

Blackpool Council

6 January 2015

To: Councillors Brown, I Coleman, Elmes, Hutton, Mrs Jackson, Matthews, Owen, Robertson BEM, Smith and Stansfield

The above members are requested to attend the:

PLANNING COMMITTEE

Wednesday, 14 January 2015 at 5.00 pm
in Committee Room A, Blackpool

A G E N D A

1 DECLARATIONS OF INTEREST

Members are asked to declare any interests in the items under consideration and in doing so state:

- (1) the type of interest concerned; and
- (2) the nature of the interest concerned

If any Member requires advice on declarations of interest, they are advised to contact the Head of Democratic Services in advance of the meeting.

2 MINUTES OF THE MEETING HELD ON 1 DECEMBER 2014 (Pages 1 - 10)

To agree the minutes of the last meeting held on 1 December 2014 as a true and correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED (Pages 11 - 20)

The Committee will be requested to note the planning/enforcement appeals lodged and determined.

4 PLANNING ENFORCEMENT UPDATE REPORT (Pages 21 - 24)

The Committee will be asked to note the outcomes of the cases and approve the actions of the Service Manager – Public Protection.

5 PLANNING APPLICATION 14/0781 - LAND AT ALL HALLOWS ROAD AND ALL SAINTS ROAD (Pages 25 - 36)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

6 PLANNING APPLICATION 14/1767 - HAWES SIDE ACADEMY, PEDDERS LANE (Pages 37 - 54)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

7 PLANNING APPLICATION 14/0769 - SOUTH SHORE ACADEMY, ST ANNES ROAD (Pages 55 - 68)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

8 PLANNING APPLICATION 14/0718 - REAR OF 107-115 HORNBY ROAD (Pages 69 - 74)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Chris Kelly, Senior Democratic Services Adviser, Tel: (01253) 477164, e-mail chris.kelly@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Present:

Councillor Owen (in the Chair)

Councillors

Brown	Mrs Jackson	Robertson BEM
I Coleman	Matthews	Smith
Elmes	O'Hara	Stansfield

In Attendance:

Karen Galloway, Principal Engineer Transportation
Bernadette Jarvis, Democratic Services Senior Adviser
Gary Johnston, Head of Development Management
Mark Shaw, Principal Planning Officer
Carmel White, Assistant Head of Legal Services

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE MEETING HELD ON 3 NOVEMBER 2014

Resolved: That the minutes of the meeting held on 3 November 2014 be signed by the Chairman as a correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

Resolved: To note the Planning/ Enforcement Appeals lodged and determined.

Background papers: (1) Letter from the Planning Inspectorate dated 22 October 2014.
(2) Letter from the Planning Inspectorate dated 24 October 2014.

4 PLANNING ENFORCEMENT UPDATE REPORT

Resolved: To note the outcomes of the cases set out in the report and to support the actions of the Head of Enforcement and Quality Standards in authorising the Notices.

5 PLANNING APPLICATION 14/0647 - 119 NEWTON DRIVE

The Committee considered application 14/0647 for the erection of a part single/part three-storey rear extension, balconies to rear plus external alterations and use of premises as altered as seven permanent self-contained flats with two blocks of external garages (seven garages in total) in the rear garden and associated parking, bin store, access and landscaping.

MINUTES OF PLANNING COMMITTEE MEETING - MONDAY, 1 DECEMBER 2014

Mr Bamber and Councillor Evans spoke in objection to the application.

In response to concerns raised by the objectors, Mr Shaw, Principal Planning Officer, reported on a number of amendments to the proposal that had been made which sought to address the concerns raised in the Committee's decision to refuse application 14/0375 at its meeting on 11th August 2014.

The Committee noted the written representation from Mr Paul Maynard, MP and further written representation submitted by Mr and Mrs Bamber that had been included in the update notes.

Resolved: That the application be granted subject to the conditions set out in the appendix to the minutes.

Background papers: Applications, plans and replies to consultations upon the applications.

6 PLANNING APPLICATION 14/0668 - 397 MIDGELAND ROAD

The Committee considered application 14/0668 for the erection of part two storey/part single storey side extension to form additional offices, day room and eleven additional dementia care bedrooms, with additional car parking space at rear for four vehicles.

Resolved: That the application be granted subject to the conditions set out in the appendix to the minutes.

Background papers: Applications, plans and replies to consultations upon the applications.

7 PLANNING APPLICATION 14/0721 - LAND ADJACENT TO 39 SCHOOL ROAD

The Committee considered the application 14/0721 for the erection of two single-storey utility buildings, creation of a hardstanding, boundary treatment, including two metre high fence and landscaping to site frontage and use of land as altered as a gypsy caravan site for up to five caravans.

Mr Lancaster spoke in objection to the application.

Mr Johnston, Head of Development Management, reported on the information included in the update note that confirmed that an alternative site appeared to be available in Fishers Lane. The site was currently vacant and advertised for sale and had planning permission for use of land as a gypsy caravan site. He also highlighted the information included in the letter from Mr Brown, the applicant's agent that indicated that, if the application was approved, there would be a total of 15 people on the site and not 17 as stated in the report.

Resolved: That the application be refused for the reasons set out in the appendix to the minutes.

MINUTES OF PLANNING COMMITTEE MEETING - MONDAY, 1 DECEMBER 2014

Background papers: Applications, plans and replies to consultations upon the applications.

Chairman

(The meeting ended 5.46 pm)

Any queries regarding these minutes, please contact:
Bernadette Jarvis Senior Democratic Services Adviser
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E-mail: chris.kelly@blackpool.gov.uk

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Application Number: 14/0647 Erection of a part single/ part three-storey rear extension, balconies to rear plus external alterations and use of premises as altered as seven permanent self-contained flats with two blocks of detached garages (seven garages in total) in rear garden and associated parking, bin store, access and landscaping at 19 Newton Drive.

Decision: Grant Permission

Conditions:

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

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

2. Details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ14 of the Blackpool Local Plan 2001-2016.

3. Prior to the development hereby approved being first brought into use the refuse storage provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants and neighbours, in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

4. Prior to the development hereby approved being first brought into use the car parking provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

5. No flat shall be occupied until all of the external alterations and the internal layouts and arrangements have been provided in accordance with the plans hereby approved. The layout of the accommodation and arrangements hereby approved shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the accommodation accords with the Council's approved Supplementary Planning Document, to safeguard the living conditions of the occupiers of the flats and to improve the external appearance of the property in accordance with Policies LQ1, LQ14, BH3 and HN5 of the Blackpool Local Plan 2001-2016.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the approved garages shall not be used for any purpose which would preclude their use for the parking of a motor cars.

Reason: In the opinion of the Local Planning Authority the retention of parking space within the site is of importance in safeguarding the appearance of the locality and highway safety, in accordance with Policies AS1 and LQ1 of the Blackpool Local Plan 2001-2016.

7. Notwithstanding the details shown on the submitted plans obscure glazing details for the first floor side elevations shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development and the agreed details shall be implemented prior to the first occupation of the approved accommodation and shall be retained thereafter.

Reason: To safeguard the living conditions of the occupants of the neighbouring premises, in accordance with Policies BH3 and LQ14 of the Blackpool Local Plan 2001-2016.

8. The development authorised by this permission shall not begin until the Local Planning Authority has approved a scheme to secure the provision of or improvements to off-site open space together with a mechanism for delivery, in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development"(SPG11).

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

NOTE – The development is of a scale to warrant a contribution of £7224 towards the provision of or improvement to off-site open space and management of the open space provision, in accordance with Policy BH10 of the Blackpool Local Plan 2001-2016 and SPG 11. The Applicant(s) should contact the Council to arrange payment of the contribution.

9. a) No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed changes to existing ground levels, means of enclosure and boundary treatment, areas of soft landscaping, hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

b) The landscaping works shall be carried out in accordance with the approved details within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner).

c) Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 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: To ensure the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall with regards to Policy LQ6 of the Blackpool Local Plan 2001-2016.

Application Number: 14/0668 Erection of part two storey/part single storey side extension to form additional offices, day room and 11 additional dementia care bedrooms, with additional car parking space at rear for four vehicles at 97 Midgeland Road.

Decision: Grant Permission

Conditions:

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

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

2. Notwithstanding the submitted plans details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ14 of the Blackpool Local Plan 2001-2016.

3. Prior to the development hereby approved being first brought into use the car parking provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

4. No development shall be commenced until a desk study has been undertaken and agreed in writing with the Local Planning Authority to investigate and produce an assessment of the risk of the potential for onsite contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been agreed in writing with the Local Planning Authority. If remediation methods are then considered necessary, a scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented and completed prior to the commencement of the development. Any changes to the approved scheme shall be agreed in writing with the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016.

5. Prior to the commencement of development a surface water drainage scheme shall be submitted to and agreed in writing with the Local Planning Authority and the agreed details shall be implemented prior to the substantial completion of the approved extension.

Reason: To ensure that localised flooding is not increased as a result of the approved works in accordance with Policies LQ1 and NE10 of the Blackpool Local Plan 2001-2016.

6. No trees or hedgerows to be removed as part of the development shall be removed during the bird breeding season (March - August in any calendar year). None of the hedgerows to be retained shall be re-laid during the months of March to August.

Reason: To safeguard birds in accordance with Policies LQ8 and NE7 of the Blackpool Local Plan 2001-2016

Application Number: 14/0721 Erection of two single storey utility buildings, creation of a hardstanding, boundary treatment, including 2 metre high fence and landscaping to site frontage, and use of land as altered as gypsy caravan site for up to five caravans at land adjacent to 39 School Road.

Decision: Refuse

Reasons:

1. The proposed development would have a detrimental impact on the character and appearance of the area and the amenities of the occupiers of 33-39 School Road as a result of the proposed intensity of the development, its layout and its close proximity to the boundary with 39 School Road and the lack of buffer screening between the proposed development and 39 School Road. The privacy of the occupiers of 39 School Road (in particular) and their use of their rear garden would be compromised by the layout of the development proposed. Notwithstanding there is a need for additional pitches within the borough the harm that would occur through the development proposed outweighs this need. As such the proposed development is contrary to paras 17 and 56-64 of the National Planning Policy Framework, Policies NE2 and BH3 of the Blackpool Local Plan and Policies CS7, CS16 and CS26 of the Blackpool Local Plan Part 1: Core Strategy (Proposed Submission).

2. ARTICLE 31 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)

The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors - conflict with paras 17 and 56-64 the National Planning Policy Framework, policies of the Blackpool Local Plan 2001-2016 and policies of the Blackpool Local Plan Part 1; Core Strategy which justify refusal.

MINUTES OF PLANNING COMMITTEE MEETING - MONDAY, 1 DECEMBER 2014

Present:

Councillor Owen (in the Chair)

Councillors

Brown	Mrs Jackson	Robertson BEM
I Coleman	Matthews	Smith
Elmes	O'Hara	Stansfield

In Attendance:

Jason Bramwell, Planning Enforcement Officer
Bernadette Jarvis, Democratic Services Senior Adviser
Gary Johnston, Head of Development Management
Mark Shaw, Principal Planning Officer
Craig Walker, Planning Enforcement Officer

1 SITE VISITS

1. 119 Newton Drive
2. 397 Midgeland Road
3. Land adjacent to 39 School Road

Chairman

(The meeting ended 4.15 pm)

Any queries regarding these minutes, please contact:
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Report to:	Planning Committee
Relevant Officer:	Gary Johnston, Head of Development Management
Date of Meeting	14 January 2015

PLANNING/ENFORCEMENT APPEALS DETERMINED/LODGED

1.0 Purpose of the report:

1.1 The Committee is requested to note the planning and enforcement appeals, lodged and determined.

2.0 Recommendation(s):

2.1 To note the report.

3.0 Reasons for recommendation(s):

The Committee is provided with details of the planning and enforcement appeals, lodged and determined for its information.

4.0 Council Priority:

4.1 Not applicable

5.0 Planning/Enforcement Appeals Determined

5.1 182 LYTHAM ROAD, BLACKPOOL (14/0248)

Appeal by Mr Hartley against the refusal of planning permission for the conversion of the hotel into two flats – **APPEAL DISMISSED**

The Inspector considered the main issues in this case to be:

- The implications of the proposal for the regeneration of the area, with particular regard to the overall mix and balance of housing provision;
- whether the proposed development would provide satisfactory living conditions for future occupiers with particular regard to privacy and the provision of outdoor amenity space.

The appeal relates to a three-storey, mid-terraced property which is currently vacant. The site is located on Lytham Road, a main route into the town, which in the vicinity of the site is characterised by a mixture of commercial, residential and community uses. The site itself lies between two existing residential properties, one of which appears to have been subdivided into flats, immediately opposite commercial premises and close to two churches. The property has a bay window to the front elevation which it is proposed to replace as part of the proposal.

The site is located within the 'Defined Inner Area' as designated in the Blackpool Local Plan 2006 (Local Plan). Within the area there are a higher proportion of small residential units, and a shortage of larger units capable of accommodating families compared to the regional and national averages. The area is also one of the most deprived areas in England. Consequently she noted that the Council is aiming to strengthen community cohesion and reduce overall deprivation by, amongst other things, addressing the imbalance in the housing stock by resisting the conversion of smaller houses to smaller units, thereby encouraging a higher proportion of better quality family homes.

The Inspector noted that Policy BH1 of the Local Plan states that development proposals will be assessed in terms of their impact on their local neighbourhood and the extent to which they contribute to the pursuit of a more balanced and healthy community. Policy HN5 states that, within the Defined Inner Area, proposals for the conversion or subdivision of properties for residential use will not be permitted where they would further intensify over-concentrations of flat accommodation and conflict with the wider efforts for the comprehensive improvement of the neighbourhood as a balanced and healthy community. To support this objective, she noted that the Council adopted the New Homes from Old Places Supplementary Planning Document (SPD) in 2011. The SPD sets out, amongst other things, floorspace and amenity standards to address the over-supply of small flats and the poor quality of dwellings.

The Inspector noted that the SPD sets 160sqm of original floorspace as a threshold, below which subdivision is considered unacceptable. We calculated that the original floorspace of this property was approximately 180 sqm. It seemed to her therefore that under the provisions of the SPD, its subdivision is not unacceptable in principle.

The proposal would provide two units of accommodation. The proposed three bedroomed unit which would be set over the first and second floors is capable of accommodating a family and would contribute to the supply of dwellings with more than five habitable rooms of which the Council's evidence identifies a shortage. The two-bedroomed ground floor unit would have four habitable rooms but would provide poor quality living accommodation as discussed below.

She commented that we do not specify a proportion or threshold for small units that they would consider acceptable. Nevertheless we advised her that flat units comprise more than half of the accommodation in the area, significantly above the local, regional and national averages. This in her judgement represents an over concentration of such units. She noted that the boundaries of the Defined Inner Area and the Lower Super Output Area are not the same. However the site falls within both areas and the evidence is therefore relevant.

The property is currently vacant and she noted the disagreement between the parties as to whether the lawful use of the building is as a hotel or a dwelling. Notwithstanding this, the building appears capable of being used as a single dwelling and as such would contribute to the supply of family dwellings. She is not persuaded that such a use would be unviable or that there would not be demand for it.

