

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

Application Reference: 19/0176

WARD: Ingthorpe
DATE REGISTERED: 05/04/19
LOCAL PLAN ALLOCATION: Protection of Public Open Space

APPLICATION TYPE: Outline Planning Permission
APPLICANT: Blackpool Council

PROPOSAL: Erection of up to 47 dwellings with vehicular access from Ryscar Way (outline application with all matters reserved).

LOCATION: LAND TO THE NORTH OF OF RYSCAR WAY AND WEST OF FARADAY WAY
BLACKPOOL

Summary of Recommendation: Grant Permission

CASE OFFICER

Miss Susan Parker

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority Two of the Plan** – Our Community: Creating Stronger Communities and Increasing Resilience as it would deliver new housing to help meet the Council’s identified housing requirements.

SUMMARY OF RECOMMENDATION

The application seeks outline planning permission with all matters reserved for the development of up to 47 new dwellings. This would make a significant quantitative contribution towards meeting the Borough’s identified housing need and this weighs heavily in favour of the application. The housing would be proposed towards the eastern end of the site away from the protected public open space and the public right of way, and outside of flood zones 2 and 3. The scheme would inevitably have some visual impact on the area but, given the surrounding context, housing development on the site is considered to be acceptable. Subject to the imposition of the conditions listed at the end of this report, no unacceptable impacts are anticipated. It is considered that an appropriate access and a good standard of site layout, scale, appearance and landscaping could be secured at reserved matters stage. As such, Members are respectfully recommended to grant planning permission.

INTRODUCTION

The application is before Committee because it is a major housing proposal on Council owned land.

SITE DESCRIPTION

The proposal relates to a 2.6ha site to the north of Ryscar Way and to the west of Faraday Way. The site is roughly rectangular in shape and is bound by housing to the north and east. The southern boundary wraps around the former Bispham Hospital site (now a care home called Bispham Gardens) and there are houses to the south along Faraday Way and on the opposite side of Ryscar Way.

Established hedgerows bisect the site in two places running north to south, and there is additional hedgerow planting along the northern and southern boundaries. The site is otherwise grassed with some shrubbery. There is a small pond in one hedgerow on the site and there is an additional large pond immediately to the south. The site rises from west to east by around 2.5m, and also from north-west to south and south-east by around 3m

The western part of the site falls within flood zones 2 and 3 and there is a Public Right of Way bisecting the site along the western boundary. This western part of the site is protected as public open space. The site falls within the potential impact zone for a number of local Biological Heritage Sites. The site is not designated for any particular purpose on the Proposals Map to the Local Plan.

A small part of the eastern side of the site falls within the jurisdiction of Wyre Borough Council and hence a parallel application has been made to this Council.

DETAILS OF PROPOSAL

The application seeks outline planning permission for up to 47 new houses with vehicular access from Ryscar Way. The application seeks permission in principle only with all detailed matters reserved for later consideration. The submitted layout plans are purely illustrative. A parameters plan has been provided which shows that no development would take place within the flood zone or within an easement strip along the western boundary that contains the existing Public Right of Way.

The application has been supported by:

- Design and Access Statement
- Planning Statement
- Ecological Appraisal
- Arboricultural Impact Assessment and Tree Survey
- Flood Risk Assessment and Drainage Strategy
- Transport Assessment
- Interim Travel Plan

RELEVANT PLANNING HISTORY

19/0067 – pre-application advice sought in respect of this proposal.

19/00258/OULMAJ – parallel application made to Wyre Borough Council as the application site is cross-boundary

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle of redevelopment
- Amenity impact
- Visual impact
- Highway Impact
- Flood risk and drainage
- Ecological and arboricultural impacts
- Environmental Impact
- Sustainability and planning balance appraisal

