midgeland Road; No. 512

Dunes Avenue; No. 14

These raise the following issues:

- Inappropriate location for development
- Contrary to planning policy
- Impact on the character of the area
- Unsustainable location due to lack of shops and services, particularly for retired persons
- Increased pressure on local infrastructure and services
- Development would be out-of-keeping with the locality
- Increase in traffic, vehicle movements and congestion
- Impact on highway safety
- Surrounding lanes unsuitable for pedestrians and wheelchair users
- Kitty Lane is a private road that is narrow and used as a rat-run and cannot cope with additional traffic
- Access onto Kitty Lane should be removed or gated
- Unclear what the community building would be used for
- Development could not be safeguarded for over-65 occupation
- A planning permission would set an undesirable precedent
- Existing hedgerows should be retained

It is relatively common practice for residential developments to be restricted to occupation by older persons where this is necessary to make the scheme acceptable. This is achieved through condition and appropriate wording is available that meets the standard planning tests for a reasonably and defensible condition.

NATIONAL PLANNING POLICY FRAMEWORK

The revised National Planning Policy Framework (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
- Section 16 - Conserving and enhancing the historic environment

NATIONAL PLANNING PRACTICE GUIDANCE

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 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
- CS8 Heritage
- 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
- LQ10 Conservation Areas

- 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)

BLACKPOOL LOCAL PLAN PART 2: PROPOSED SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES

The Blackpool Local Plan Part 2 has been subject to an informal consultation exercise and will be subject to formal consultation later this year. At this point in time limited weight can be attached to the proposed policies. Nevertheless, the following draft policies in Part 2 are most relevant to this application:

- DM2 Housing for Older People
- DM5 Design Requirements for New Build Housing Development
- DM20 Landscaping
- DM21 Public Health and Safety
- DM25 Public Art
- DM33 Biodiversity
- DM39 Transport Requirements for New Development

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 NE2 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, and a forum and area map have been established, there is no 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. The proposed community building has been considered as an ancillary element to the main residential scheme and so the assessment set out here applies equally to this element of the application. In light of the above, 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 up to 19 dwellings on the site would equate to a housing density of up to 22 dwellings per hectare. Whilst this is relatively low in general terms, it would nevertheless significantly exceed existing built densities in the immediate area, and thereby appear incongruous and overly urban in the setting.

Currently the application site is surrounded by tall and substantial hedgerows. Based on the site layout plan submitted, some 70m of this hedgerow would have to be removed and replanted in a slightly different position in order to enable the provision of an adequate visibility splay. This hedgerow would have to be maintained at a lower height of 1.5m. In contrast to the previous submission, it is no longer considered that the indicative layout of the site would compromise the successful retention of the existing hedgerows along the southern boundary and the corner of the site. In any event, were the Council minded to support the scheme, a layout could be agreed at reserved matters stage that would safeguard the hedgerows. It must be acknowledged that the retention of the hedgerows would continue to make a positive contribution towards the appearance of the streetscene. However, even bungalow development would be clearly visible over the boundary

hedgerows and the quantum of built form proposed would fundamentally, irrevocably and detrimentally alter the character of the site and the immediate area. Equally, it would have a clearly harmful impact on the character and quality of the Marton Moss Conservation Area and its value as a heritage asset. This weighs heavily against the application.

The development of a Neighbourhood Plan for Marton Moss is advocated on the basis that any 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 narrow 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 and 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.

The proposed development of a community building is noted. Whilst this would go some way towards providing opportunities for social interaction, by serving only the residents of the development it would be insular in nature and would not support meaningful neighbourhood or community engagement and integration. If the community building was intended for wider neighbourhood use it would have to be considered as a main town centre use and accompanied by a sequential appraisal. As no such has been submitted, the community building has been assessed as an ancillary element of the residential 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 19 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 a 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, the quality of the Marton Moss Conservation Area and its value as a heritage asset, and the poor accessibility of the site.

Housing Density and Mix

As stated above, the application proposes a density of up to 22 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.

As the application is made in outline, no housing mix information has been submitted. Policy CS13 of the Core Strategy requires development sites of this size to contribute towards a balanced mix of housing in the surrounding area. Were the Council minded to support the scheme, a condition could be attached to any permission granted to require the housing mix on the site to be agreed.

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 19 units are proposed, six 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, as the accommodation would be intended to accommodate retired persons, no impact on school capacity is anticipated 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. As the application does not include any details of bedroom numbers, the exact quantum of necessary provision cannot be calculated. As such and were the Council minded to support the scheme, a condition could be imposed on any permission granted to require the agreement of a scheme of public open space provision that would deliver the necessary requirement once it is known.

Amenity

The layout of the site is not a matter for consideration at this stage. The Council has long-standing minimum separation distances for residential developments that are designed to safeguard privacy and levels of daylight. Should outline permission be granted, it is

considered that a layout could be secured at reserved matters stage that would adequately safeguard residential amenity.

Some disturbance during construction would be inevitable, but a Construction Management Plan could be agreed through condition to ensure that the construction process would not have an undue impact. There is no reason to suppose that the use of the land for housing would generate a level of noise, activity or disturbance during the operation phase that would have an unacceptable impact on the residential amenity of nearby neighbours. Future residents would not be subject to any undue noise nuisance from surrounding businesses or from local traffic.