The appellant drew to her attention to a recent appeal at 198 Lytham Road (ref APP/J2373/A/13/2189847) which was allowed. This proposal seems to her to differ from the appeal proposal in that the property in question had already been subdivided and therefore did not involve, potentially, the loss of a larger unit. Furthermore, the proposal related to the conversion of a retail unit and the Inspector in that case concluded that the policy conflict was outweighed by the benefits of the scheme. As such, the case is not directly comparable to the appeal proposal. The appellant also drew her attention to several addresses where planning permission has been granted by the Council for flats, and in one instance to the conversion of a property to a dwelling which was refused. The Inspector commented that she did not have the details of these cases before her and in any event she must deal with the appeal proposal on its own merits.

She accepted that the proposal would result in investment in the property and that its physical appearance would be improved as a result. She also accepted that the proposal would contribute to the supply of housing in the Borough. These are benefits of the scheme.

However, the NPPF requires, as a core principle, that planning should take account of and support local strategies to improve health, social and cultural wellbeing for all. The Council's aims to promote opportunities for the creation of sustainable, inclusive and mixed communities are therefore in line with the Framework. The creation of the two units in the manner proposed would alter the balance of housing and thereby conflict with these aims. The appellant has noted, and I accept, that the area does not necessarily represent Blackpool as a whole, and that other towns with a high concentration of flats are not necessarily deprived. However, this particular defined area has unusual circumstances as a result of its historical development and I am not persuaded that the acceptance of additional flats in it would assist in providing the mixed community we are seeking to achieve.

For the reasons outlined above, she considers the proposal would conflict with Policies BH1 and HN5 of the Blackpool Local Plan which both seek to prevent further conversion or subdivision of properties in the Defined Inner Areas that would intensify over-concentration of flat accommodation and conflict with the wider aims of neighbourhood improvement.

Living Conditions

She noted that we acknowledge that the proposed flats would meet the basic space standards set out in the SPD. However, there is a concern relating to the privacy of and outlook from the ground floor bedrooms. She noted at her site visit that both bedrooms would have windows directly facing the outrigger of the adjoining property at very close proximity resulting in a poor quality outlook. Moreover there are habitable room windows in the neighbouring property facing the site. As such the bedrooms would be overlooked and would consequently have very limited amount of privacy. The presence of the narrow alleyway to the rear yard, which would be used by occupiers of the upper floor flat, would further compromise privacy.

She took into account the appellant's suggestion that the lower portion of the windows could be fitted with obscure glass and that tenants would deal with the issue by means of curtains or blinds. However, she felt that the provision of obscure glazing to a bedroom window or the need to have curtains drawn during the day would provide an unacceptably poor residential environment. The appellant has suggested that cills could be raised to improve privacy. However, she noted that there is no scheme for such an alteration before her. Moreover this would not prevent overlooking and would not significantly improve the levels of privacy within the rooms.

She acknowledged that the appellant has suggested that the staircase is relocated to prevent occupants of the upper flats walking past the windows of those rooms on the ground floor to access the yard. This would involve a redesign of the floor layout. Whilst the relocation of the access to the yard may improve privacy, there is no such proposal before me. Moreover, it would not overcome the issues relating to loss of privacy or outlook as a result of the proximity of the neighbouring property. The SPD requires that private outdoor amenity space is provided for use by residents. The existing external space to this property is currently very limited at around 18 sqm, and capable of accommodating bins and cycles only. Whilst both flats would have direct access to the rear yard there is no meaningful space for clothes drying or sitting out for occupants of the flats. Whilst the basement area would provide storage space, there is no other provision of amenity space within the site.

She accepted that the amenity area would also be limited in size for use by occupants of a single dwelling. Nevertheless it would be particularly restricted were it to be shared between the two units. The SPD suggests that in the absence of provision of meaningful outdoor space, applicants would be expected to compensate for this with higher quality internal space. Given the shortcomings of the proposed ground floor bedrooms, the proposal does not achieve this.

She was satisfied that the provision of the cycle and bin stores could be secured by planning condition. Nevertheless, the lack of provision of space for sitting out and clothes drying, in addition to the poor outlook and level of privacy to the ground floor windows would result in poor living conditions for future occupiers. She considers the proposal therefore conflicts with Policy BH3 of the Local Plan and advice within the SPD which seek to ensure that adequate amenity standards are provided for occupiers of residential accommodation.

Other Matters

Although not a reason for refusal we drew her attention to the design of the proposed bay window. She noted that the proportions of the bay as indicated on the submitted plans would not accurately reflect those of the neighbouring properties and as such the window would appear incongruous. Had she been minded to allow the appeal she was satisfied that this was a matter which could have been dealt with by planning condition.

Planning Balance and Conclusion

Although the Council explained that it can now demonstrate a five-year housing land supply, The Inspector commented this has not yet been tested. As such our relevant policies for the supply of housing cannot be considered up to date. Paragraph 14 of the NPPF advises that in such instances permission for sustainable development should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole.

The proposal has a number of sustainability credentials. The site lies in a sustainable location close to town centre amenities and would make efficient use of a brownfield site. Furthermore it would provide investment into a currently run down building such that would improve the character and appearance of the building and that of the surrounding area. It would also provide additional units of residential accommodation that would contribute to the supply of housing. These are benefits of the scheme although because of the small scale of the development, the benefits are also limited.

However, the NPPF also seeks to ensure provision of a wide choice of quality homes and to create sustainable, inclusive and mixed communities. The proposal would, in effect, increase the concentration of smaller units in the 'Defined Inner Area' which we are seeking to avoid and thereby it would undermine the Council's strategy to deal with the current imbalance in housing provision and address deprivation in the area. Furthermore, the quality of the accommodation provided would be poor in terms of the living conditions relating to the ground floor bedrooms and the provision of amenity space. The NPPF requires that a good standard of amenity is provided for existing and future occupiers of land and buildings. These matters significantly and demonstrably outweigh the benefits of the scheme. For these reasons and taking into account all other matters raised, she concluded that the appeal should be dismissed.

5.2 146 LYTHAM ROAD, BLACKPOOL (14/0441)

Appeal by Mr Hartley against the refusal of planning permission for the conversion of the hotel into residential flats – **APPEAL DISMISSED**

The Inspector considered the main issues in this case to be:

- The implications of the proposal for the regeneration of the area, with particular regard to the overall mix and balance of housing provision;
- whether the proposed development would provide satisfactory living conditions for future occupiers with particular regard to privacy and the provision of outdoor amenity space.

The appeal relates to a three-storey, mid-terraced property which is currently vacant. The site is located on Lytham Road, a main route into the town, which in the vicinity of the site is characterised by a mixture of commercial, residential and

community uses. The site itself lies between two existing residential properties, one of which appears to have been subdivided into flats, immediately opposite commercial premises and close to two churches. The property has a bay window to the front elevation which it is proposed to replace as part of the proposal.

The site is located within the 'Defined Inner Area' as designated in the Blackpool Local Plan 2006 (Local Plan). Within the area there is a higher proportion of small residential units, and a shortage of larger units capable of accommodating families compared to the regional and national averages. The area is also one of the most deprived areas in England. Consequently she noted that the Council is aiming to strengthen community cohesion and reduce overall deprivation by, amongst other things, addressing the imbalance in the housing stock by resisting the conversion of smaller houses to smaller units, thereby encouraging a higher proportion of better quality family homes.

The Inspector noted that Policy BH1 of the Local Plan states that development proposals will be assessed in terms of their impact on their local neighbourhood and the extent to which they contribute to the pursuit of a more balanced and healthy community. Policy HN5 states that, within the Defined Inner Area, proposals for the conversion or subdivision of properties for residential use will not be permitted where they would further intensify over-concentrations of flat accommodation and conflict with the wider efforts for the comprehensive improvement of the neighbourhood as a balanced and healthy community. To support this objective, she noted that the Council adopted the New Homes from Old Places Supplementary Planning Document (SPD) in 2011. The SPD sets out, amongst other things, floorspace and amenity standards to address the over-supply of small flats and the poor quality of dwellings.

The Inspector noted that the SPD sets 160sqm of original floorspace as a threshold, below which subdivision is considered unacceptable. We calculated that the original floorspace of this property was approximately 180 sqm. It seemed to her therefore that under the provisions of the SPD, its subdivision is not unacceptable in principle.

The proposal would provide two units of accommodation. The proposed three bedroomed unit, which would be set over the first and second floors is capable of accommodating a family and would contribute to the supply of dwellings with 5+ habitable rooms of which the Council's evidence identifies a shortage. The two-bedroomed ground floor unit would have four habitable rooms but would provide poor quality living accommodation as discussed below.

She commented that we do not specify a proportion or threshold for small units that they would consider acceptable. Nevertheless we advised her that flat units comprise more than half of the accommodation in the area, significantly above the local, regional and national averages. This in her judgement represents an over concentration of such units. She noted that the boundaries of the Defined Inner Area and the Lower Super Output Area are not the same. However the site falls within both areas and the evidence is therefore relevant.

The property is currently vacant and she noted the disagreement between the parties as to whether the lawful use of the building is as a hotel or a dwelling. Notwithstanding this, the building appears capable of being used as a single dwelling and as such would contribute to the supply of family dwellings. She is not persuaded that such a use would be unviable or that there would not be demand for it.

The appellant drew to her attention to a recent appeal at 198 Lytham Road (ref APP/J2373/A/13/2189847) which was allowed. This proposal seems to her to differ from the appeal proposal in that the property in question had already been subdivided and therefore did not involve, potentially, the loss of a larger unit. Furthermore, the proposal related to the conversion of a retail unit and the Inspector in that case concluded that the policy conflict was outweighed by the benefits of the scheme. As such, the case is not directly comparable to the appeal proposal. The appellant also drew her attention to several addresses where planning permission has been granted by the Council for flats, and in one instance to the conversion of a property to a dwelling which was refused. The Inspector commented that she did not have the details of these cases before her and in any event she must deal with the appeal proposal on its own merits.

She accepted that the proposal would result in investment in the property and that its physical appearance would be improved as a result. She also accepted that the proposal would contribute to the supply of housing in the Borough. These are benefits of the scheme.

However, the NPPF requires, as a core principle, that planning should take account of and support local strategies to improve health, social and cultural wellbeing for all. The Council's aims to promote opportunities for the creation of sustainable, inclusive and mixed communities are therefore in line with the Framework. The creation of the two units in the manner proposed would alter the balance of housing and thereby conflict with these aims. The appellant has noted, and I accept, that the area does not necessarily represent Blackpool as a whole, and that other towns with a high concentration of flats are not necessarily deprived. However, this particular defined area has unusual circumstances as a result of its historical development and I am not persuaded that the acceptance of additional flats in it would assist in providing the mixed community we are seeking to achieve.

For the reasons outlined above, she considers the proposal would conflict with Policies BH1 and HN5 of the Blackpool Local Plan which both seek to prevent further conversion or subdivision of properties in the Defined Inner Areas that would intensify over-concentration of flat accommodation and conflict with the wider aims of neighbourhood improvement.

Living Conditions

In addition to seeking to address the overconcentration of small units, she noted the Council is seeking to improve the quality of accommodation. The SPD sets out, amongst other things, space standards for units of accommodation, which the

proposal meets, and also requires that private outdoor amenity is provided for use by residents. The property, in common with other terraced properties, has a small rear yard which would accommodate bin and cycle stores and provide a small area for drying or sitting outside. The proposal includes the demolition of an existing ground floor bathroom to maximise this space. Both properties would have direct access to it.

The outdoor space, at around 30 sqm of useable area, is not generous either for use by occupants of a single dwelling or for shared use. However, the proposal includes the creation of a balcony to provide additional space for the occupants of the upper unit. Such features are encouraged in the SPD. The balcony would be created at second floor level on the roof of the existing outrigger, set in from the edge of the roof by around 2m and would provide a small area for sitting out. She noted our concerns that the balcony would result in overlooking of the neighbouring property. There is a considerable degree of overlooking between the properties at present given the position of windows on the facing outriggers. However, she noted the appellant is willing to erect a screen to prevent any further overlooking and this could be secured by way of a planning condition.

It seemed to her that the combination of the rear yard, the balcony and the cellar for storage use, would provide the occupants with adequate space for amenity purposes. She therefore concluded on this issue that the proposal would not conflict with Local Plan Policy BH3 which seeks to ensure that adequate amenity standards are provided for the occupiers of residential accommodation, and that development does not adversely affect the amenity of those occupying residential accommodation by its effect on privacy.

Planning Balance and Conclusion

Although the Council explained that it can now demonstrate a five-year housing land supply, the Inspector commented this has not yet been tested. As such our relevant policies for the supply of housing cannot be considered up to date. Paragraph 14 of the NPPF advises that in such instances permission for sustainable development should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole.

The proposal has a number of sustainability credentials. The site lies in a sustainable location close to town centre amenities and would make efficient use of a brownfield site. Furthermore it would provide investment into a currently run down building such that would improve the character and appearance of the building and that of the surrounding area. It would also provide additional units of residential accommodation that would contribute to the supply of housing. These are benefits of the scheme although because of the small scale of the development, the benefits are also limited.

However, the NPPF also seeks to ensure provision of a wide choice of quality homes and to create sustainable, inclusive and mixed communities. The proposal would, in effect, increase the concentration of smaller units in the 'Defined Inner Area' which we are seeking to avoid and thereby it would undermine the Council's strategy to deal with the current imbalance in housing provision and address deprivation in the area. Furthermore, the quality of the accommodation provided would be poor in terms of the living conditions relating to the ground floor bedrooms and the provision of amenity space. The NPPF requires that a good standard of amenity is provided for existing and future occupiers of land and buildings. These matters significantly and demonstrably outweigh the benefits of the scheme. For these reasons and taking into account all other matters raised, she concluded that the appeal should be dismissed.

Does the information submitted include any exempt information? No

None

6.0 Planning/Enforcement Appeals lodged

6.1 2 Beaufort Avenue, Blackpool, FY2 9HQ (14/0076)

An appeal has been submitted by Mr Rochford against the Council's refusal of planning permission External alterations and erection of part single storey, part three storey side extension and use of premises as altered as three dwellinghouses, with associated car parking, bin store provision, boundary treatments and landscaping, following demolition of existing single storey side extensions

6.2 Glenroyd Nursing Home, Whitegate Drive, Blackpool, FY3 9HF (14/0510)

An appeal has been submitted by Mrs A Beswick against the Council's non determination within time allowed for Proposed felling of T6, T8, T15, T16 and poplar tree within G3 and the carrying out of works to T1-5, T7, T12, T13, T14 and trees within G1 and G2 within the Borough of Blackpool (Former Glenroyd, Whitegate Drive) Tree Preservation Order (No.25) 1985.