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

CONSULTATIONS

Environment Agency: in the absence of an acceptable Flood Risk Assessment (FRA), an objection is raised and the application should be refused. The site is located partially within flood zones 2 and 3 and so the application should be accompanied by a Flood Risk Assessment appropriate to the nature and scale of development. The proposal is for housing which is a 'more vulnerable' land use. The Flood Risk Assessment submitted does not comply with the requirements for site-specific flood risk assessments set out in paragraphs 30-32 of the 'Flood Risk and Coastal Change' section of the National Planning Practice Guidance. The Flood Risk Assessment establishes minimum finished floor levels but not ground levels. The Flood Risk Assessment also states that the dwellings would be located in flood zone 1 but there is no assessment of the extent to which the boundaries of flood zones 2 and 3 may vary with climate change. The housing should be located outside of any areas that may be at risk of flooding in the future. To overcome the objection the flood risk assessment should establish if fluvial or tidal flooding takes precedence; confirm the surrounding ground level and clarify any proposed change in ground levels; include a topographical survey showing the extents of flood zones 2 and 3 to include undefended flood level and climate change and to show that the development would be limited to flood zone 1. The fluvial flood levels for Royals Brook as stated in section 5.1 do not correspond to Environment Agency records. On-site levels should be used in preference to in-channel levels. The local planning authority must determine if the development would accord with the sequential test. Additional information has been submitted in response to the Environment Agency's concerns and further comments from the Environment Agency will be reported through the update note.

Ramblers Association: no comment received at the time of writing this report. Any comments that are received in advance of the Committee meeting will be communicated through the update note.

Greater Manchester Ecology Unit: the application includes an ecological appraisal and the site has some limited ecological interest. The hedgerows on site are generally species poor but with potential to support nesting birds. Some hedgerow would be lost and so a landscaping scheme to include replacement and mitigation planting will be required. An Ecological Design Strategy (EDS) should be secured through condition and appropriate wording is provided. The appraisal found no evidence of great crested newts although other amphibians were present. A suitable vegetated buffer to pond 1 should be retained and this should be incorporated into the EDS. The reasonable avoidance measures identified in the appraisal should be followed and included in a construction environmental management plan (CEMP). Again this should be secured through condition and appropriate wording has been provided. Nesting birds may be present on site and so vegetation clearance should take place outside of main bird breeding season. This should be included in the CEMP. The EDS should include details of biodiversity enhancement measures to deliver a net gain for biodiversity on the site.

Lancashire County Council (Highways): the indicative site plan shows that access would be taken from Ryscar Way but, as the application is made in outline with all matters reserved, access could be taken from Faraday Way. The submitted transport assessment only considers highway implications with regard to a Ryscar Way access. No objection is raised if the access is to be onto Ryscar Way. It is recommended that a 3.5m wide shared-surface pedestrian/cyclist access be provided onto Faraday Way. This would need to be delivered through a S278 highway agreement. Were the access to be onto Faraday Way, assessments of the Bispham Road junction and the Norcross Lane roundabout would be required, and these assessments would have to take account of committed developments. The increase in vehicle movements on Faraday Way would be a concern and an objection would be raised against a vehicle access onto Faraday Way. Appropriate conditions are recommended.

Wyre Borough Council: no comment received at the time of writing this report. Any comments that are received in advance of the Committee meeting will be communicated through the update note.

Lead Local Flood Authority: the drainage assessment is acceptable in the context of an outline application. Significantly more detail and sustainable drainage consideration will be required in full course.

Local Education Authority: the Council has developed a calculation to devise necessary infrastructure contributions towards local education provision. This is based on forecasted pupil projections and an assessment of the demand that would be generated by a development. It considers primary schools within a two mile radius and secondary schools within a three mile radius. The application is made in outline form but it is estimated that it would yield ten primary school places and eight secondary school places. This would have to be reassessed once full details are known. At present this level of demand could be

accommodated within existing schools in the area and so no contributions are required at the present time.

Head of Highways and Transportation: the transport assessment is acceptable in the context of an outline application. There is an erroneous reference at one point but the intent is clear from the plans. Access must be taken from Ryscar Way. Necessary off-site highway works would include the provision of additional footways and waiting restrictions.

Environmental Protection (Contaminated Land): there are no known historic land uses that would indicate a significant likelihood of significant harm from contaminated land. As such, no further investigation is required. If contamination is discovered during development, works should cease and an appropriate investigation carried out.

Environmental Protection (Amenity): the submitted noise report identifies traffic on Faraday Way to be a likely source of noise nuisance. A number of recommendations are proposed to mitigate this impact such as use of double-glazing. In addition to this an acoustic green-living barrier should be erected along the Faraday Way frontage.

Head of Parks and Greens: no comment received at the time of writing this report. Any comments that are received in advance of the Committee meeting will be communicated through the update note.

