

Blackpool Council

30 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

Monday, 9 February 2015 at 5.00 pm
In the Council Chamber, 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 14 JANUARY 2015 (Pages 1 - 22)

To agree the minutes of the last meeting held on 14 January 2015 as a true and correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED (Pages 23 - 24)

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

4 PLANNING APPLICATION 14/0723 - LAND BOUNDED BY FISHERS LANE, COMMON EDGE ROAD AND ECCLESGATE ROAD (Pages 25 - 64)

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

5 PLANNING APPLICATION 14/0892 - LAND ADJACENT TO 39 SCHOOL ROAD (Pages 65 - 80)

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 14/0903 - LAND AT RUNNELL FARM, CHAPEL ROAD (Pages 81 - 90)

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.

Agenda Item 2

MINUTES OF PLANNING COMMITTEE MEETING - WEDNESDAY, 14 JANUARY 2015

Present:

Councillor Owen (in the Chair)

Councillors

Brown

Elmes

Mrs Jackson

Smith

I Coleman

Hutton

Robertson BEM

Stansfield

In Attendance:

Lennox Beattie, Executive and Regulatory Support Manager

Karen Galloway, Principal Engineer Transportation

Gary Johnston, Head of Development Management

Mark Shaw, Principal Planning Officer

Carmel White, Assistant Head of Legal Services

1 DECLARATIONS OF INTEREST

Councillor Mark Smith declared a prejudicial interest in Agenda Item 8, Planning Application 14/0718- Rear of 107-115 Hornby Road, the nature of the interest being that the applicant was a business client of his company.

2 MINUTES OF THE MEETING HELD ON 1 DECEMBER 2014

Resolved:

That the minutes of the meeting held on the 1st December 2014 be approved.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

Resolved:

To note the Planning/Enforcement Appeals lodged and determined

Background papers: (1) Letter from Planning Inspectorate dated 21st November 2014 (2) Letter from Planning Inspectorate date 5th December 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 14/0781 - LAND AT ALL HALLOWS ROAD AND ALL SAINTS ROAD

The Committee considered application 14/0781 for the 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

MINUTES OF PLANNING COMMITTEE MEETING - WEDNESDAY, 14 JANUARY 2015

parking, landscaping and vehicular from All Hallows Road and Cranbrook Avenue, following demolition of existing buildings at Land at All Hallows Road and All Saints Road.

Mr Shaw introduced the item and explained that the officer recommendation regarding a number of conditions had been amended which would enable the demolition of the existing buildings to take place in advance of the conditions being discharged, in order to assist the developer making a prompt start on site, should the application be approved.

Resolved:

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

Background Papers:

Applications, plans and replies to consultations upon the applications.

6 PLANNING APPLICATION 14/0767 - HAWES SIDE ACADEMY, PEDDERS LANE

The Committee considered application 14/01767 for the 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 at Hawes Side Academy, Pedders Lane.

Ms Humber from the Education Funding Agency spoke in support of the application.

Resolved:

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

Background papers:

Applications, plans and replies to consultations upon the applications upon the applications.

7 PLANNING APPLICATION 14/0769 - SOUTH SHORE ACADEMY, ST ANNES ROAD

The Committee considered application 14/0769 for the erection of a new three storey school including sports hall, multi-use games area and external learning areas with associated bin/cycle store, landscaping, car parking, access and boundary works following demolition of existing school buildings at South Shore Academy, St Annes Road.

Ms Humber from the Education Funding Agency spoke in support of the application.

Resolved:

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

Background papers:

Applications, plans and replies to consultations upon the applications upon the applications.

PLANNING APPLICATION 14/0718 - REAR OF 107-115 HORNBY ROAD

The Committee considered application 14/0718 for the retention of existing car park, including erection of height restricting entrance barrier and five lighting and CCTV columns at land rear of 107-115 Hornby Road.

Mr Shaw provided an update on the proposal and informed that the officer recommendation had been amended to fix the hours of operation to between 7am and 11pm and the approval of these hours for temporary period of twelve months.

Mr Gaynor spoke in objection to the application and raised concerns about the previous operation of the site, the proposed hours of operation and litter on the site.

Resolved:

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

Background papers:

Applications, plans and replies to consultations upon the applications upon the applications.

Chairman

(The meeting ended 17.50)

Any queries regarding these minutes, please contact:
Chris Kelly Senior Democratic Services Adviser
Tel: (01253) 477164
E-mail: chris.kelly@blackpool.gov.uk

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Application Number: 14/0718 Retention of existing car park, including erection of height restricting entrance barrier and installation of five lighting and CCTV columns at the rear of 107-115 Hornby 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 condition 1 above at least one month before the car park is first opened to the public at 7am, the applicant shall notify the Local Planning Authority of the date of the first opening at 7am, and at the end of twelve months from that first opening date, the opening time shall revert to 8am. The car park access/egress gates, including the pedestrian access gate, shall remain locked shut between 11 pm and 7 am, other than for supervised access.

Reason: To enable the Local Planning Authority to assess the impact of the 7am opening on the living conditions of residents and holiday accommodation in the area in accordance with Policies BH3 and BH17 of the Blackpool Local Plan 2001-2016.

3. Within three months from the date of this permission, secure 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 be retained. If the secure gates and flow plates are not provided and the parking bays are not marked out within 3 months of the date of this approval the use shall cease until such a time as the secure gates and flow plates are provided and the parking bays are marked out.

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 egress from the car park shall be via Back Reads Road. The 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 submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented as part of the development and shall thereafter be retained.