Does the information submitted include any exempt information? No

List of appendices

None

7.0 Legal considerations:

7.1 None

8.0 Human Resources considerations:

8.1 None

9.0 Equalities considerations:

9.1 None

10.0 Financial considerations:

10.1 None

11.0 Risk management considerations:

11.1 None

12.0 Ethical considerations:

12.1 None

13.0 Internal/ External Consultation undertaken:

13.1 None

14.0 Background papers:

14.1 None

Report to:	Planning Committee
Relevant Officer:	Tim Coglan (Service Manager, Public Protection)
Date of Meeting:	14 January 2015

PLANNING ENFORCEMENT UPDATE

1.0 Purpose of the report:

1.1 The Committee is requested to consider the summary of planning enforcement activity within Blackpool during December 2014.

2.0 Recommendation(s):

2.1 To note the outcomes of the cases set out below and to support the actions of the Service Manager, Public Protection Department, in authorising the notices set out below.

3.0 Reasons for recommendation(s):

3.1 The Committee is provided with a summary of planning enforcement activity for its information.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:
Not applicable. The report is for noting only.

4.0 Council Priority:

4.1 Not applicable

5.0 Background Information

5.1 Cases

New cases

In total, 40 new cases were registered for investigation, compared to 21 received in December 2013.

Resolved cases

In December 2014, five cases were resolved by negotiation without recourse to formal action, compared with three in December 2013.

Closed cases

In total, 20 cases were closed during the month (13 in December 2013). These cases include those where there was no breach of planning control found, no action was appropriate (e.g. due to more effective action by other agencies, such as the police) or where it was considered not expedient to take action, such as due to the insignificant nature of the breach.

Formal enforcement notices / s215 notices / BCNs

- No enforcement notices authorised in December 2014 (one in December 2013);
- No s215 notices authorised in December 2014 (one in December 2013);
- No Breach of Condition notices authorised in December 2014 (none in December 2013).

- Two enforcement notices served in December 2014 (two in December 2013);
- Two s215 notices served in December 2014 (one in December 2013);
- No Breach of Condition notices served in December 2014 (none in December 2013);

relating to those cases set out in the table below

Enforcement notices / S215 notices served in December 2014

Ref	Address	Case	Dates
14/8304	103 Central Drive	Unauthorised installation of an externally mounted roller shutter, housing box and associated guides	Enforcement notice issued 04/12/2014. Compliance due 15/03/2015 unless an appeal is lodged with the Planning Inspectorate by 15/01/2015
14/8004	10 Pleasant Street	Poor condition	Section 215 notice issued 04/12/2014. Compliance due 15/04/2015 unless an appeal is lodged with the Magistrates by 15/01/2015
14/8122	433a Central Drive	Poor condition	Section 215 notice issued 04/12/2014. Compliance due 15/07/2015 unless an appeal is lodged with the Magistrates by 15/01/2015
12/8743	Units 1 and 2, rear 43 Threlfall Road	Unauthorised use of (i) part of 1 st floor of building known as 'Rear of 43 Threlfall Road' (aka Unit 1) and (ii) 1 st floor of land and buildings lying to West of Eccleston Rd (aka Unit 2) (all accessed via fire escape on Eccleston Road elevation) as three self-contained flats for residential occupation. And the unauthorised installation of two windows at 1 st floor level on each of (i) Eccleston Road elevation and (ii) Threlfall Road elevation	Enforcement notice issued 08/12/2014. Compliance due 23/03/2015 unless an appeal is lodged with the Planning Inspectorate by 23/01/2015

Does the information submitted include any exempt information?

No

List of Appendices:

None

6.0 Legal considerations:

6.1 None

7.0 Human Resources considerations:

7.1 None

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 None

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 None

13.0 Background papers:

13.1 None

COMMITTEE DATE: [14/01/2015](#)

Application Reference: 14/0781

WARD: Ingthorpe
DATE REGISTERED: 30/10/14
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission
APPLICANT: Great Places Housing Group

PROPOSAL: Erection of 31 dwellings comprising 3 detached bungalows, 2 semi-detached bungalows, 14 two-storey semi-detached dwellinghouses and 12 two-storey terraced dwellinghouses with associated car parking, landscaping and vehicular access from All Hallows Road and Cranbrook Avenue, following demolition of existing buildings.

LOCATION: LAND AT ALL HALLOWS ROAD AND ALL SAINTS ROAD, BLACKPOOL

Summary of Recommendation: Grant Permission

CASE OFFICER

M Shaw

INTRODUCTION

The proposed residential re-development of this site has been the subject of pre-application discussions which included the principle of development, house design, car parking provision, site layout, density of development, impact and relationship with the adjoining property, the listed church and boundary treatment.

SITE DESCRIPTION

The application relates to a 0.74 hectare site which at present has four x three blocks of 44 flats/maisonettes with external staircases and connecting walkways dating from the 1950s within an open plan landscaped setting. The flats have been vacated in readiness for demolition. There are lay-bys directly in front of the site, which includes a bus stop, and across from the site is the Grade 2 Listed stone built All Hallows Church dating from 1883. Montgomery High School bounds the site to the south west and adjoining the remaining site boundaries are both houses and bungalows fronting Cranbrook Avenue, Fairfax Avenue, All Hallows Road and All Saint's Road. The northern end of the site faces the Gala playing fields adjacent the junction of All Hallows Road and All Saint's Road. There is a public sewer crossing the site, and the site also has an electricity sub-station and gas governor. There are two mature trees on the All Hallows Road frontage positioned close together.

DETAILS OF PROPOSAL

This is a full application for the erection of 31 dwellings comprising five bungalows and 26 x two storey houses including both terraced and semi-detached dwellings with two, three and four bedrooms following the demolition of the existing flats. A number of the dwellings would front

directly onto All Hallows Road whilst the remainder of the houses would be accessed from one of two new cul-de-sacs into the site from All Hallows Road. Three of the five bungalows would be accessed via a new cul-de-sac from Cranbrook Avenue, the fourth bungalow would have direct access onto Cranbrook Avenue and the fifth bungalow would have direct access onto All Saints Road.

Amended plans have been submitted illustrating a number of relatively minor alterations to design and appearance of a number of the plots.

The application is accompanied by a Design and Access Statement, bat survey, tree survey and an accessibility questionnaire.

The Committee will have visited the site on 14 January 2015.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle of the Development
- Design/ Impact on Listed All Hallows Church
- Site Layout
- Amenity
- Highway Safety/ Car Parking
- Other Issues

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

CONSULTATIONS

Environment Agency: no objection in principle subject to the imposition of a surface water drainage condition

Lancashire County Council (Archaeology): recommend the imposition of a condition requiring an archaeological investigation given the potential of finding evidence of a medieval settlement as well evidence of a former farm on the site.

Built Heritage Manager: The main concern is the lack of ornamentation on the buildings, particularly the side elevations which will be viewed on the approach to the listed church from the south. The height of fences along the southern edge is also a concern; lower fences with planting in front would be preferable.

Blackpool Civic Trust: considers that the design of the houses need more consideration, particularly where they are viewed from the two roads. The blank walls and windows combined with the fencing presents badly compared to other buildings in the vicinity. There are no objections to the plans per se.

Head of Transportation: The footpaths behind the public highway and ones that run across the site have highway rights secured over them as members of the public have had the right to pass and repass over a period in excess of 20 years. These are not maintained by the Highway Authority (HA) and are the responsibility of Blackpool Coastal Housing. As highway rights have been secured, I advise that these are formally stopped-up. The Council as Highway Authority would not itself object or take the matter further (if formally stopped up), however the Highway Authority would be duty bound to consider any third party challenge.

The layout of the access roads is acceptable, subject to tracking plans to be provided showing how long wheel based vehicles and bin wagons can access the development. The site to be formally adopted under a S38 agreement. Parking spaces must not be included in the areas put forward for formal adoption and the pallette of material for areas which are to be formally adopted must be consistent with standard highway materials. Surface water discharge to be discussed and agreed with Highways and Traffic and foul water discharge to be discussed and agreed with United Utilities. A lighting scheme to be put forward for consideration for the new development. A review of the existing lighting levels on All Hallows Road to be undertaken as part of this and the developer will have to pay for the accrual of all new illuminated street furniture and the scheme must make allowance for this. A rumble strip shall be provided at the entrance to each road with a 450mm gap for cyclists.

The houses are likely to be marketed to young families. The site despite scoring a medium score for accessibility is not that accessible by public transport. The bus service that does operate is a half hourly service operated by a private operator. The previous advice has been for each unit to have at least two car parking spaces but this has not been done as the impact of driveway parking was considered not to be in keeping with the scheme resulting in some units have two spaces with others only having one. Due to the accessibility score, a reduction in the number of spaces proposed can be justified but in reality parking supply may not necessarily meet demand resulting in a demand for on-street parking over the new constructed footway/verge areas, possibly to the detriment of highway safety. It is therefore, considered appropriate that the scheme (as part of a S278 agreement) pays for a traffic regulation order along All Hallows Road extending across the development frontage between All Saints Road and the Montgomery school boundary.

A number of low level planted verge areas are shown along All Hallows Road, there is a requirement for some or all of these to be reviewed as the scheme has not taken into account the islands in the lay-by where street furniture is situated. It is queried who will be responsible for the grass areas and low level planting areas. There are existing signs relating to the traffic calming scheme in operation further along All Hallows Roads, the signs are in accordance with the Traffic Signs Regulations and General Directions 2002 and must be retained to highlight the traffic calming features.

The existing bus stop in the lay-by should be retained but in a slightly different location, details to be agreed and this will form part of a scheme for off-site highways works. The removal of the lay-by and new alignment of the footway on All Hallows Road will require a S278 agreement or hybrid S38/S278 Agreement. The agreement should allow for the following:

- a). Removal of layby with conversion to carriageway construction (part) including vehicle access crossings.
- b). New alignment of footway.
- c). Retention and re-positioning of existing street furniture
- d). Re-positioning of bus stop
- e). Creation of new access for estate roads.
- f). Provision for street lighting review/change.
- g). Provision of a Traffic Regulation Order. The scheme must make allowance for processing a legal order, a fee of £1000 will apply plus the actual costs of marking the TRO.

A Demolition Plan/ Construction Management Plan should be conditioned.

Contaminated Land Officer: the land remained undeveloped until the later 1950's when the flats were built. There were ponds on the site which were filled in with unknown materials and the flats were constructed using asbestos based materials. Therefore a desktop study is required.

United Utilities (Water): No objections, however the site should be drained on a separate system and to reduce the volume of surface water the use of permeable paving is encouraged. A public sewer crosses the site and building over it will not be permitted and furthermore a 5 metre access strip either side of the centre line will be required. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary.

Electricity North West Ltd: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

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

Police Architectural Liaison Officer: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

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

PUBLICITY AND REPRESENTATIONS

Press notice published: 6 November 2014

Site notice displayed: 6 November 2014

Neighbours notified: 4 November 2014

One letter of objection has been received from 35 Fairfax Avenue in relation to the following matters:-

- Plot 24 has windows and door on its eastern elevation looking directly into the adjacent garden and home removing any privacy at the rear of their property.
- whilst they support the development in principle it cannot be acceptable on the basis of the impact of plot 24.
- The Human Rights Act states a person has the right to peaceful enjoyment of all their possessions including their home and land, and also has a substantive right to respect for their private and family life.
- It is suggested that windows be placed on the western elevation and/or a 7-8 foot fence or wall erected or the bungalow itself could be re-positioned.
- A sycamore tree within their garden is not shown on the proposed plans and this, along with other trees adjacent the site, should be unaffected by the development.
- The local area also floods during heavy rain and the Environment Agency should be consulted.
- There is some concern regarding the removal of asbestos from the site.

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

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute towards sustainable development. There are three strands to sustainable development namely economic, social and environmental. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

The document confirms the presumption in favour of sustainable development and sets out 12 core planning principles including 'delivering a wide choice of high quality homes', 'requiring good design', 'promoting healthy communities' and 'conserving and enhancing the historic environment'.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006 and the majority of its policies saved by direction in June 2009. The following policies are most relevant to this application:

BH3- Residential and Visitor Amenity
BH4- Public Health and Safety
BH6- New Open Space Provision
BH10- Open Space in New Housing Developments
LQ1- Lifting the Quality of Design
LQ2- Site Context
LQ3- Layout of Streets and Spaces
LQ4- Building Design
LQ5- Public Realm Design
LQ6- Landscape Design and Biodiversity
LQ7- Strategic Views
LQ8- Energy and Resource Conservation
LQ9- Listed Buildings
HN4- Windfall Sites
HN6- Housing Mix
HN7- Density
HN8- Affordable and Specialist Needs Housing
NE10- Flood Risk
AS1- General Development Requirements
SPG 11- Open space requirements

EMERGING PLANNING POLICY

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16 June 2014 and by the full Council on 25 June 2014. The document was published for public consultation on 4 July 2014 for a period of eight weeks. This consultation period has now closed and the document has been submitted to the Planning Inspectorate for consideration and an Examination in Public in 2015.

The Proposed Submission has been informed by up-to-date evidence, including a new Fylde Coast Strategic Housing Market Assessment 2013 (SHMA), which provides an up-to-date assessment of housing needs for Blackpool and the Fylde Coast, and a 2013 Strategic Housing Land Availability Assessment (SHLAA) Update. The housing figure in Policy CS2 has been revisited in order to consider the Strategic Housing Market Assessment outcomes as well as other evidence, including the alignment of housing growth to economic prosperity and the level of housing considered realistic to deliver in the Borough. The 2013 Strategic Housing Land Availability Assessment Update demonstrates a five-year housing supply in accordance with the requirements of the National Planning Policy Framework.

Policies in the Proposed Submission which are most relevant to this application are:

- CS2 Housing Provision
- CS7 Quality of Design
- CS9 Housing Mix, Density and Standards

None of these policies conflict with or outweigh the provisions of the adopted Local Plan policies listed above.

ASSESSMENT

Principle of the Development

The site has no specific allocation in the Blackpool Local Plan 2001-2016 and has not been identified as a site which has potential for housing development in the 2013 Strategic Housing Land Availability Assessment Update which supports the Core Strategy Proposed Submission. The site does not therefore contribute towards meeting the Council's requirement to identify a five year housing land supply. However, the site has a long established residential use and therefore the replacement of the existing 44 run down and now vacant flats with 31 new dwellings in the form of good quality, attractive family housing and bungalows is to be welcomed subject to the details being considered acceptable.

Design/ Impact on Listed All Hallows Church

Whilst the design and appearance of the development is always a key consideration, design is even more important in this instance given that the site is opposite the Grade 2 Listed All Hallows Church which has stone walls and a pitched slate roof, a low pebble boundary wall and hedge enclosing the site from All Hallows Road and is set within well landscaped grounds. The church pre-dates modern Blackpool and is a reflection of the former semi-rural character of the area.

The architects have attempted to incorporate appropriate detailing into the dwellings reflecting the location of the application site opposite the church. Whilst the proposal as submitted incorporates a reasonable level of detailing further improvements and specifications have been sought which would improve the profiling and appearance of the dwellings. Subject to these amendments and, importantly, the agreement of facing materials, which will be dealt with via condition, the proposal is considered to be of sufficient quality to reflect its location opposite the listed church and in accordance with relevant local plan policies including LQ1, LQ4 and LQ9.