United Utilities: The submitted FRA has been considered and the proposals are acceptable in principle. The drainage of the site should be carried out in accordance with the submitted FRA. No surface water should drain into the public sewer. Any variation to the discharge of foul water must be first agreed with the Local Planning Authority. The development must be completed in accordance with the agreed details. The Lead Local Flood Authority should be consulted. Any wastewater assets proposed for adoption must meet United Utilities (UU) standards and early consultation with UU is recommended. Appropriate management of the surface water drainage strategy should be secured through condition. UU water mains may need to be extended to serve the development at the developer's expense and again the developer should contact UU at the earliest opportunity. All fittings must meet current standards. Level of cover to UU assets must not be compromised. A public sewer crosses the site and must not be built over. A 6m access strip centred on the sewer must be maintained and no deep-rooted shrubs or trees should be planted within it. If a sewer diversion is necessary then the developer should discuss this with UU at the earliest opportunity. If a sewer is discovered during construction, a Building Control body must be consulted.

PUBLICITY AND REPRESENTATIONS

Press notice published: 18 April 2019

Site notices displayed: 16 April 2019

Neighbour letters sent: 9 April 2019

Representations have been received from nos. 1, 5 and 10 Bordeaux Crescent, and 1 Tennyson Drive raising the following issues:

- Loss of greenspace
- Impact on amenity
- Loss of privacy
- Increased noise and disturbance, including from traffic and residents without gardens
- Loss of light
- Visual impact
- Impact on trees, hedgerows and wildlife
- Increase in traffic and congestion
- Impact on highway safety, especially given proximity of primary school
- Lack of parking and increase in parking pressure on-street
- There are existing issues with traffic speeds
- There has been a fatal traffic incident in the area
- Impact on air quality
- Inadequate drainage and risk of flooding
- The apartments would not have outdoor space

Members are respectfully advised that this is an outline application with all matters reserved. As such, any details relating to housing mix or site layout are only indicative at this stage.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The revised National Planning Policy Framework (NPPF) was published in February 2019. It retains the key objective of achieving sustainable development. 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 following sections are most relevant to this application:

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

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The National Planning Practice Guidance (NPPG) expands upon and offers clarity on the points of policy set out in the NPPF. The following sections are most relevant to this application:

- Air quality
- Design

- Flood risk and coastal change
- Health and well-being
- Natural environment
- Noise
- Open space, sports and recreation facilities, public rights of way and local green space
- Planning obligations
- Travel plans, transport assessments and statements
- Water supply, wastewater and water quality

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

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

- CS1 – Strategic location of development
- CS2 – Housing provision
- CS6 – Green infrastructure
- CS7 – Quality of design
- CS9 – Water management
- CS11 – Planning obligations
- CS13 – Housing mix, density and standards
- CS14 – Affordable housing
- CS15 – Health and education

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
- LQ6 – Landscape design and biodiversity
- BH3 – Residential and visitor amenity
- BH5 – Protection of public open space
- BH10 – Open space in new housing developments
- NE5 – Other sites of nature conservation value
- NE6 – Protected species
- NE7 – Sites and features of landscape, nature conservation and environmental value
- AS1 - General Requirements (Access and Transport)

EMERGING 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. The following policies in Part 2 are most relevant to this application:

DM2 – Housing for older people

DM5 – Design requirements for new build housing developments

DM20 – Landscaping

DM21 – Public health and safety

DM25 – Public art

DM33 - Biodiversity

DM39 – Transport requirements for new development

ASSESSMENT

Principle

The majority of the site is unallocated on the Proposals Map to the Local Plan. It is vegetated and has been used for horse-grazing in the past. Given the size of the site and its enclosure by built development and a main road, it would have limited value as agricultural land. There is a mix of uses around the site and in the wider area but the land to the west of this section of Faraday Way is predominantly residential in character. As such, the development of the land to provide residential accommodation is considered to be acceptable in land use terms.

The western part of the site is protected as public open space and also includes a public right of way. This same area also falls within flood zones 2 and 3 and includes a public sewer that is subject to a 6m easement. Paragraphs 158-163 of the NPPF require new housing development to be located in accordance with the sequential and exceptions tests where appropriate. This means that new housing should not be permitted within flood zones 2 or 3 if there is available land that could accommodate the development within flood zone 1. In this case it is proposed that the housing development would be limited to the area of the site falling within flood zone 1. A condition could be attached to any permission granted to limit development to this area and, subject to this, there would be no requirement for the applicant to demonstrate compliance with the sequential or exceptions tests. This would also have the effect of keeping built development outside of the protected public open space and away from the public right of way and public sewer easement. Appropriate landscaping to preserve the character and function of the public open space and public right of way could be secured at reserved matters stage.