The indicative layout plan does not show any public open space. 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. It is unclear based on the indicative plan provided how up to 19 dwellings meeting the Council's requisite separation distances and the necessary amount public open space could be provided on site. Any lack of on-site public open space would weigh against the proposal.

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 but this would not necessarily overcome the issue identified above.

Design and Heritage Impact

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. Although the submitted plan is acknowledged as being indicative only, the provision of hard-standing around much of the perimeter of the site would not be considered acceptable. Equally, properties presenting rear elevations to Midgeland Road and Kitty Lane would be unacceptable. Notwithstanding the Council's objection to the proposal in principle, particular attention would have to be given at reserved matters stage to the views into the site from the two access points where there is no hedgerow screening. To achieve the necessary visibility splay at the access, a significant

stretch of existing boundary hedgerow would have to be removed and replanted. This would impact upon the character and appearance of the site and area.

The site falls within the defined Marton Moss Conservation Area and the scheme has been considered by the Council's Built Heritage Manager. The appraisal for the Conservation Area stresses that the area is characterised by low density development arising from agricultural traditions. Although the existing buildings on site are relatively open, the development proposed would be of a density that would be entirely inappropriate in this area. It is considered that this would have a irredeemably negative impact on the character of the Conservation Area and its value as a heritage asset.

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. A one-bedroom property should have at least one space. As layout is not a matter for consideration at this stage, the total bedroom number is unknown and so the total parking requirement cannot be calculated. This is something that would have to be addressed at reserved matters stage as part of the consideration of layout. However, the illustrative plan indicates 19 units of accommodation with 39 parking spaces. As bedroom numbers are unknown, it is not possible to comment on the acceptability of this ratio.

The Head of Transportation has considered the application. It is judged that the development would be unlikely to have a material impact on highway capacity, function or safety and that, subject to a condition securing the necessary details and visibility splays, no objection on highway grounds could be raised. As such, the pedestrian and emergency services access onto Kitty Lane is considered to be acceptable.

In response to the previous application, the Head of Transportation noted that it had not been demonstrated that a refuse wagon would adequately access and navigate the site. This could be addressed at reserved matters stage were the Council minded to support the scheme. The existing pedestrian footpath facilities in the area are considered to be inadequate and, if planning permission were 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. Were permission granted, it would also be appropriate to restrict use of the community building to on-site residents only to avoid extraneous traffic.

The application site is considered to be a relatively inaccessible location for residential development and, on this basis, the Head of Highways and Traffic Management does not consider the current proposal to be acceptable. 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 and the accessibility of the area. If highway works or infrastructure/connectivity improvements 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. A grant of

planning permission for 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 and connectivity 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 the Council's three standard drainage conditions be imposed to enable the agreement of a suitable drainage strategy. 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 and a great crested newt survey. Both have been prepared by suitably qualified ecologists and appears to have been conducted in accordance with appropriate methodologies at an appropriate time of year. The bat and bird survey was produced in June 2018 and so is still valid for use as part of this assessment. The newt study confirms that newts are absent from the site and immediate surrounding habitat and that no further survey work or mitigation is required. The bat 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.

Notwithstanding the submitted bat, bird and great crested newt surveys, no phase 1 ecological assessment has been carried out. Whilst the land is previously developed, the nature of the site and area would not preclude the presence of other mammalian,

amphibian 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. 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 180 of the NPPF and saved Policy NE6 of the Local Plan, and this weighs 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 proposal would have a limited impact. The site is not safeguarded for employment use, future residents would help to support local shops and services and some limited employment would be created during construction.

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 development itself would have a fundamental, irrevocable and detrimental impact on the 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 and qualitative 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. It is not considered that the quantum of development sought could be delivered on the site in accordance with the Council's separation standards along with appropriate public open space, landscaping and car parking. The scheme would have an irredeemably negative impact on the character of the Marton Moss Conservation Area and its value as a heritage asset. 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 highway safety or flood risks are identified.

CONCLUSION

In terms of planning balance the 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 quality and value of the Marton Moss Conservation Area as a heritage asset, and the anticipated failure of the site to adequately accommodate the quantum of development sought. The applicant has failed to demonstrate 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) 19/0168 which can be accessed via the link below:

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

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. Notwithstanding the proposed community building, 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 Marton 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. It is not considered that the site could accommodate the quantum of development sought along with the necessary public open space, landscaping, manoeuvring space and car parking to a sufficient standard to deliver acceptable residential amenity to future occupants. 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. By virtue of the density of development sought, the scheme would have an unacceptable impact upon the appearance and character of the streetscene and upon the character and quality of the Marton Moss Conservation Area as a heritage asset. As such it would be contrary to the provisions of paragraphs 193, 194 and 195 of the NPPF, Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, and saved Policies LQ1, LQ2 and LQ10 of the Blackpool Local Plan 2001-2016.
4. The applicant has failed to properly assess the potential impact of the scheme on biodiversity. As such, the proposal is considered to be contrary to the provisions of paragraph 180 of the NPPF and saved Policies NE6 and NE7 of the Blackpool Local Plan 2001-2016. (It is acknowledged that this reason for refusal could be easily addressed through a phase 1 ecological appraisal).
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