Site Layout

There are 44 dwellings on the site at present and this number would reduce down to 31 dwellings although all the new dwellings would be houses and bungalows rather than flats and maisonettes. The site density accordingly reduces from 58 per hectare to 41 per hectare. At present the existing three storey buildings are set within an open plan grassed site with ample space around the buildings, there is also a footpath crossing the site connecting All Hallows Road and Cranbrook Avenue. The proposed layout makes a much more efficient use of the site whilst maintaining open plan character of the site. The two existing mature trees will be retained as part of an incidental open space provision and new feature stone walls are shown either side of two new access roads to All Hallows Road. Other proposed landscaping details and boundary treatment will be dealt with by way of condition.

The site layout has been designed around the constraints of the two utility buildings which are to remain, the public sewer (requiring a 10 metre easement) and the retention of the footpath link

between All Hallows Road and Cranbrook Avenue. One of the key features of the layout has been to provide dwellings which front onto All Hallows Road (14 houses front All Hallows Road) but also two of the bungalows front onto All Saints Road and Cranbrook Avenue. The site layout is considered acceptable and in accordance with relevant local plan policies including LQ2.

Amenity

Given that the site is bounded by both houses and bungalows fronting Cranbrook Avenue, Fairfax Avenue and All Saints Road, the impact and relationship with adjacent dwellings has been a key issue and four of the five proposed bungalows are adjacent existing residential boundaries, in part, to minimise the impact of the proposal. It is also worth noting that existing buildings on the site are three storeys and the proposed dwellings will be single and two storeys.

The one objector to the application comments on plot 24 in particular, which is between one and three metres from the objector's rear boundary, although the dwellings themselves would be over 20 metres apart. It has not been possible to re-position this bungalow due to the sewer easement requirement, however unlike the other bungalows the bedrooms on this plot are positioned to the rear and open plan living room to the front to try and protect privacy, and subject to a solid dividing boundary fence between the respective dwellings the relationship is considered acceptable and in accordance with Policy BH3 of the local plan. It is not considered that there are any breaches of the neighbour's human rights.

Highway Safety/ Car Parking

The proposal involves the creation of two new access roads off All Hallows Road and a new access road off Cranbrook Avenue, whilst other dwellings are served directly off either All Hallows Road, All Saints Road or Cranbrook Avenue. At present there are no off-street parking facilities for the existing flats although there are parking lay-bys outside the site on All Hallows Road which includes a bus-stop. The proposal would provide 18 of the dwellings with two off street parking spaces with 13 of the dwellings having a single off street parking space. This is considered to be an acceptable provision given the accessibility of the site in terms of proximity to Bispham village, Gala playing fields, St Bernadette's Primary School, Montgomery High School, The Red Lion Public House, All Hallows Church, and also to bus services on All Hallows Road, Ashfield Road and in and around Bispham village.

It is considered important to balance the off street parking requirements of the development with the desire for some greenery to the front of the dwellings, to provide an attractive setting to the development, so that the areas to the front of the dwellings are not overly dominated with tarmac and cars. The proposal is considered to accord with relevant local plan policies including LQ1 and AS1.

Other Issues

Any approval of the application will be accompanied by a number of conditions relating to a number of matters requiring subsequent approval, including drainage (both surface water and foul), the appropriate contribution towards public open space provision, contaminated land, archaeology and conditions to protect the open plan design and the dwellings from potentially unsympathetic and unneighbourly extensions. This will ensure that the development satisfies all the relevant requirements and both local and national planning policies.

CONCLUSION

The proposal is considered to be a good quality sustainable development of a brownfield site, which is in need of re-development, and in accordance with all relevant local plan policies and national planning policy including the National Planning Policy Framework. It is well located for local facilities and services and the proposed dwellings relate satisfactorily to its neighbours including the adjacent listed church and adjoining houses and bungalows.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

See condition 4 of this report which requires payment of the appropriate contribution towards public open space provision and maintenance as set out in SPG 11 and Policy BH10 of the adopted Local Plan.

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.

Recommended Decision: Grant Permission

Conditions and Reasons

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

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

2. Details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ4 of the Blackpool Local Plan 2001-2016.

3. a) No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed changes to existing ground levels, means of enclosure and boundary treatment, areas of soft landscaping, hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

b) The landscaping works shall be carried out in accordance with the approved details within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner).

c) Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within five years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall with regards to Policy LQ6 of the Blackpool Local Plan 2001-2016.

4. The development authorised by this permission shall not begin until the Local Planning Authority has approved a scheme to secure the provision of or improvements to off-site open space together with a mechanism for delivery, in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development"(SPG11).

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

NOTE – The development is of a scale to warrant a contribution of £27,176 towards the provision of or improvement to off-site open space and management of the open space provision, in accordance with Policy BH10 of the Blackpool Local Plan 2001-2016 and SPG 11. The Applicant(s) should contact the Council to arrange payment of the contribution.

5. No development shall be commenced until a desk study has been undertaken and agreed in writing with the Local Planning Authority to investigate and produce an assessment of the risk of the potential for onsite contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been agreed in writing with the Local Planning Authority. If remediation methods are then considered necessary, a scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented and completed prior to the commencement of the development. Any changes to the approved scheme shall be agreed in writing with the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016.

6. Prior to the development hereby approved being first brought into use the car parking provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

7. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:
- dust mitigation measures during the construction period
 - control of noise emanating from the site during the construction period
 - hours and days of construction work for the development
 - contractors' compounds and other storage arrangements
 - provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
 - arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways
 - the routeing of construction traffic

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

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

8. (a) No development or other operations shall commence on site until a scheme (hereinafter called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the Local Planning Authority.

(b) No operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved scheme are in place.

(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved scheme are in place.

(d) The fencing or other works which are part of the approved protection scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior written agreement of the Local Planning Authority has first been sought and obtained.

Reason: To secure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, having regards to Policy LQ6 of the Blackpool Local Plan 2001-2016.

9. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: The site is within an area where there may be important features of archaeological interests and so appropriate investigation and safeguarding is necessary in accordance with the National Planning Policy Framework

(To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site. This recommendation is in accordance with National Planning Policy Framework, para. 141. Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.)

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no enlargement of the dwelling/s the subject of this permission shall be carried out without the written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises, in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse which fronts or is side onto a road.

Reason: The development as a whole is proposed on an open plan layout and a variety of individual walls/fences would seriously detract from the overall appearance of the development and would be contrary to Policy LQ2 of the Blackpool Local Plan 2001-2016.

12. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how it will be maintained and managed after completion

Reason: The site is just below the 1 hectare threshold that would require a surface water flood risk assessment in line with the National Planning Policy Framework, in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016.

13. Prior to the commencement of the development, details of foul and surface water drainage and means of disposal shall be submitted to and approved in writing by the Local Planning Authority. Surface water discharging to the public combined water sewerage system must be attenuated to a maximum discharge rate that mimics the existing flows plus 10 per cent betterment to combat the effects of climate change. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To secure proper drainage and to reduce the risk of flooding and pollution and to improve bathing water quality standards on the Fylde Coast in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016

Advice Notes to Developer

Not applicable

COMMITTEE DATE: [14/01/2015](#)

Application Reference: 14/0767

WARD: Highfield
DATE REGISTERED: 20/10/14
LOCAL PLAN ALLOCATION: Protected School Playing Fields/Grounds

APPLICATION TYPE: Full Planning Permission
APPLICANT: Morgan Sindall PLC

PROPOSAL: Erection of two storey school with external learning areas and games court, with associated bin and cycle stores, landscaping, car parking, and access and boundary treatments following demolition of existing school buildings.

LOCATION: HAWES SIDE ACADEMY, PEDDERS LANE, BLACKPOOL, FY4 3HZ

Summary of Recommendation: Grant Permission

CASE OFFICER

Gary Johnston

INTRODUCTION

This application and the application for the South Shore Academy (14/0769 refers) have evolved out of discussions with the schools and the Education Funding Agency as part of the Priority School Building Programme (PSBP). There are 12 schools in the North West batch of the Programme and each proposal involves the retention of the existing school until the new school is constructed. A pre application consultation event was undertaken by the applicants on 11 September between 4 and 7 pm.

DESCRIPTION

The application relates to the Hawes Side Primary school site which extends from Pedders Lane in the north to Highfield Road in the south and has an area of some 3.6 hectares. The bulk of the largely rectangular site is taken up by playing fields with the existing school concentrated at the northern end of the site. The school comprises the original school buildings fronting Pedders Lane. The buildings are single storey and are set around a quadrangle. To the rear of the original school buildings are later additions and a nursery located in a prefabricated style building.

The original part of the existing school is a locally listed building and was designed by the Borough Architect, JC Robinson at the time, and was opened in 1937. The school is a three form entry with some 614 pupils and 84 staff. The nursery currently accommodates up to 26 children. There are currently 48 car parking spaces to serve the school and nursery which are accessed off Johnsville Avenue. The school grounds are surrounded by residential properties which front Pedders Lane and Hawes Side Lane (to the north), Glencorss Place and Johnsville Avenue (to the east), Marcroft Avenue, Lennox Gate and Acre Gate (to the west) and Highfield Road. There are three access points to the school grounds from Pedders Lane, Johnsville Avenue and Lennox Gate. The site is allocated as Playing Fields and Sportsgrounds on the Proposals Map to the Blackpool Local Plan 2001-2016 (Policy BH7).

DETAILS OF PROPOSAL

The proposal is to erect a new part single storey, but mainly a two storey school building to the rear of the original school building. This would enable the existing school to be retained and utilised whilst the new building is erected. The existing nursery building would be retained on the site. The new building would be a truncated T shape and would be set diagonally on the school site. The building would be 59.4 metres long by 26.7 metres deep and would be between 3.5 and 6 metres high. It would be of brick construction with a flat roof. Other materials would include render, cladding panels. It would be set at an angle to properties fronting Johnsville Avenue and Marcroft Avenue/Lennox Gate. It would be 21 metres from the nearest property in Johnsville Avenue and 12 metres from the rear boundary of the nearest property. In terms of the properties in Marcroft Avenue it would be 32 metres from the nearest property and some 18 metres from the rear boundary. In terms of the properties on Lennox Gate the building would be between 21 and 35 metres away from the properties. It is acknowledged that soft play and playground areas would come closer to the properties in Johnsville Avenue and Marcroft Avenue.

On the ground floor there would be ten classrooms (three for each of the reception, year 1 and year 2 classes with a spare one) , toilets, offices, staff facilities, a main hall and a kitchen. On the first floor there would be 12 classrooms (three for each of years 3, 4, 5 and 6) plus ancillary rooms and toilets. It is anticipated that the school would accommodate 630 pupils (16 more than at present). 44 car parking spaces would be provided plus two minibus bays, four accessible parking spaces and two motorcycle parking spaces. In addition 26 cycle parking spaces would be provided. Access to the parking areas would be from Johnsville Avenue (a 6.2 metres wide road) and the access to the school is to be widened to 4.8 metres. There would be pedestrian access from Pedders Lane and Lennox Gate and the latter, which is 6.8 metres wide, would provide access to the bin storage area and kitchen for delivery purposes. This would enable servicing to be segregated from other school traffic. The servicing area would comprise a turning head with a bin storage area to the east of the turning head and a sprinkler tank/pump room to the west. The latter would be 5 metres from the side boundary with no. 46 Lennox Gate (the nearest property) and the bin store would be some 22 metres from the same boundary

Externally there would be hard surfaced 'playground' areas, soft play areas, soft landscaped areas, a habitat area and a MUGA (35metres by 20 metres)

The application is accompanied by the following documents -

- Sustainability and Energy Statement
- Flood Risk Assessment
- Transport Statement
- Travel Plan
- Phasing Plans
- Ecological Impact Assessment
- Geo Environmental Desk Study
- Rapid Cultural Heritage Desk Based Assessment
- Environmental Noise Report
- Arboricultural Survey
- Ventilation Statement
- Utility Statement
- A Planning, Design and Access Statement and Heritage Statement
- A Construction management statement and associated construction traffic map

The Committee will have visited the site on 14 January 2015.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- principle of the development
- design of the development
- the loss of a locally listed building
- impact on residential amenity
- impact on highway and pedestrian safety
- drainage

CONSULTATIONS

County Archaeologist LCC - Hawes Side Academy is a non-designated heritage asset, a locally listed building, designed by JC Robinson, Borough Architect of the time, and opened in 1937. Lancashire County Archaeology Service is in agreement with the proposed mitigation (preservation by record), and would therefore recommend that should the Local Planning Authority be minded to grant planning permission to this, or any similar scheme, that the recording of the 1930s structures be secured by means of the following condition:

Condition: No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building. This is in accordance with NPPF para. 141 " Local planning authorities should... require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

United Utilities Plc (Water) -United Utilities has no objection in principle but wishes to draw our attention to the following as a means to facilitate sustainable development within the region. In accordance with the National Planning Policy Framework and Building Regulations, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. We would ask the developer to consider the following drainage options in the following order of priority: an adequate soak away or some other adequate infiltration system, (approval must be obtained from local authority/building control/Environment Agency); or, where that is not reasonably practical a watercourse (approval must be obtained from the riparian owner/land drainage authority/Environment Agency); or, where that is not reasonably practicable a sewer (approval must be obtained from United Utilities)

To reduce the volume of surface water draining from the site we would promote the use of permeable paving on all driveways and other hard-standing areas including footpaths and parking areas. United Utilities would have no objection in principle to the drainage strategy submitted and in accordance with drawing number HSA CLXX(52)4010 Revision B2, however please be aware that no land drainage will be permitted to communicate with the public sewerage system via direct or in direct means.

A separate metered supply to the school will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999. Should this planning application be approved, the applicant should contact our Service Enquiries regarding

connection to the water mains or public sewers. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offer a fully supported mapping service and we recommend the applicant contact our Property Searches Team to obtain maps of the site. Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

Sustainability Manager - No objections in principle but has the following comments on the document submitted - Hawes Side Academy Ecological Impact Assessment - I agree with the conclusions given in section 5.2.2 of the report. Although no bats were seen using the existing buildings there is however some small likelihood of bats being present and so the following precautions should be taken during any works -

- The removal of roofing materials should be undertaken by hand with the features being lifted rather than dragged to ensure no hidden bats are killed or injured.
- Workers are to be made aware of the potential for the presence of bats and/or any accumulations of droppings beneath the features they are stripping. Bat droppings are typically dry and crumble to a fine dust when crushed, small shiny fragments of insect wings can be seen.
- If a bat or accumulation of droppings is discovered at any time during demolition all work is to temporarily cease in that area until an experienced bat ecologist can be consulted. This can be the consultant who undertook the original survey, any other licensed bat worker, or the Bat Conservation Trust (BCT).
- If it is necessary to capture a bat to remove it to safety, this should be undertaken with gloves or a light cloth, gently capturing the bat and containing it whilst the advice of the bat worker is sought. Thereafter, following on-site advice of the bat worker will ensure there is no breach of the legislative protection afforded to roosting bats. Mitigation for loss of potential suitable roosting sites for bats can easily be achieved by the provision of bat boxes either within the new building and/or on nearby trees. Landscape planting scheme I am pleased to see the majority of trees on site will be retained.