The scheme would make a significant quantitative contribution of up to 47 new dwellings towards the Borough's housing requirement. Current indications are that the Council can identify a five year housing land supply but the residential development of this site has been included in the latest calculations. Should planning permission be refused for the

development proposed, the Council would not be able to identify a five year housing land supply. On this basis, the quantitative contribution the scheme would make towards the Borough's housing supply weighs heavily in favour of the application.

The application is made in outline with all matters reserved. As such there is no indication of proposed housing mix. Policy CS13 of the Core Strategy stipulates the appropriate housing mix that should be provided on sites of more than 1ha area. It states that at least 20% of homes should be two-bedroom, at least 20% should be three-bedroom or larger, and that no more than 10% should provide only a single bedroom. Compliance with this condition could be secured through condition.

No part of the site is identified as a mineral safeguarding area.

In light of the above, the proposal would be acceptable in principle.

Planning obligations

Policy CS14 of the Core Strategy requires residential schemes of 15 dwellings or more to include an on-site provision of affordable housing equivalent to 30% of the total. As up to 47 dwellings are proposed, this would equate to an affordable housing provision of 14 units. This would be secured through condition.

Policy CS15 of the Core Strategy explains that contributions will be sought from developers towards local health care and education provision where the development would impact upon existing capacity. At the time of writing, the local NHS Care Commissioning Group has not produced a methodology with which contributions can be calculated. As such, it is not possible for the Council to secure financial contributions towards local health care provision at the current time. The scheme has been considered by the Council in its capacity as Local Education Authority. It is estimated that the scale of development proposed would generate a requirement for 10 primary school places and 8 secondary school places, but that existing schools in the area could accommodate this level of demand. As such, no education contribution is sought.

In accordance with Policy BH10 of the Local Plan, the scheme proposed would generate a requirement for on-site public open space provision. The exact quantum of necessary provision cannot be calculated until the exact housing mix of the scheme is known. As such, a condition should 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. The public open space developed to serve the needs of this development should be provided in addition to the existing area of public open space along the western boundary of the site, however, it would be appropriate for the two to be combined into a single area offering more meaningful public amenity benefit.

Amenity

A number of objections have been received from local residents in relation to anticipated impacts on residential amenity. In particular, concerns have been raised relating to potential

loss of privacy and loss of daylight, and increased noise and disturbance. 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. Housing is considered to be an appropriate land use for the site given the surrounding context and there is no reason to suppose that residential development would generate an unreasonable amount of noise or disturbance once occupied.

With regard to the concerns relating to over-looking and over-shadowing, Members are respectfully reminded that the application has been made in outline with all matters, including layout, reserved for latter consideration. 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, an appropriate layout could be secured at reserved matters stage.

The submitted noise report suggests that vehicular traffic on Faraday Way would likely be a source of noise nuisance. This could be overcome through mitigation measures such as the use of double-glazing and through the provision of an acoustic barrier along the Faraday Way frontage. Subject to appropriate conditions to secure these measures, no unacceptable amenity impacts arising from noise are expected.

In light of the above, no unacceptable impacts on residential amenity are anticipated.

Visual impact and impact on the character of the public right of way

The site is currently undeveloped greenfield land and therefore has inherent value as open space. The development of the site would inevitably have a detrimental visual impact on the immediate area and this weighs against the application. However, the extent of visual impact must be weighed against the characteristics of the area. The site is not designated for its landscape, nature conservation or heritage value. In landscape terms is not rare and is of no more than local significance. Consequently the site is not considered to be particularly visually sensitive.

At present the site is visible primarily from Faraday Way, from the public right of way along the western boundary, from the rear elevations of surrounding properties, and from the Bispham Gardens care home site. From Faraday Way the site is viewed against the backdrop of the surrounding buildings. Although there is a footpath along the western side of the road, it is not heavily used by pedestrians. Views across the site from vehicles would be relatively fleeting. Equally the views across the site from the care home and the properties fronting Bordeaux Crescent would be against the backdrop of built development. On this basis, the development would not be expected to have an unacceptable visual impact on these receptors.