The planting schedule should include Alder Buckthorn (*Rhamnus frangula*) in the native hedgerow and shrub planting areas to attract the brimstone butterfly which is currently in the process of colonising the Fylde.

Blackpool Services, Contaminated Land -A Phase 1 report has been provided as part of the planning application, this highlights that there is a need for further investigations to be carried out. A more detailed intrusive report is required including a site walkover. The recommendations highlighted within the Jacobs report 2013 shall be implemented and submitted to the Local Authority before works commence.

Built Heritage Manager - the application for the new Hawes Side Primary School includes the demolition of the locally listed school. I accept that the poor condition of the current school, which is clearly affected by subsidence, means that it is no longer fit for purpose. Prior to demolition a level 1 photographic record should be made

Although the boundary wall and railings are being retained on Pedders Lane, which will create a link between the old and the new school, the school itself appears to be a standard design for a number of new schools prepared by the architect, and lacks the level of detail which we would expect to see for a building which is replacing a locally listed building. In addition the materials, in particular the rendered panels, also fail to reflect the character of the previous building. We would also like to see details for the proposed entrance canopy.

There will be a considerable number of roof tiles resulting from the demolition and we'd like to explore the option of retaining a portion as architectural salvage for repairs, particularly for other buildings designed by the Borough Architect during that period.

Environment Agency - Has no objection in principle to the proposed development and would like to offer the following comments: The proposed development will be acceptable if a planning condition is included requiring the following drainage details.

Condition: No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, both on and off site. Advice to Applicant/LPA to comply with current SUDS guidance the first 5 mm of rainfall must infiltrate. The developer should consider using pervious paving.

Lancashire Constabulary - No objections in principle but has the following detailed comments - The Crime Impact Statement is based on local crime figures and trends, incidents reported to the police and community knowledge gathered from local policing teams. It is with this knowledge and policing experience that the recommendations made are site specific, appropriate and realistic to the potential threat posed from crime and anti-social behaviour in the immediate area of the development. Within the last 12 month period, in the Blackpool policing area there have been 38 reported crimes involving educational buildings including nurseries/schools/sixth forms. The security of such establishments being newly built should therefore reflect the crime risk posed to them. In the area surrounding this site there have been 40 reported burglaries and 45 criminal damage offences in the last 12 months. In order to reduce the risk of crime and anti-social behaviour (ASB) affecting the pupils, staff, visitors and local community, the school should be designed in accordance with the principles of Secured By Design.

The existing and planned boundary treatments will not provide a secure boundary for the school. During the hours when the school is in use, this would not pose a significant security risk however at night and during holiday periods the school would be left vulnerable to burglary, graffiti, anti-social behaviour and criminal damage. Where the 1.2m high timber pencil fencing is to be provided I would advise that the height of this fencing is insufficient and should be at least 1.8m in order to deter intruder access. If this is not a possibility due to cost/residential boundary issues, the below physical security measures should be introduced as access to the school grounds and building would be easily available leaving it more vulnerable to crime and ASB.

External lighting will be automatically switched off between 2300 and 0700hrs, which would leave the building vulnerable to burglary overnight, when most schools are targeted. It is not clear from the lighting plan which lighting qualifies as safety/security lighting and whether the coverage would be adequate to deter burglary attempts/ASB. Further detail is required. There are no details within the application of the CCTV system type or coverage. Comprehensive coverage is required to the perimeter of the building as the boundary treatments will not be sufficient to protect the school and grounds from unauthorised access. The system should be compatible with the lighting source and capable of recording clear images in darkness.

Schools are sometimes targeted for arson attacks, the louvred vents should be located and designed so that items cannot be pushed/dropped inside that could set fire to the buildings. Letter boxes should also be designed so that anything posted through is contained within a fire proof box to protect the school. All external doors should be certified to PAS 24:2012 or an alternative enhanced security standard and have laminated glazing in all glazed panels. All ground floor windows and those can be easily accessed elsewhere should be certified to PAS 24:2012 and have 6.8mm laminated glazing to protect against burglary attempts. A comprehensive intruder alarm should be installed which is linked to an Alarm Receiving Centre.

The equipment stores should not have windows as they would give a view of items stored inside. These stores should be well secured and located where they do not conceal the main school building but can be seen from surrounding houses. The design of the stores should be such that they deter climbing on top. The boundary treatments to the MUGA should be of sufficient height and design to deter climbing. A robust locking arrangement should be incorporated into the gate design to reduce the risk of unauthorised use causing nuisance to nearby residents and the potential for littering and vandalism of the facility. There should be adequate litter facilities around the facility for use by community groups. Access control arrangements at the main entrance have been designed to restrict access into the main circulation areas of the school to those authorised to do so and further restricts access to teaching areas. Should planning permission be granted, I ask that the above recommendations be made a security condition, in order to reduce the risk of crime affecting the school, pupils, staff, visitors and local area, thereby promoting safer communities and reducing avoidable demand on policing resource.

Waste - Commercial - No comments received at the time of writing this report. Any comments received will be reported in the update note.

Sport England - Has no objection subject to the imposition of conditions. The proposal would involve the loss of 1290 sq metres of playing field. However in mitigation there would be a type 2 MUGA provided and the sports field would be marked out to provide 3 football pitches, a rounders pitch, a cricket pitch and a running track. In addition community use of the facilities is proposed. Recommends two conditions -

Condition: The new playing field and pitches as shown on plan number HSA-L-0600, revision 82, titled 'Sports Facilities Layout' shall be constructed and laid out in accordance with standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, May 2011), before they are first brought into use.

Reason: To ensure the quality of pitches is satisfactory and they are available for use and to accord with Policy BH7 of the Blackpool Local Plan 2001-2016.

And

Condition: Prior to the development being brought into use a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The Scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policy BH7 of the Blackpool Local Plan 2001-2016.

Head of Environmental Protection Service -Having examined all the enclosed documentation Environmental Protection would support this application.

Children and Young People's Department - No comments received at the time of writing this report. Any comments received will be reported in the update note.

Head of Transportation - Has no objection subject to the following comments -

1. A Travel Plan should be conditioned.
2. Cycle parking is proposed - details should be agreed. Car share spaces to be provided in line with the approved Travel Plan and previous discussions. No visitor spaces are shown but were previously recommended as part of pre application discussions. Pick-up/drop-off spaces for parents are not shown, but were previously recommended as part of pre application discussions.
3. With regards to parking spaces, there is no split information available regarding staff numbers, teaching and non-teaching (f/t and p/t) and whilst the parking standards state one car parking space per teaching area, I am unable to determine if supply will meet demand, and if not done properly there maybe overspill onto the adjacent residential streets by staff. There is an existing problem which can be a nuisance to residents.
4. The Nursery remains within the red edge, six parking spaces have been allocated for this use - these should be clearly marked.
5. Vehicular access from Johnsville Avenue has been widened to accommodate two way traffic. Any works required to the public highway on Johnsville Avenue to be agreed with the Head of Transportation.
6. The school will be served from Lennox Gate with some works proposed at the edge of the public highway. A clear demarcation should be provided between private (school) and public highway.
7. The existing vehicle access on Pedders Lane is being retained for maintenance and possibly emergency access, the width at 3200mm is inadequate but as the use of the area behind the access point will be less, this is considered acceptable but I consider it appropriate for the radius kerbs to be removed with the footway continuing across the access point. Vehicle access will be retained and the new arrangement will give pedestrians priority.
8. Gates at each pedestrian access points to be sufficiently wide to cater for the volume of users at the start and end of the school day.
9. A Demolition Plan should be conditioned.
10. A Construction Management Plan (CMP) has been provided and initial comments are provided below. Detailed comments will be provided prior to the start of the works. It is the developer's responsibility to contact the Head of Transportation in advance regarding - a).the size of vehicles and daily/weekly projected trips to and from the site to be provided. b). the route for construction traffic to be Highfield Road, Acre Gate and Lennox Gate. The route needs to be adequately signed and suppliers to be given these details. They must not rely on the use of a satnav. The CMP implies a route using Burgess Avenue - if connected to the demolition, further details including timescales to be given. I would further add and ask why access cannot be taken from Pedders Lane close to its junction with Hawes Side Lane with the creation of a temporary access serving the demolition. That way all construction traffic is kept on the strategic network. c). Interface with pedestrians and traffic, if the school is to continue operating for a period whilst construction is ongoing then this must be considered. d). Details of any temporary highway works necessary to enable the work to commence need to be agreed with the Head of Transportation e). No construction traffic movements between 14:45 and 15:45. f). Wheel washing facilities to be provided with a sterile area. g). the parking strategy makes reference to overspill parking on the surrounding streets by staff, trades and operatives. This is not considered acceptable. This scheme must make provision within the limits of the red edge for construction staff parking. Temporary traffic restrictions to be provided on Acre Gate between Marcroft Avenue and site access- it can take six-eight weeks to process the Legal

order so this must be included in the overall Project Plan. There is a cost associated with this, approximately £1000 for the TRO and about £250 for the actual markings - to be paid by the scheme.

Blackpool International Airport - No comments received at the time of writing this report. Any comments received will be reported in the update note.

PUBLICITY AND REPRESENTATIONS

Press notice published: 6 November 2014

Site notice displayed: 30 October 2014

Neighbours notified: 24 October 2014

Representations have been received from the following residents

46 LENNOX GATE, BLACKPOOL, FY4 3JH

Has concerns about the location of the sprinkler tank and associated pump room, the height of these and the gap between these and her side boundary. Also has concerns about the proposed location of the bin store.

57 LENNOX GATE, BLACKPOOL, FY4 3JH

Has concerns about the planning proposal for the following reasons:-

1. The site proposed is closer and higher than the original school and would severely impede on my privacy through all of my East and South facing windows.
2. The play area is going to be located against my boundary and I have dogs. The children will disturb them and their barking will become a nuisance to other neighbours. For that matter, the proposed temporary footpath for the Lennox Gate entrance that is to run along my boundary is also a bad idea.
3. Damage to my property will be inevitable by the children playing in the area beside my house. I have had 12 panes of glass replaced due to damage by pupils of the school.
4. The proposed bin site will be serviced by vehicular access to school via the Lennox Gate entrance. Until 10 years ago there was no access via this gate. Then only pedestrian access. Now vehicular access is proposed, I will lose my historical parking space to the front of my property. There would then also be the worry of future zig-zag or other parking restrictions in our cul-de-sac. There are elderly residents, and visitors that need parking.

25 MARCROFT AVENUE, BLACKPOOL, FY4 3JL

Has concerns that she was not invited to any public consultation of the plans and finding out that an application had been placed by a letter posted through my door on the 27th October 2014. Has the following concerns about the proposal -

Loss of privacy - My back bedroom currently overlooks the school playing fields and the adjacent school building, which in my opinion is a satisfactory distance away. I will not feel comfortable in the back of my house as I feel people will be able to view my windows from the school.

Noise Disturbance -This is in relation to the building works. Obviously significant noise will be caused while erecting this building 14 metres from my back garden which will go on for months. There will also be increased noise throughout the day from the children, teachers, family members of pupils and increased traffic noise due to the very close proximity to my home.

Highway Safety/Parking/Traffic - Parking is already a major issue on my street. Some homes do not have parking. I have a drive way which often has the cars of pupils' parents overhanging, stopping me entering and exiting my drive. Also the amount of cars parked back to back endangers safety of small children that try to cross between cars. Traffic around my street will increase as the entrance on Lennox gate will become one of the primary entrances. I can see from the transport statement

online that the traffic accidents involved around the surrounding streets have taken place in the morning. This is when people are taking their children to school.

Overlooking/Loss of Privacy -The school would be directly overlooking my house and garden. With the school overlooking my garden I would lose my privacy. The second floor of the school building will be at eye level of my back bedroom and bathroom, 14 metres away. My family and I would be clearly seen through the window and we would not feel we could venture into the back of the house without being watched. I also have a large unobstructed picture window in the back room which would offer perfect viewing into my family home from the school.

Loss of Light -As you are aware the sun rises in the east. The sunlight that is in my garden during summer and winter months from sunrise until around lunchtime would be blocked by the school. As I have an east facing garden I have three hours of sunlight from noon until 3 pm when the sunlight is blocked by my home and two hours maximum of sunlight in the evening through the gap between my house and the house to my north. Having the school behind my home will give me around 5 hours of direct sunlight, on a good day. I am extremely irritated that I have not had forewarning of these proposals and I have not had sufficient chance to ask questions. I am struggling to find a reason why the school needs to be rebuilt when there two fairly new buildings erected. I understand that the main school building is old and requires renovation. Why not rebuild this section instead of upsetting neighbours or rebuilding on the site of the existing newer buildings?

The issues raised will be discussed in the assessment part of the report

NATIONAL PLANNING POLICY FRAMEWORK

In March 2012, the National Planning Policy Framework (NPPF) was published. This document sets out the Government's approach and expectations with regard to planning and development. It places heavy emphasis on sustainable development and the need for the planning system to be proactive in driving economic growth. There is a presumption in favour of development where there are no over-riding material considerations. In particular, paragraph 72 states that Local Planning Authorities should give great weight to the need to create, expand or alter schools to widen choice in education. The Framework also makes it clear that all developments should be of a high standard of design. (paras 56 - 65). Para 135 requires authorities to take into account the effect of a planning application on the significance of a non-designated heritage asset and a balanced judgement is required having regard to the scale of any harm or loss and the significance of the asset.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006 and the majority of its policies saved by direction in June 2009. The following policies are most relevant to this application:

- LQ1 Lifting the Quality of Design
- LQ2 Site Context
- LQ4 Building Design
- LQ6 Landscape Design and Biodiversity
- LQ8 Energy and Resource Conservation
- BH3 Residential and Visitor Amenity
- BH7 Playing Fields and Sports Grounds
- NE5 Other Sites of Nature Conservation and Environmental Value
- NE6 Protected Species
- NE7 Sites and Features of Landscape, Nature Conservation and Environmental Value
- NE10 Flood Risk
- AS1 General Development Requirements (Access and Parking)

EMERGING PLANNING POLICY

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16 June 2014 and by the full Council on 25 June 2014. The document was published for public consultation on 4th July 2014 for a period of eight weeks. The consultation has now ended and the document has been updated and was submitted to the Planning Inspectorate on 19 December 2014 for examination in Spring 2015. Paragraph 216 of the National Planning Policy Framework allows relevant policies to be given weight in decision-taking according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the policies in the National Planning Policy Framework. Overall, a limited number of representations were received to the Proposed Submission document. Of those representations made expressing concern with the proposed policies, it is not considered that the issues raised justify the need for modifications to be made to the policies prior to submission (other than minor modifications to improve clarity for example). Therefore, the Council considers that, due to the advanced stage of the Core Strategy all relevant policies to this development should be given considerable weight in decision making.

Emerging policies in the Core Strategy Submission version that are most relevant to this application are:

CS1- Strategic location for development
CS5 - Connectivity
CS6 - Green Infrastructure
CS7 - Quality of design
CS8 - Heritage
CS9 - Water management
CS10 - Sustainable Design and Low Carbon and Renewable Energy
CS15 - Health and Education

None of these policies conflict with or outweigh the provisions of the adopted Local Plan policies listed above.