The properties fronting Kinraig Place would view the site against the backdrop of the fields on the eastern side of Faraday Way. As such the visual impact would arguably be greater on these receptors. However, the existing public open space along the western boundary of the site nearest to these properties would be retained and any additional public open space to serve the needs of the development would be likely to be located along the western edge.

As such, these properties would be likely to benefit from a substantial landscaped buffer separating them from the new houses. It is considered that this would adequately mitigate any visual impact.

The public right of way bisects the site and follows the line of the western boundary. It runs from Ryscar Way to the south and links into a network of footpaths to the north. At present it is screened from the main body of the site by a substantial hedgerow that includes some tree planting. The indicative plans show that this hedgerow would be retained and a condition could be attached to any permission granted to require it to be bolstered with appropriate native species. The public right of way runs through or along residential areas for much of its length and so this urban, housing context is an intrinsic element of its character. On this basis and given that appropriate screening could be safeguarded, the development is not anticipated to have an unacceptable impact on the character of the public right of way.

Details of the appearance of the development are not a matter for consideration at this stage. It is considered that an appropriate layout of well-designed properties could be adequately secured at reserved matters stage. At that time it will be important to ensure that the properties relate well to the internal estate road, to Faraday Way and to the surrounding properties. In order to mitigate potential noise nuisance, an acoustic barrier is recommended along the Faraday Way frontage. To minimise visual impact and soften the appearance of the development, this acoustic barrier should be designed as a green living fence. Appropriate landscaping both within the site and along the site boundaries could also be secured at reserved matters stage to improve the appearance of the development and allow it to integrate effectively into its surroundings. As such, no unacceptable visual impacts are anticipated.

Access, highway safety and parking

The proposal has been considered by the Head of Highways and Traffic Management as the Local Highway Authority, and by Lancashire County Council as the neighbouring Local Highway Authority. As long as vehicular access is taken solely from Ryscar Way, no objections are raised, and this could be secured through condition.

The submitted transport information has been considered and, as long as vehicular access were taken from Ryscar Way, is considered to be acceptable. Given the anticipated level of traffic generation, no unacceptable impacts on highway capacity, function or safety are anticipated. As stated, layout is not a matter for consideration at this stage but, at Reserved Matters stage, an appropriate level of car parking provision to meet the needs of the development could be secured. Necessary off-site highway works to include the provision of a new footpath, any necessary Traffic Regulation Orders, and a connection for pedestrians and cyclists between the site and Faraday Way could be secured through condition.

In light of the above, no unacceptable impacts on highway safety or function are anticipated.

Flood risk and drainage

The western part of the site falls within flood zones 2 and 3. However, as the applicant intends to limit the development to the area of flood zone 1 within the site, and as this can be secured through condition, there is no need for the applicant to demonstrate compliance with the sequential or exception tests. A site-specific Flood Risk Assessment (FRA) has been submitted as part of the application. This has been considered by the Environment Agency, United Utilities and the Council in its capacity as Lead Local Flood Authority.

The Environment Agency has raised some concerns in relation to the FRA. Additional information has been submitted and it is anticipated that the Environment Agency will be able to withdraw their objection prior to the Committee meeting. This would be reported through the update note. United Utilities and the Council's drainage officer have raised no objections. United Utilities has suggested that the drainage proposal set out in the FRA are acceptable, but the Council's drainage officer considers that more information is needed. On this basis, it is considered that three standard conditions should be attached to any outline permission granted. The first would require foul and surface water to be drained separately. The second would require a surface-water drainage scheme to be agreed and implemented, and the third would require the agreement of a management plan for the surface-water drainage scheme. In order to be acceptable, a surface-water drainage strategy would have to adhere to sustainable principles. Compliance with the approved FRA could be secured through condition.

In light of the above, and subject to the imposition of appropriate conditions, it is considered that the site could be appropriately drained. Subject to the Environment Agency withdrawing its objection on the basis of the revised information that has been submitted, it is also considered that the development would not be at undue risk from flooding and would not unduly increase flood-risk off-site.

Biodiversity

The site has been surveyed by competent ecologists and their findings have been reviewed by Greater Manchester Ecology Unit on behalf of the Council. No protected species have been identified on site but other species, including amphibians and birds, have been identified. As such, reasonable avoidance measures should be practiced during construction to avoid harm. A Construction Environmental Management Plan has been requested but it is considered that conditions to require adherence to the recommendations in the appraisal and to prevent vegetation clearance unless the absence of nesting birds is established would be sufficient to safeguard biodiversity.

In accordance with paragraph 180 of the NPPF, new developments should sustain and enhance biodiversity and the quality of the natural environment, and should provide a net gain where practicable. To this end an Ecological Design Strategy (EDS) would be secured through condition. This strategy would detail the provision replacement planting to mitigate the loss of any trees or hedgerows; the retention and enhancement of a landscaped buffer around the nearby pond; and the incorporation of ecological enhancement measures into the development such as bird and bat boxes and features to support small mammals. A

condition should also be imposed to prevent vegetation clearance during the main bird nesting period.

Subject to the imposition of appropriate conditions, no unacceptable impacts on biodiversity are anticipated. Members are respectfully reminded that details relating to general landscaping are reserved for later consideration.

Environmental quality

The site is not close to a designated Air Quality Management Area and so, given the scale of development, no unacceptable impacts on air quality would be expected once the properties were occupied. A Construction Management Plan could be agreed through condition to prevent dust nuisance and safeguard air quality during construction. The proposal has been considered by the Council's Environmental Protection team and, given the history of the site, no further investigation with regard to potential land contamination is considered necessary. Water quality could be adequately safeguarded during construction through the agreement of a Construction Management Plan, and during the lifetime of the development through the agreement of an appropriate surface-water drainage strategy. On this basis, no unacceptable risks from or impacts on environmental quality area anticipated.

Sustainability and planning balance appraisal

Sustainability comprises economic, environmental and social components.

Economically, the proposal would have limited impact. It would not result in a loss of employment or valuable agricultural land and would not unduly compromise the operation of any existing businesses. Future residents would help to support local shops and services and some limited employment would be generated during construction.

Environmentally, and subject to the imposition of appropriate conditions, the scheme would not have an unacceptable impact on ecology, drainage or environmental quality. Future residents may be somewhat dependent upon private car use and this weighs somewhat against the application. Detailed design is not a matter for consideration at this stage. The scheme would inevitably have a visual impact on the area and, whilst this weighs against the scheme, it is not considered to be unacceptable.

Socially, the scheme would deliver up to 47 new dwellings. This would make a significant quantitative contribution towards meeting the Borough's identified housing need and this weighs heavily in favour of the application. Subject to the agreement of a detailed layout, no unacceptable impacts on amenity are expected. Through appropriate landscaping it is considered that the character and quality of the public right of way could be satisfactorily sustained. No unacceptable impacts on flood risk or highway safety are anticipated.

In terms of planning balance, the benefits arising from the delivery of new housing to meet the borough's needs in a sustainable location weigh heavily in favour of the application. No other relevant, material planning considerations have been identified that would weigh

sufficiently against the application as to over-ride this view. On this basis and on balance, the proposal is judged to represent sustainable development.

CONCLUSION

In light of the above, the proposal is judged to constitute sustainable development and no material planning considerations have been identified that would outweigh this view. As such, Members are respectfully recommended to grant planning permission subject to the conditions listed below.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

A S278 agreement under the Highways Act would be required to secure the necessary off-site highway works.

FINANCIAL BENEFITS

The development would generate an income to the Council through the sale of the land. It would also generate some Council Tax income. However, these are not material planning considerations and have been afforded no weight whatsoever in the assessment of the planning balance.

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. This application is not considered to raise 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) 19/0176 which can be accessed via the following link:

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

Recommended Decision: Grant Permission

Conditions and Reasons

1.
 - i. Approval of the following details (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority:
 - Layout
 - Scale
 - Appearance
 - Access
 - Landscaping
 - ii. Applications for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason i and ii: This is an outline planning permission and these conditions are required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended).

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

Parameters plan ref 18 0741 OP02 Rev A

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

3.
 - (a) Vehicular access to the site shall be taken from Ryscar Way only with no vehicular access from Faraday Way.
 - (b) Prior to, concurrent with or as part of the submission of a Reserved Matters application, a scheme for the provision of a pedestrian and cycle access onto Faraday Way shall be submitted to and agreed in writing by the Local Planning Authority, and this scheme shall be implemented in full and in full accordance with the approved scheme before any of the homes hereby approved are first occupied.

Reason: In order to ensure safe, appropriate and convenient access to and from the site in the interests of accessibility and highway safety in accordance with the provisions of Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy AS1 of the Blackpool Local Plan 2001-2016.