ASSESSMENT

Principle of the development

Para 72 of the National Planning Policy Framework (NPPF), Policy 20 of the Blackpool Local Plan 2001-2016 and Policy CS15 of the Blackpool Local Plan (Core Strategy) are supportive of the principle of providing new educational facilities. In addition a core theme of the NPPF is sustainable development. The redevelopment of outmoded school facilities to provide modern facilities and an improved learning environment is therefore acceptable in principle. The school is currently a three form entry and is split between 3 buildings, having been extended over time. The new school would amalgamate all of these elements in one building and would allow for an expansion of the school roll from 614 to 630 pupils. The redevelopment of a school, largely built in the 1930s would allow for more modern space and heating/ energy standards and allow for a better arrangement in terms of access by pupils, cars and serving vehicles.

In common with other schemes within the town there is a need to retain the existing school whilst the new build is undertaken to avoid decanting children to other schools or using temporary accommodation on the site and hence the siting of the school is considered acceptable in principle

to help with this aim. This would involve the new school encroaching on the existing school playing field. However the school is fortunate in having a large area of playing field attached to the school buildings. Members will note that Sport England has no objection in principle to the location of the new school even though it would involve the loss of 1290 sq metres of playing field. This is principally because of the mitigation measures proposed which would in effect improve sporting facilities at the school and offer the potential for community use. The principle of the development is therefore considered acceptable and in accordance with para 74 of the National Planning Policy Framework.

Design of the development

Paras 56 -65 of the National Planning Policy Framework, Policies LQ1 - 4 of the Blackpool Local Plan and Policy CS7 of the Blackpool Local Plan (Core Strategy) all deal with the subject of design. It has to be remembered that the budget for new schools available through the Education Funding Agency is not the same as was available through the Building Schools for the Future programme. The building would be part single storey and part two storey and would essentially be a rectangular block. Red brickwork would be used for the bulk of the building to tie it in with the surrounding residential environment, although the use of contrasting brickwork, render and coloured panels would help to break up the mass of the building as would the recessing of the windows. Externally the use of hard and soft landscaping would assist with softening the setting of the building. There would be an entrance feature on the front elevation of the building and an area of hard/soft landscaping in front of the building to correspond with it and create a focal feature. Given its two storey appearance and the materials proposed it is considered that the building would respond to its residential setting although it is acknowledged that it would not be the same quality internally and externally as the nearby Highfield Humanities building.

Loss of a locally listed building

Para 135 of the National Planning Policy Framework requires Local Planning Authorities to take into account the impact of planning applications on locally listed buildings. In this case the original part of the school was built in 1937 and was designed by the Borough Architect of the time -JC Robinson. It is a good example of a school of its age in terms of the school being built around a central courtyard and central assembly hall. The building has a pleasing appearance with brick/render elevation and a hipped roof with small tiles. It is evident walking around the school that there a number of issues with subsidence/settlement/damp and these issues are set out in the Design and Access Statement which accompanies the application. The Built Heritage Manager's colleague has visited the premises to witness the extent of these issues and concurs with the need for the building to be demolished as long as a photographic record is undertaken and retained. This is also requested by the County Council Archaeologist. Whilst it is regrettable that the school has to be demolished it is considered to be the only long term solution in terms of providing improved educational facilities. It is possible to retain the part brick /part railing boundary treatment to Pedders Lane and this will retain a link with the past history of the site.

The Built Heritage Manager has also asked for the roof tiles to be salvaged as part of the demolition process for use at other schools with similar roofs. It is acknowledged that the new building would not be the same quality as the original school building in terms of its external appearance but given the budgetary constraints imposed via the Education Funding Agency and the fact that officers have sought to achieve a building which would respond to its setting it is considered that the loss of the locally listed building is acceptable in this instance, subject to a condition regarding the photographic record and roof tiles being salvaged.

Impact on residential amenity

The school building would have a different relationship to surrounding residential properties given its proposed position and form. In an attempt to mitigate its impact it would be angled on the site and would be part single storey but mostly two storey in height. The proposed location would mean that it would be located to the rear of properties at the northern end of Johnsville Avenue to the east and properties on Marcroft Avenue and Lennox Gate to the west. In addition the MUGA would impact on the residents of Pedders Lane, the location of the car park would impact on the residents of Johnsville Avenue and the location of the servicing area would impact on the residents of Lennox Gate. By angling the building the central hub of the school would be furthest from the residential properties to the east and west of the school site and there would be no direct overlooking of neighbouring properties/gardens from first floor classrooms. At its nearest point the building would be 22 metres from properties in Johnsville Avenue and 28 metres from properties in Marcroft Avenue (we would normally look for a minimum separation distance of 21 metres between opposing residential properties). The building would then be angled away from the properties. At its nearest point it would be 13 metres from the boundary with properties in Johnsville Avenue and 14 metres from the boundary with properties in Marcroft Avenue. In terms of properties in Lennox Gate the nearest corner of the building would be some 22 metres from the nearest property and 16 metres from the boundary with the nearest property. It is considered that the combination of these distances and the fact that the building will be angled means that the privacy of adjoining residents would not be materially affected by the proposed development, especially when the period of occupancy of the building is considered.

The building would change the outlook from the properties to the east and west of the school site but fact that the building would be two storey and angled combined with the distances involved would mean that the building is unlikely to impact on light levels to the properties except when the sun is at its lowest in December/January. The relationship of the proposed building to the properties to the east and west of the school site is therefore considered acceptable in the context of Policy BH3 of the Local Plan. The location of the school building would also mean that areas of playground would be closer to the properties to the east and west of the school site. But bearing in mind the times of use and periods of use this relationship is considered acceptable.

The proposed MUGA would be 25 metres from the properties fronting Pedders Lane and 8 metres from the boundary with these properties. Whilst this is close it is considered acceptable in the context of Policy BH3 because the MUGA would not be floodlight and the hours of use could be controlled by condition. The parking area would not be dissimilar to the present arrangement and as pupil numbers would not be significantly different to those at present it is not considered that the parking area would have a detrimental impact on the residents to the east of the school site and those of Johnsville Avenue in particular.

The proposal to have accesses to the school from Pedders Lane, Johnsville Avenue and Lennox Gate should dilute activity around the school and prevent the issues associated with only one point of access. This should be of benefit to local residents. The segregation of service traffic through the use of Lennox Gate for deliveries to the school kitchen and for access to the bin storage area is also seen as beneficial although it is acknowledged that this would create a formal access to the site from Lennox Gate whereas in the past it has only been used by vehicles used to maintain the playing fields. The level of usage of this access and the location of the bin store at some 22 metres from the nearest property are considered acceptable in terms of Policy BH3 of the Local Plan.

There is bound to be some impact on local residents whilst the new school is under construction but it is hoped that this impact can be mitigated through a Construction Management Plan and this would only be for the duration of the construction and demolition programme.

Impact on highway and pedestrian safety

The parking standards require one parking space per classroom. In this case there would be 22 classrooms and 44 standard car parking spaces plus four accessibility spaces. In addition there would be two minibus parking bays, two motorcycle parking spaces and 26 cycle parking spaces. The nursery would have six car parking spaces. This level of provision is considered acceptable based on the standards and would be assisted by an update to the School Travel Plan. The use of three roads to provide pedestrian access to the school should help to spread the impact of the beginning and end of the school day and assist in encouraging more children to walk to school. Segregating servicing vehicles should also assist with highway and pedestrian safety.

There is bound to be some disruption in terms of the use of the local highway network given the need to retain the school on site whilst constructing the new school but it hoped to mitigate this impact through a Construction Management Plan. Overall the proposal is considered to be consistent with Policies AS1 and AS2 of the Local Plan

Drainage

The proposal would involve a reduction in roof area but would increase the area of hardstanding on the site. The former would assist in terms of surface water runoff and the latter offers the potential to use pervious materials to allow rainwater to percolate rather than run off. In addition it is proposed to provide an attenuation tank for surface water to store some surface water on site and control the rate of surface water discharge to the sewer system. Members will note that the Environment Agency and United Utilities have no objection in principle to the drainage strategy proposed for the site. As proposed the scheme is not at risk of flooding should not cause flooding elsewhere and hence it is considered acceptable in terms of Policy NE10 of the Local Plan.

Other Matters

The building has been designed in terms of energy use and the need to reduce energy consumption. All existing trees on the site should be capable of being retained. A bat survey has been undertaken of the existing school buildings and no bats have found to be present in the roof spaces. A precautionary approach is recommended during the demolition process. The landscaping proposals are considered acceptable in terms of Policy LQ6 of the Local Plan and the applicant's agent has confirmed the inclusion of Alder Buckthorn in the scheme as recommended by your Sustainability Manager. There are no protected species on the site and no significant plant species given that the bulk of the site is mown grassland. It is proposed to create a habitat area upon demolition of the original school building which should assist with biodiversity. The applicant's agent has also confirmed that Bird and Bat boxes will be provided as part of the development. The application has been screened in terms of Environmental Impact and it has been concluded that although the project is a Schedule 2 project it does not require an Environmental Statement as it is only of local importance and is not near any sensitive area (e.g. SSSI).

A Construction Management Plan is proposed and this should be finalised in discussion with your officers and the Head of Transportation. The applicant's agent has confirmed that there would be no deliveries to the site before 7.30 am. It is suggested that the comments of the Police are incorporated in an advisory note should planning permission be granted. The floor level of the ground floor of the building is likely to be set at 150mm above the existing ground level. This is not considered significant and should not impact on the amenities of surrounding residents. One of the residents in Lennox Gate has raised concerns about the location and use of the sprinkler tank/pump. This would be five metres from the boundary with no 46 Lennox Gate and would be 2.5 metres high. It is not considered that its height and proposed use would adversely affect the amenities of the residents of no 46 and the area between the boundary and the tank could be planted with appropriate shrubs to deter access to the area.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

None

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

Recommended Decision: Grant Permission

Conditions and Reasons

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

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).
2. Details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ4 of the Blackpool Local Plan 2001-2016.
3. Details of the surfacing materials to be used shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ1 of the Blackpool Local Plan 2001-2016.
4. Prior to the development hereby approved being first brought into use the car parking provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.
5. Prior to the development hereby approved being first brought into use the secure cycle storage provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: To enable access to and from the property by sustainable transport mode, in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

6. a) No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed changes to existing ground levels, means of enclosure and boundary treatment, areas of soft landscaping, hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.
- b) The landscaping works shall be carried out in accordance with the approved details within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner.)
- c) Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 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. To ensure the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall with regards to Policy LQ6 of the Blackpool Local Plan 2001-2016.

7. (a) No development or other operations shall commence on site until a scheme (hereinafter called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the Local Planning Authority.
- (b) No operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved scheme are in place.
- (c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved scheme are in place.
- (d) The fencing or other works which are part of the approved protection scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior written agreement of the Local Planning Authority has first been sought and obtained.

Reason: To secure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, having regard to Policy LQ6 of the Blackpool Local Plan 2001-2016.

8. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building. This is in accordance with para. 141 of the National Planning Policy Framework.

9. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016.

10. The new playing field and pitches as shown on plan number HSA-L-0600, revision 82, titled 'Sports Facilities Layout' shall be constructed and laid out in accordance with standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, May 2011), before the new school is first brought into use.

Reason: To ensure the quality of pitches is satisfactory and they are available for use and to accord with Policy BH7 of the Blackpool Local Plan 2001-2016.

11. Prior to the development being brought into use a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The Scheme shall include details of pricing policy, hours of use, access by non-school users/ non-members, management responsibilities and include a mechanism for review. The approved scheme shall be implemented upon commencement of use of the development and shall thereafter be retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sport and to accord with Policy BH7 of the Blackpool Local Plan 2001-2016.

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
- 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 routeing of construction traffic.

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

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

13. No development shall be commenced until a desk study has been undertaken and agreed in writing with the Local Planning Authority to investigate and produce an assessment of the risk of the potential for onsite contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been agreed in writing with the Local Planning Authority. If remediation methods are then considered necessary, a scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented and completed prior to the commencement of the development. Any changes to the approved scheme shall be agreed in writing with the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016.

14. The existing wall, gateposts and railings along the Pedders Lane frontage of the site shall be retained at all times.

Reason: In the interests of the appearance of the site and to retain a link with the original school development in accordance with para 137 of the National Planning Policy Framework and Policy LQ2 of the Blackpool Local Plan 2001-2016.

Advice Notes to Developer

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.

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COMMITTEE DATE: [14/01/2015](#)

Application Reference: 14/0769

WARD: Victoria
DATE REGISTERED: 20/10/14
LOCAL PLAN ALLOCATION: Protected School Playing Fields/Grounds

APPLICATION TYPE: Full Planning Permission
APPLICANT: Morgan Sindall PLC

PROPOSAL: Erection of new three storey school including sports hall, MUGAs and external learning areas with associated bin/cycle store, landscaping, car parking, access and boundary works following demolition of existing school buildings.

LOCATION: SOUTH SHORE ACADEMY, ST ANNES ROAD, BLACKPOOL, FY4 2AR

Summary of Recommendation: Grant Permission

CASE OFFICER

Gary Johnston

INTRODUCTION

This application and the application for the Hawes Side Academy (14/0767 refers) have evolved out of discussions with the schools and the Education Funding Agency as part of the Priority School Building Programme (PSBP). There are 12 schools in the North West batch of the Programme and each proposal involves the retention of the existing school until the new school is constructed. A pre application consultation event was undertaken by the applicants on 11 September 2014 between 4 and 7 pm.

SITE DESCRIPTION

This application relates to the South Shore Academy site on the western side of St Annes Road. The site extends to some 6.36 hectares. It is bounded by Yeadon Way to the west, the Palatine Library and Leisure Centre to the south, St Cuthbert's School, Homebase, the TA centre and an Electricity North West installation to the north. There are houses/flats and part of a local centre on the eastern side of St Annes Road. The site is allocated as Playing Fields and Sportsgrounds on the Proposals Map to the Blackpool Local Plan 2001-2016 (Policy BH7)

The site comprises the existing school buildings which are set back from St Annes Road. They are a mixture of one, two and three storey of different styles and ages. There are four access points to the school from St Annes Road - two for vehicles and two for pedestrians. There are 85 car parking spaces in two areas plus six spaces are used at the Palatine Leisure Centre. St Annes Road is some 11 metres wide and has bus stops on both sides (services 7 and 22 go down St Annes Road) and there are two zebra crossings on St Annes Road. The current school accommodates 812 pupils (but has a capacity for 985) and has 91 members of staff.

DETAILS OF PROPOSAL

The proposal is to erect a new three storey school building and part single storey/part two storey sports hall to the west of the existing school buildings. This would enable the existing school to be retained on the site whilst construction takes place. The school building would be rectangular and would measure 54.9 metres by 41 metres by 12 metres high. The sports hall would measure 33.5 metres by 33.5 metres by between 5.8 and 10.2 metres high. The school would be of brick, render and cladding construction and the sports hall would be a mixture of brickwork and cladding.