4. Prior to the commencement of development a scheme of off-site highway improvement works shall be submitted to and agreed in writing by the Local Planning Authority, and this agreed scheme shall be implemented in full and in full accordance with the approved details before any of the homes hereby approved are first occupied. For the purpose of this condition, this scheme shall include:

- a 3.5m wide shared-surface pedestrian and cyclist access from the site onto Faraday Way
- provision of street-lighting
- provision of on-street waiting restrictions
- extension of the existing footpath to connect into the site

Reason: In the interests of highway safety in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016. This scheme must be agreed prior to the commencement of works on site in order to ensure that appropriate access is available once the scheme is operational.

5. The built development associated with this application shall be limited to the area highlighted in beige on submitted Parameters Plan ref. 18 0741 OP02 Rev A.

Reason: In order to ensure that the development does not encroach on flood zones 2 and 3, the protected public open space or the public right of way to the western end of the site in accordance with the provisions of Policies CS6 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, Policies LQ6 and BH10 of the Blackpool Local Plan 2001-2016, and section 14 of the NPPF.

6. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided and retained in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- I. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units/bed spaces;
- II. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- III. the arrangements for the transfer of the affordable housing to an affordable housing provider (if no RSL involved) ;
- IV. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- V. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure the adequate provision and delivery of affordable housing in accordance with the provisions of Policy CS14 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027. This scheme must be agreed prior to the commencement of works on as it would fundamentally dictate the nature of development.

7. As part of any reserved matters application where layout is applied for, public open space shall be provided on site in accordance with the requirements of Policy BH10 of the Blackpool Local Plan 2001-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development" (SPG11), or any subsequent replacement Local Plan policy for the provision of public open space, and such area or areas of open space shall be provided and available for use, and shall thereafter be retained and maintained for use by the public in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any dwelling on the site.

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

8. The housing hereby approved shall achieve the following housing mix:

- No more than 10% one-bedroom
- At least 20% two-bedroom
- At least 20% three-bedroom or more

Reason: In order to ensure that an appropriate housing mix is delivered on the site in accordance with the provisions of Policy CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

9. (a) Prior to the commencement of development, a scheme for the bolstering of the existing hedgerow separating the public right of way from the main area of the site identified for development shall be submitted to and agreed in writing by the Local Planning Authority, and this agreed scheme shall be implemented in full and in full accordance with the approved details within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner). For the purpose of this condition, the bolstering shall include planting to fill any gaps and enhance the benefit of the hedgerow as a visual screen and shall use native species of a mix designed to maximise ecological value.

(b) Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 5 years of planting shall be replaced within the next planting

season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: In order to effectively screen the public right of way from the development proposed in order to safeguard the appearance, character, quality and function of the public right of way in accordance with the provisions of Policy LQ6 of the Blackpool Local Plan 2001-2016 and Policies CS5 and CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027. This scheme must be agreed prior to the commencement of works on site in order to ensure that the protection of the character and quality of the PROW is established as soon as is possible.

10. No vegetation clearance shall take place between the main bird nesting season (March to September inclusive) unless the absence of nesting birds has first been established by a suitably qualified and experienced ecologist and agreed in writing by the Local Planning Authority.

Reason: In order to safeguard nesting birds in accordance with the requirements of paragraph 170 of the NPPF.

11. The development shall be carried out in full accordance with the reasonable avoidance measures set out under section 7 of the ecological appraisal produced by Envirotech ref. 4808 dated 18/03/19.

Reason: In order to appropriately safeguard biodiversity in accordance with the provisions of paragraph 170 of the NPPF.

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

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

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

Reason: In the interests of the amenities of surrounding residents and to safeguard environmental quality and the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016, Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and paragraph 180 of the NPPF.

13. Prior to the commencement of development, an Ecological Design Strategy shall be submitted to and agreed in writing by the Local Planning Authority, and this strategy shall be implemented in full and in full accordance with the approved details before any of the homes hereby approved are first occupied, and shall thereafter be retained and maintained as such. For the purpose of this condition, this Strategy shall include:

- replacement planting to mitigate for any loss of hedgerow
- establishment of an appropriate buffer around pond 1 as identified in the submitted ecological appraisal
- ecological enhancement measures such as bat and bird boxes and provision for amphibians and small mammals.