The ground floor of the school building would comprise the main hall, drama studio, library, graphics studio, music studio, kitchen, workshops and offices. The first and second floors would comprise the classrooms. The school will accommodate 900 pupils and by 2019 there would be 104 members of staff. 84 car parking spaces are to be provided in three areas with the main area accommodating 66 vehicles. The 84 spaces would comprise 78 standard car parking spaces and 6 accessible spaces. There would be 3 motorcycle parking spaces, 80 covered cycle spaces and a further ten uncovered spaces. The existing minibus garage would be retained. As the new school/sports hall would be set to the west of the existing school buildings once these are demolished additional sports facilities would be provided. There would be a defined pedestrian route to the main entrance of the school with landscaping either side.

The application is accompanied by the following documents -

- A Planning, Design and Access Statement
- Sustainability and Energy Statement
- Flood Risk Assessment
- Construction management statement and associated construction traffic map
- Ecological Impact Assessment
- Arboricultural Survey
- Geo Environmental Desk Study
- Rapid Cultural Heritage Desk Based Assessment
- Environmental Noise Report
- Ventilation Statement
- Utility Statement
- Phasing Plans
- Travel Plan
- Transport Statement

The Committee will have visited the site on 14 January 2015.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- principle of the development
- design of the development
- impact on residential amenity
- impact on highway and pedestrian safety
- drainage

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

CONSULTATIONS

United Utilities Plc (Water) - Has no objections in principle, however United Utilities wishes to draw attention to the following as a means to facilitate sustainable development within the region. In accordance with the National Planning Policy Framework and Building Regulations, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. We would ask the developer to consider the following drainage options in the following order of priority: an adequate soak away or some other adequate infiltration system, (approval must be obtained from local authority/building control/Environment Agency); or, where that is not reasonably practical a watercourse (approval must be obtained from the riparian owner/land drainage authority/Environment Agency); or, where that is not reasonably practicable a sewer (approval must be obtained from United Utilities).

To reduce the volume of surface water draining from the site we would promote the use of permeable paving on all driveways and other hard-standing areas including footpaths and parking areas. As United Utilities will have no objection to the proposal and we do not request that any specific conditions are attached to any approval. A separate metered supply to each building will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999. Should this planning application be approved, the applicant should contact our Service Enquiries regarding connection to the water mains or public sewers.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offer a fully supported mapping service and we recommend the applicant contact our Property Searches Team to obtain maps of the site. Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

Electricity North West Ltd -We have considered the above planning application and find it could have an impact on our infrastructure. The development is shown to be adjacent to or to affect Electricity North West operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West, Estates and Wayleaves, Frederick Road, Salford, Manchester M6 6QH.

The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity. The applicant should also be referred to two relevant documents produced by the Health and Safety Executive, and advised to follow the guidance given. The documents are as follows:-

- HS (G) 47 – Avoiding danger from underground services.
- GS6 – Avoidance of danger from overhead electric lines.

Other points, specific to this particular application are:-

- There are ENWL 33000, 6600 and 400 volt cables in the public highway on St Anne's Rd, close to the building line of the proposed development.
- There is an ENWL Low voltage 400 volt service cable supplying the existing school building, crossing the proposed development site.
- There is an ENWL distribution substation (Victoria – 423605) in close proximity to the proposed building line, with multiple 6600 volt cables emanating from the substation.

- There is an ENWL 400 volt mains cable within the development boundary on the fence line between the proposed development and St Cuthbert's and Palatine Children's Centre.

The applicant should also be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant. The applicant should be aware of our requirements for access to inspect, maintain, adjust, repair, or alter any of our distribution equipment. This includes carrying out works incidental to any of these purposes and this could require works at any time of day or night.

Sustainability Manager -Has no objections in principle but has the following comments on the Ecological Impact Assessment. I agree with the conclusions given in section 5.2.2 of the Ecological Impact Assessment. Although no bats were seen using the existing buildings there is however some small likelihood of bats being present and so the following precautions should be taken during any works. The removal of roofing materials should be undertaken by hand with the features being lifted rather than dragged to ensure no hidden bats are killed or injured. Workers are to be made aware of the potential for the presence of bats and/or any accumulations of droppings beneath the features they are stripping. Bat droppings are typically dry and crumble to a fine dust when crushed, small shiny fragments of insect wings can be seen. If a bat or accumulation of droppings is discovered at any time during demolition all work is to temporarily cease in that area until an experienced bat ecologist can be consulted. This can be the consultant who undertook the original survey, any other licensed bat worker, or the Bat Conservation Trust (BCT). If it is necessary to capture a bat to remove it to safety, this should be undertaken with gloves or a light cloth, gently capturing the bat and containing it whilst the advice of the bat worker is sought. Thereafter, following on-site advice of the bat worker will ensure there is no breach of the legislative protection afforded to roosting bats. Mitigation for loss of potential suitable roosting sites for bats can easily be achieved by the provision of bat boxes either within the new building and/or on nearby trees. Birds Mitigation could also include the provision of nest boxes within the building for House Sparrows, particularly as there is provision in the landscape plan for hedgerow and shrub planting, and Swifts. Nest cavities should be sited away from windows and walkways so that droppings are not a nuisance or health hazard. In terms of the Landscape planting scheme I am pleased to see the majority of trees on site will be retained. The planting schedule should include Alder Buckthorn (*Rhamnus frangula*) in the native hedgerow and shrub planting areas to attract the brimstone butterfly which is currently in the process of colonising the Fylde.

Contaminated Land Officer - The land has previously been used in agriculture and allotments, with watercourses running close to the railway line, also due to the age of the building and the construction methods used at the time there is a potential likelihood that contamination may be present. Therefore a Phase 1 Study is requested to show the likelihood, if this shows that there is a potential then a Phase 2 Intrusive Study is required and must be provided to the Local Authority before works commence. If the Phase 2 shows that there is contamination present, a remediation strategy and validation report need to be carried out.

Children and Young People's Department - no comments received at the time of writing this report. Any comments received will be reported in the update note

Environment Agency - We have no objections in principle to the proposals and would like to make the following comments: The proposed development will be acceptable if a planning condition is included requiring the following drainage details.

Condition - No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological

context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason - To prevent the increased risk of flooding, both on and off site. Informative To comply with current SUDS guidance, the first 5 mm of rainfall must infiltrate. The applicant should consider using pervious paving.

Police Architectural Liaison Officer -The Crime Impact Statement is formed based on local crime figures and trends, incidents reported to the police and community knowledge gathered from local policing teams. It is with this knowledge and policing experience that the recommendations made are site specific, appropriate and realistic to the potential threat posed from crime and anti-social behaviour in the immediate area of the development. Within the last 12 months period, in the Blackpool policing area there have been 38 reported crimes at educational buildings including nurseries/schools/sixth forms.

In order to reduce the risk of crime and anti-social behaviour (ASB) affecting the pupils, staff, visitors and local community, the school should be designed in accordance with the principles of Secured By Design and incorporate the following recommendations.

- There are no details within the application of the CCTV system type or coverage. Comprehensive coverage is required to the perimeter of the building as the boundary treatments will not be sufficient to protect the school and grounds from unauthorised access. The system must be compatible with the lighting source and capable of recording clear images in darkness. Further details are required. Internally CCTV cameras should be located in the reception area, stairwells and main footfall corridors for the protection of staff and pupils.
- Schools are sometimes targeted for arson attacks – the louvered vents should be located and designed so that items cannot be pushed/dropped inside that could set fire to the buildings. Letter boxes should also be designed so that anything posted through is contained within a fire proof box to protect the school.
- All external doors should be certified to PAS 24:2012 or an alternative enhanced security standard and have laminated glazing in all glazed panels.
- All ground floor windows and those can be easily accessed elsewhere should be certified to PAS 24:2012 and have 6.8mm laminated glazing to protect against burglary attempts.
- A comprehensive intruder alarm should be installed along with panic button in each class room (for protection of staff and pupils) which is linked to an Alarm Receiving Centre.
- The IT equipment stores should not have windows as they would give a view of items stored inside. These stores should be well secured with enhanced security doors.

Access control arrangements at the main entrance have been designed to restrict access into the main circulation areas of the school to those authorised to do so and further restricts access to teaching areas. Should planning permission be granted, I ask that the above recommendations be made a security condition, in order to reduce the risk of crime affecting the school, pupils, staff, visitors and local area, thereby promoting safer communities and reducing avoidable demand on policing resources.

Waste - Commercial - no comments received at the time of writing this report. Any comments received will be reported in the update note.

Sport England - Has no objections in principle. The proposal would involve the loss of 5466 sq metres of playing field. However in mitigation the following would be provided -

- A new four court sports hall with activity studio
- A mini football 3G(rubber crumb) artificial grass pitch which could be subdivided into two training pitches would be provided
- a community use agreement is proposed

Suggest two conditions:

Condition - No development of the sports hall/changing rooms and Artificial Grass Pitch shall commence until details of the design and layout of the sports hall/changing rooms and Artificial Grass Pitch have been submitted to and approved by the Local Planning Authority(in consultation with Sport England). The sports hall/changing rooms and Artificial Grass Pitch shall then be constructed in accordance with the approved details and shall be retained as such

Reason - To ensure that the development meets the requirements of paragraph 74 of the National Planning Policy Framework.

And

Condition - Prior to the development being brought into use, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The Scheme shall include details of pricing policy, hours of use, access by non-school users/ non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policy BH7 of the Blackpool Local Plan 2001-2016.

Head of Environmental Protection Service - Having examined the documentation Environmental Protection have no adverse comments to make on this application.

Head of Transportation - Has no objections in principle but has the following comments to make

1. It appears that the proposed parking provision will meet current demand, (78 spaces) however the new provision will lead to a shortfall in 2019 due to the pupil intake increasing. Parking provision should be increased to accommodate the maximum number of staff on site now and in the future. I would like to see evidence if this has been considered. There may be the option to utilise part of the Leisure Centre car park as agreed previously -has this been done and what agreement, if any has been reached?. Visitor parking to be introduced and some car share spaces to be provided in line with the Travel Plan - A Travel Plan should be conditioned.

2. Vehicle access point at one location is shown to be widened, initially for construction activities and then for the main use of the site. This will require works to the public highway. Details to be agreed with the Head of Transportation and any agreed works to be implemented prior to works commencing on site.

3. The Bin store is shown at the furthest point from the public highway, an existing arrangement, and requires a refuse collection vehicle to travel a significant distance from the edge of the highway and will have to manoeuvre tight corners. If the bin store is left where it is shown, I would like to see evidence of how the refuse collection vehicle (and minibuses) will gain access.

4. Cycle parking is shown, details should be agreed.
5. Part of the car park is shown to operate one-way, the flow has been amended and some additional text and/or signage will reinforce the movements permitted.
6. The name of the school has changed; some years ago the Council funded a route to school scheme (on bike). These signs have not been replaced with the new name of the school. There are no plans to remove this signed route and as the school decided to change its name feel it appropriate for either the school or this scheme to fund the necessary changes to the signs - it is not necessary for the works to be done under a S278 agreement, however, I would like to see a scheme for replacement of this signs.
7. Details have been given in the Transport Assessment relating to construction traffic. Detailed comments will be provided on submission of a proper Construction Management Plan which should be conditioned. Some key areas to consider will be the following - Access, construction routing and access and how this interfaces with school times, hours of working, staff parking, joint dilapidation surveys, wheel washing facilities, noise, dust, vibration.

PUBLICITY AND REPRESENTATIONS

Press notice published: 6 November 2014

Site notice displayed: 30 October 2014

Neighbours notified: 29 October 2014

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

NATIONAL PLANNING POLICY FRAMEWORK

In March 2012, the National Planning Policy Framework (NPPF) was published. This document sets out the Government's approach and expectations with regard to planning and development. It places heavy emphasis on sustainable development and the need for the planning system to be proactive in driving economic growth. There is a presumption in favour of development where there are no over-riding material considerations. In particular, paragraph 72 states that Local Planning Authorities should give great weight to the need to create, expand or alter schools to widen choice in education. The Framework also makes it clear that all developments should be of a high standard of design. (paras 56 - 65).

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006 and the majority of its policies saved by direction in June 2009. The following policies are most relevant to this application:

- LQ1 Lifting the Quality of Design
- LQ2 Site Context
- LQ4 Building Design
- LQ6 Landscape Design and Biodiversity
- LQ8 Energy and Resource Conservation
- BH3 Residential and Visitor Amenity
- BH7 Playing Fields and Sports Grounds
- NE5 Other Sites of Nature Conservation and Environmental Value
- NE6 Protected Species
- NE7 Sites and Features of Landscape, Nature Conservation and Environmental Value
- NE10 Flood Risk
- AS1 General Development Requirements (Access and Parking)

EMERGING PLANNING POLICY

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16 June 2014 and by the full Council on 25 June 2014. The document was published for public consultation on 4th July 2014 for a period of eight weeks. The consultation has now ended and the document has been updated and was submitted to the Planning Inspectorate on 19 December 2014 for examination in Spring 2015. Paragraph 216 of the National Planning Policy Framework allows relevant policies to be given weight in decision-taking according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the policies in the National Planning Policy Framework. Overall, a limited number of representations were received to the Proposed Submission document. Of those representations made expressing concern with the proposed policies, it is not considered that the issues raised justify the need for modifications to be made to the policies prior to submission (other than minor modifications to improve clarity for example). Therefore, the Council considers that, due to the advanced stage of the Core Strategy all relevant policies to this development should be given considerable weight in decision making.

Emerging policies in the Core Strategy Submission version that are most relevant to this application are:

CS1- Strategic location for development
CS5 - Connectivity
CS6 - Green Infrastructure
CS7 - Quality of design
CS9 - Water management
CS10 - Sustainable Design and Low Carbon and Renewable Energy
CS15 - Health and Education

None of these policies conflict with or outweigh the provisions of the adopted Local Plan policies listed above.

ASSESSMENT

Principle of the development

Para 72 of the National Planning Policy Framework (NPPF), Policy 20 of the Blackpool Local Plan 2001-2016 and Policy CS15 of the Blackpool Local Plan (Core Strategy) are supportive of the principle of providing new educational facilities. In addition a core theme of the National Planning Policy Framework is sustainable development. The redevelopment of outmoded school facilities to provide modern facilities and an improved learning environment is therefore acceptable in principle. The school comprises a mixture of one, two and three storey buildings of differing ages and the plan is to amalgamate all facilities in a three storey building with a separate sports hall which would be built to the west of the existing school buildings.

In common with other schemes within the town there is a need to retain the existing school whilst the new build is undertaken to avoid decanting children to other schools or using temporary accommodation on the site and hence the siting of the school is considered acceptable in principle to help with this aim. This would involve the new school encroaching on the existing school playing field. However the school is fortunate in having a large area of playing field attached to the school buildings. Members will note that Sport England has no objection in principle to the location of the

new school even though it would involve the loss of 5466 sq metres of playing field. This is principally because of the mitigation measures proposed which would in effect improve sporting facilities at the school and offer the potential for community use. The principle of the development is therefore considered acceptable and in accordance with para 74 of the National Planning Policy Framework.

Design of the development

Paras 56 -65 of the NPPF, Policies LQ1 - 4 of the Blackpool Local Plan and Policy CS7 of the Blackpool Local Plan (Core Strategy) all deal with the subject of design. It has to be remembered that the budget for new schools available through the Education Funding Agency is not the same as was available through the Building Schools for the Future programme. The main school building would be three storeys and would essentially be a rectangular block. Red brickwork and white render would be used for the bulk of the building to tie it in with the surrounding environment, although the use of contrasting coloured panels would help to break up the mass of the building as would the recessing of the windows. Externally the use of hard and soft landscaping would assist with softening the setting of the building. There would be an entrance feature on the front elevation of the building and a pedestrian 'avenue' would be formed in front of the building to correspond with the entrance feature and create a focal feature. Given its three storey appearance and the materials proposed it is considered that the building would respond to its setting which is mixed in character, although it is acknowledged that it would not be the same quality internally and externally as the Highfield Humanities building. The sports hall would be a mixture of brickwork and cladding which is considered acceptable

Impact on residential amenity

The proposed school building would be approximately 140 metres to the west of the nearest properties on St Annes Road and the sports hall would be approximately 130 metres away. There would be a sports pitch between the sports hall and the residential properties but this would be some 60 metres away from the nearest houses. Given the distances involved it is not considered that the proposal would have a significant impact on the amenities of nearby residents. In addition pupil numbers will only increase by approximately 90 once the new school is operational and this number is not considered significant in terms of impact on residential amenity

Impact on highway and pedestrian safety

The parking standards require 1 parking space per classroom. In this case there would be 35 classrooms and 78 car standard parking spaces plus six accessibility spaces. In addition there would be one minibus garage, one motorcycle parking space and 80 covered cycle parking spaces and ten uncovered spaces. This level of provision is considered acceptable based on the standards and would be assisted by an update to the School Travel Plan. Segregating servicing vehicles should also assist with highway and pedestrian safety.

There is bound to be some disruption in terms of the use of the local highway network given the need to retain the school on site whilst constructing the new school but it hoped to mitigate this impact through a Construction Management Plan. Overall, the proposal is considered to be consistent with Policies AS1 and AS2 of the Local Plan.

Drainage

The proposal would involve a reduction in roof area but would increase the area of hardstanding on the site. The former would assist in terms of surface water runoff and the latter offers the potential to use pervious materials to allow rainwater to percolate rather than run off. In addition it is proposed to provide an attenuation tank for surface water to store some surface water on site and control the rate of surface water discharge to the sewer system. Members will note that the

Environment Agency and United Utilities have no objection in principle to the drainage strategy proposed for the site. As proposed the scheme is not at risk of flooding should not cause flooding elsewhere and hence it is considered acceptable in terms of Policy NE10 of the Local Plan.

Other Matters

The building has been designed in terms of energy use and the need to reduce energy consumption. All existing trees on the site should be capable of being retained. A bat survey has been undertaken of the existing school buildings and no bats have found to be present in the roof spaces. The landscaping proposals are considered acceptable in terms of Policy LQ6 of the Local Plan and the applicant's agent has confirmed the inclusion of Alder Buckthorn in the scheme as recommended by your Sustainability Manager. There are no protected species on the site and no significant plant species given that the bulk of the site is mown grassland. It is proposed to create a habitat area upon demolition of the original school building which should assist with biodiversity. The applicant's agent has also confirmed that Bird and Bat boxes will be provided as part of the development. The application has been screened in terms of Environmental Impact and it has been concluded that although the project is a Schedule 2 project it does not require an Environmental Statement as it is only of local importance and is not near any sensitive area (e.g. SSSI).

A Construction Management Plan is proposed and this should be finalised in discussion with your officers and the Head of Transportation. The applicant's agent has confirmed that there would be no deliveries to the site before 7.30 am. It is suggested that the comments of the Police are incorporated in an advisory note should planning permission be granted. The floor level of the ground floor of the building is likely to be set at 150mm above the existing ground level. This is not considered significant and should not impact on the amenities of residents on the opposite side of St Annes Road given the distance the buildings would be set back from the road.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

None

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

Recommended Decision: Grant Permission

Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ4 of the Blackpool Local Plan 2001-2016.

3. Details of the surfacing materials to be used shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ1 of the Blackpool Local Plan 2001-2016

4. Prior to the development hereby approved being first brought into use the car parking provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

5. Prior to the development hereby approved being first brought into use the secure cycle storage provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: To enable access to and from the property by sustainable transport mode, in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

6. a) No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed changes to existing ground levels, means of enclosure and boundary treatment, areas of soft landscaping, hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

b) The landscaping works shall be carried out in accordance with the approved details within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner).

c) Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within five years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason. To ensure the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall with regards to Policy LQ6 of the Blackpool Local Plan 2001-2016.

7. (a) No development or other operations shall commence on site until a scheme (hereinafter called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the Local Planning Authority.

(b) No operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved scheme are in place.

(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved scheme are in place.

(d) The fencing or other works which are part of the approved protection scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior written agreement of the Local Planning Authority has first been sought and obtained.

Reason: To secure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, having regards to Policy LQ6 of the Blackpool Local Plan 2001-2016.

8. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:
- dust mitigation measures during the construction period
 - control of noise emanating from the site during the construction period
 - hours and days of construction work for the development
 - contractors' compounds and other storage arrangements
 - provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
 - arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways
 - the routing of construction traffic.

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

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

9. No development shall be commenced until a desk study has been undertaken and agreed in writing with the Local Planning Authority to investigate and produce an assessment of the risk of the potential for onsite contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been agreed in writing with the Local Planning Authority. If remediation methods are then considered necessary, a scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented and completed prior to the commencement of the development. Any changes to the approved scheme shall be agreed in writing with the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016.

10. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason : To prevent the increased risk of flooding, both on and off site in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016.

11. No development of the sports hall/changing rooms and Artificial Grass Pitch shall commence until details of the design and layout of the sports hall/changing rooms and Artificial Grass Pitch have been submitted to and approved by the Local Planning Authority(in consultation with Sport England). The sports hall/changing rooms and Artificial Grass Pitch shall then be constructed in accordance with the approved details and shall be retained as such

Reason: To ensure that the development meets the requirements of paragraph 74 of the National Planning Policy Framework and in accordance with Policy BH7 of the Blackpool Local Plan 2001-2016.

12. Prior to the development being brought into use a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. The Scheme shall include details of pricing policy, hours of use, access by non-school users/ non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development and shall thereafter be retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with Policy BH7 of the Blackpool Local Plan 2001-2016

Advice Notes to Developer

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.

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COMMITTEE DATE: [14/01/2015](#)

Application Reference: 14/0718

WARD: Talbot
DATE REGISTERED: 20/11/14
LOCAL PLAN ALLOCATION: Resort Neighbourhood
Defined Inner Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: The Lawton Hotel

PROPOSAL: Retention of existing car park, including erection of height restricting entrance barrier and installation of five lighting and CCTV columns.

LOCATION: REAR OF 107-115 HORNBY ROAD, BLACKPOOL, FY1 4QP

Summary of Recommendation: Grant Permission

CASE OFFICER

P Greenway

INTRODUCTION

This application has arisen as a result of enforcement investigations into the demolition of a two storey car park and an industrial warehouse at the back of Hornby Road and the use of the cleared land as a surface level car park. The car park is behind a 45 space car park which fronts onto Hornby Road.

SITE DESCRIPTION

This is a backland site, between Hornby Road and Reads Avenue. There are a number of guest houses and holiday flats on both roads, although the adjacent property on Hornby Road to the north is a rest home. The property to the south on Hornby Road (105) has planning permission as a single private dwellinghouse (10/0830 refers) and there is a pending application to convert the property to two flats (14/0898 refers). There are a number of small factory units that take their access from the rear alley between Hornby Road and Reads Avenue (named as Back Reads Road), as well as a commercial car park. The site is sandwiched between the Hornby Road and Reads Avenue parts of the South Town Centre Main Holiday Accommodation Area.

DETAILS OF PROPOSAL

This is a retrospective application for the retention of an existing car park, and includes the erection of a height restricting entrance barrier and the installation of five lighting and CCTV columns. The car park is owned and utilised by the owner of a number of hotels in the vicinity, primarily for his guests, with some public parking available. There are 22 parking spaces and three spaces for motorbikes. Vehicular access is via an access shared with Barrett's Warehouse adjacent to 105 Hornby Road; and egress is into Back Reads Road, an alley between Hornby Road and Reads Avenue. The direction of flow would be controlled by a flow plate on the ingress, the size of vehicle would be controlled by a height barrier and an attendant's building is located in the south east corner of the site. The existing high timber fence along the rear site boundary would be reduced to two metres in height and CCTV would provide security. There would be pedestrian access from Hornby Road, along the northeast boundary with the adjacent rest home.

The Committee will have visited the site on 14 January 2015.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- The principle of the use
- Highway Safety
- The impact on residential amenity through noise and disturbance; and fear of crime

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

CONSULTATIONS

Head of Transportation:

The key issue here is that of access and egress. If a one way circulation flow is adopted, with access from Hornby Road and exit at the rear (this could be reversed) this is acceptable -it should be signed and lined. A proper accessible area, clearly marked should be provided for motorcycles. Signage is shown at the rear of the footway on Hornby Road, the height and width interferes with visibility for the neighbouring car park. If this sign is in-situ, it should be replaced with one smaller in size.

Head of Environmental Services:

I have no concerns with the above application, in fact I think there is a positive benefit as far as Environmental Protection are concerned as we received numerous complaints about the state of the dilapidated building which was there previously as it attracted arsonists and was allegedly filled with drug paraphernalia. As there are already two car parks in this area it would seem to make sense to use this land to extend what is already in place.

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 24 November 2014

Neighbours notified: 21 November 2014

Objections received from 99/101, Warehouse at the rear 103-105, 105, 114 Hornby Road; 89 Reads Avenue. In summary, the objections relate to:

- The security of the site
- The unrestricted hours of use, which would cause noise and disturbance.

These issues will be discussed in the body of the report.

NATIONAL PLANNING POLICY FRAMEWORK

In March 2012, the National Planning Policy Framework (NPPF) was published. This document sets out the Government's approach and expectations with regard to planning and development. It places heavy emphasis on sustainable development and the need for the planning system to be proactive in driving economic growth. There is a presumption in favour of development where there are no over-riding material considerations. The Framework makes it clear that all developments should be of a high standard of design (paras 56 - 65). In particular, para 58 states that planning decisions should aim to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Under the heading of Promoting Healthy Communities, para 69 reiterates the importance of achieving places which promote safe and accessible environments.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006 and the majority of its policies saved by direction in June 2009. The following policies are most relevant to this application:

RR2 Visitor Accommodation
RR8 Resort Neighbourhoods
LQ1 Lifting the Quality of Design
BH3 Resident and Visitor Amenity
AS1 General Development Requirements
AS5b Secondary Distributor Route

EMERGING PLANNING POLICY

Blackpool Local Plan: Part 1 - Core Strategy: Proposed Submission

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16 June 2014 and by the full Council on 25 June 2014. The document was published for public consultation on 4 July 2014 for a period of eight weeks. The consultation has now ended and the document has been updated and was submitted to the Planning Inspectorate on 19 December 2014 for examination in Spring 2015. Paragraph 216 of the National Planning Policy Framework allows relevant policies to be given weight in decision-taking according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the policies in the National Planning Policy Framework. Overall, a limited number of representations were received to the Proposed Submission document. Of those representations made expressing concern with the proposed policies, it is not considered that the issues raised justify the need for modifications to be made to the policies prior to submission (other than minor modifications to improve clarity for example). Therefore, the Council considers that, due to the advanced stage of the Core Strategy all relevant policies to this development should be given considerable weight in decision making.

Emerging policies in the Core Strategy Submission version most relevant to this application are:

CS7 Quality of Design
CS10 Sustainable Design and Renewable and Low Carbon Energy
CS21 Leisure and Business Tourism

None of these policies conflict with or outweigh the provisions of the adopted Local Plan policies listed above.

ASSESSMENT

Principle

Half of this site was a two storey car park, the other half was a light industrial use and there is another public car park in the immediate vicinity, which has its access and egress onto Back Reads Road. The car park which fronts onto Hornby Road has a temporary permission (expires in 2016), in order to protect the future use of the frontage as holiday accommodation as it is within the South Town Centre Main Holiday Accommodation Area. Given these circumstances and the fact that the site is sandwiched between the Hornby Road and Reads Avenue parts of the South Town Centre Main Holiday Accommodation Area, it is considered that the principle of the use of this backland site as a permanent car park is acceptable.

Highway Safety

The Head of Transportation has no objection to the proposal as long as a one-way flow is maintained within the site. This can be done by the use of flow plates at both the access and egress and I have requested amendments to the scheme to include flow plates to Back Reads Road. I shall report further on this matter on the update note.

Amenity

In terms of noise and disturbance, the main impact would be at night time when residents immediately adjacent to the Hornby Road access and adjacent to the egress onto Reads Avenue, are entitled to a quieter environment. For this reason I have requested that the car park remain closed between the hours of 11pm and 8am; the previous two storey car park on part of this site was restricted by condition so that it could not operate between those hours. In order to prevent vehicles driving through the car park during those times, I have also requested that gates are reinstated to the access and egress points and will report further on the update note. Although the applicant has stated that he intends to erect lighting columns and CCTV; the use of gates would also help to overcome the main concern of residents and the Police regarding the fear of crime and site security. No detail has been provided regarding the light spill outside the car park from the luminaires; however this can be agreed by condition before they are erected.

CONCLUSION

Subject to the receipt of suitably amended plans and an agreement to night time closing, I feel that the scheme is acceptable and a recommendation for approval is appropriate.

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.

Recommended Decision: Grant Permission

Conditions and Reasons

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

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

2. The car park shall not operate between the hours of 11 pm on one day and 8 am on the following day and the access/egress gates, including the pedestrian gate, shall be locked shut during these hours.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and holiday accommodation, in accordance with Policy BH3 of the Blackpool Local Plan 2001 - 2016.

3. Within three months from the date of this permission, gates and flow plates shall be provided (or retained) at the vehicular and pedestrian access and egress points to the car park, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority and the parking bays marked out; and all shall thereafter retained.

Reason: In the interests of the living conditions of neighbouring residents and highway safety and in accordance with Policies BH3 and AS1 of the Blackpool Local Plan 2001 - 2016.

4. All means of vehicular access to the car park shall be from Hornby Road and all egress from the car park shall be via Back Reads Road. Such means of ingress/egress shall be signed and lined and advertised on site in accordance with details to be submitted to and agreed in writing by the Local Planning Authority and such provision shall thereafter be retained.

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

5. Prior to the erection of any lighting columns on site, a lighting scheme to include details of the locations, height, luminaires and extent of light spill shall be provided to and agreed in writing by the Local Planning Authority. Such scheme shall be implemented as part of the development and thereafter retained.

Reason: In the interests of residential amenity and in accordance with Policy BH3 of the Blackpool Local Plan 2001 - 2016.

Advice Notes to Developer

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval need to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.

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