Reason: To safeguard and enhance biodiversity on the site in accordance with the provisions of paragraph 170 of the NPPF. This scheme must be agreed prior to the commencement of works on site in order to safeguard biodiversity during construction and to ensure that final impacts can be properly mitigated.

14. Foul and surface water shall be drained on separate systems.

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

15. (a) Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance and in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following:

(i) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;

(ii) Surveys and appropriate evidence to establish the position, capacity and interconnection of all watercourses and surface-water sewers within the application site and those outside of the site into which a direct or indirect connection is proposed;

(iii) A determination of the lifetime of the development design storm period and intensity (1 in 30 and 1 in 100 year + allowance for climate change - see EA advice

Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;

(iv) A demonstration that the surface water run-off would not exceed the equivalent greenfield rate.

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

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

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

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

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

(c) The scheme agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details before the development hereby approved is first brought into use.

Reason: To promote sustainable development, secure proper drainage of surface water and to manage the risk of flooding and pollution in accordance with the provisions of the NPPF and NPPG and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027. This scheme must be agreed prior to the commencement of works on site as the drainage must be installed before any above-ground works can commence.

16. Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

a) The arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Site Management Company;

b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) to include elements such as:

i. on-going inspections relating to performance and asset condition assessments

ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

c) Means of access for maintenance and easements where applicable.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development in accordance with Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027. This plan must be agreed prior to the commencement of works on site as the drainage must be installed before any above-ground works can commence.

17. The development shall proceed in full accordance with the flood risk assessment prepared by Ironside Farrar Limited and ref. 30336/SRG.

Reason: In order to ensure that the site is safe from flood risk and to prevent increased flood-risk off site in accordance with the provisions of Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and section 14 of the NPPF.

18. Prior to the commencement of any works or development on site, a tree protection plan shall be submitted to and agreed in writing by the Local Planning Authority and the development shall proceed in full accordance with this agreed plan. This plan shall indicate the methods and positioning of tree protection measures such as ground protection (where necessary), Heras protective fencing, and details of incorporated specialist construction methodology in relation to the interfaces between the development and the hedgerows and trees to be retained on and around the site.

Reason: In order to adequately protect the trees to be retained on site in the interests of the appearance of the site and biodiversity in accordance with paragraph 180 of the NPPF. This plan must be agreed prior to the commencement of works on site in order to ensure that no works pursuant to the development damage any trees to be retained.

19. (a) The development hereby approved shall proceed and thereafter operate in full accordance with the mitigatory measures set out under section 6.0 of the noise impact assessment submitted by PDA ref. DA/J002502/3798/1.

(b) Prior to or concurrent with the submission of a reserved matters application to agree the layout of the development, a scheme for the provision of a living, green, acoustic barrier along the Faraday Way frontage shall be submitted to and agreed in writing by the Local Planning Authority. This approved barrier shall then be

provided in full and in full accordance with the agreed details before any of the properties hereby approved are first occupied and shall thereafter be retained and maintained as such.

Reason: To safeguard the living conditions of the occupants of the proposed properties in accordance with the provisions of paragraph 180 of the NPPF, Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

20. The development shall not be occupied until a travel plan has been submitted to and approved in writing by the Local Planning Authority. Such travel plans shall include the appointment of a travel co-ordinator and a format that consists of surveying, travel audits, a working group, action plans with timescales and target setting for the implementation of each element.

No part of the development shall be occupied prior to the implementation of the Approved Travel Plan (or implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation). Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: In order to ensure appropriate provision exists for safe and convenient access by public transport, cycle, and on foot as well as by car, in accordance with Policy AS1 of the Blackpool Local Plan 2001 - 2016 and Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

21. Prior to or concurrent with the submission of a reserved matters application to agree layout, a scheme for the provision of vehicle charging points within the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then proceed in full accordance with this approved scheme which shall thereafter be retained and maintained as such.

Reason: In order to minimise the environmental impact of the development and promote renewable/low-carbon energy use in accordance with the provisions of Policy CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

22. Prior to or concurrent with the submission of an application for reserved matters to agree the matters of scale and/or layout, a plan or plans showing proposed ground and finished floor levels shall be submitted to and agreed in writing by the Local Planning Authority and the development shall proceed in full accordance with these agreed details.

Reason: In the interests of the appearance of the site, the amenities of neighbours and appropriate drainage in accordance with the provisions of Policies CS7 and

CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

Advice Notes to Developer

Not applicable