Reason: In the interests of residential amenity and in accordance with Policy BH3 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.

Application Number: 14/0767 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 at Hawes side Academy, Pedders Lane.

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 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 regards 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 B2, 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 on site 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.

15. Prior to any demolition taking place a demolition management plan shall be submitted to and approved by the Local Planning Authority. The demolition works shall then take place in accordance with the approved demolition management plan unless otherwise agreed in writing with the Local Planning Authority.

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.

16. 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).

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

17. Before the new school is first occupied an updated Travel Plan for the school shall be submitted to and approved by the Local Planning Authority. Once the new school is occupied the updated Travel Plan shall be implemented in accordance with a timescale to be submitted to and approved by the Local Planning Authority. The updated Travel Plan shall then remain in operation unless otherwise agreed in writing with the Local Planning Authority.

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

18. The MUGA hereby approved shall only be used between the following hours -

- Mondays to Fridays - 8am to 8 pm
- Saturdays - 9am to 1pm
- The MUGA shall not be used on Sundays or Bank Holidays

Reason: In the interests of the amenities of neighbouring residents in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016.

19. Before the new school is first occupied a Habitat Management Plan shall be submitted to and approved by the Local Planning Authority. The provision of bird and bat boxes shall form part of the plan and it shall be implemented in accordance with a timescale to be submitted to and approved by the Local Planning Authority. The Habitat Management Plan shall thereafter be retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of biodiversity and the character and appearance of the area in accordance with Policies LQ6 and NE6 of the Blackpool Local Plan 2001-2016

20. Before the new school is first occupied details of the means of screening of the bin store and sprinkler tank/pump shall be submitted to and approved by the Local Planning Authority. The means of screening shall then be provided within one month of the date of approval and shall thereafter be retained as such.

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.

21. Prior to the commencement of any construction a lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall then be implemented as part of the development and retained as such.

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.

Application Number: 14/0769 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 at South Shore Academy, St Annes 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. 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 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 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.

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 on site 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.

13. Prior to any demolition taking place a demolition management plan shall be submitted to and approved by the Local Planning Authority. The demolition works shall then take place in accordance with the approved demolition management plan unless otherwise agreed in writing with the Local Planning Authority.

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.

14. 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).

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

15. Before the new school is first occupied an updated Travel Plan for the school shall be submitted to and approved by the Local Planning Authority. Once the new school is occupied the updated Travel Plan shall be implemented in accordance with a timescale to be submitted to and approved by the Local Planning Authority. The updated Travel Plan shall then remain in operation unless otherwise agreed in writing with the Local Planning Authority.

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

16. Before the new school is first occupied a Habitat Management Plan shall be submitted to and approved by the Local Planning Authority. The provision of bird and bat boxes shall form part of the plan and it shall be implemented in accordance with a timescale to be submitted to and approved by the Local Planning Authority. The Habitat Management Plan shall thereafter be retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of biodiversity and the character and appearance of the area in accordance with Policies LQ6 and NE6 of the Blackpool Local Plan 2001-2016

17. Prior to the commencement of any construction a lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall then be implemented as part of the development and retained as such.

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.

Application Number: 14/0781 Erection of 31 dwellings comprising three detached bungalows, two 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 at land at All Hallows Road and All Saints 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. 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 development being commenced on any of the dwellings hereby approved.

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 on any of the dwellings hereby approved 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.

4. Development on any of the dwellings 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 on site 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 on any of the dwellings hereby approved 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 one 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 development on any of the dwellings hereby approved, 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.

14. A scheme for associated off-site highway works shall be submitted to and agreed with the Local Planning Authority prior to the commencement of development on any of the dwellings hereby approved. The scheme shall include details for:

- Removal of layby with conversion to carriageway construction (part) including vehicle access crossings.
- New alignment of footway.
- Retention and re-positioning of existing street furniture
- Re-positioning of bus stop
- Creation of new access for estate roads
- Provision for street lighting review/change
- Provision of a Traffic Regulation Order

The agreed off-site highway works shall be completed prior to the dwellings first being occupied unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and to ensure that safe, appropriate and convenient access to the site is made available via public transport and other sustainable modes of transport in accordance with Policies LQ1, AS1 and AS2 of the Blackpool Local Plan 2001-2016.

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MINUTES OF PLANNING COMMITTEE MEETING - WEDNESDAY, 14 JANUARY 2015

Present:

Councillor Owen (in the Chair)

Councillors

Brown

Elmes

Mrs Jackson

Smith

I Coleman

Hutton

Robertson BEM

Stansfield

In Attendance:

Lennox Beattie, Executive and Regulatory Support Manager

Karen Galloway, Principle Engineer Transportation

Gary Johnston, Head of Development Management

Mark Shaw, Principle Planning Officer

1 SITE VISITS

1. Land at All Hallows Road and All Saints Road
2. Hawes Side Academy, Pedders Lane
3. South Shore Academy, St Annes Road
4. Rear of 107-115 Hornby Road

Chairman

(The meeting ended 3.50pm)

Any queries regarding these minutes, please contact:

Chris Kelly Senior Democratic Services Adviser

Tel: (01253) 477164

E-mail: chris.kelly@blackpool.gov.uk

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Report to:	Planning Committee
Relevant Officer:	Gary Johnston, Head of Development Management
Date of Meeting	9 February 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 None

6.0 Planning/Enforcement Appeals lodged

6.1 Land Adjacent to 82 Common Edge Rd, (Former Pigeon Fanciers Club), Blackpool (14/0240)

An appeal has been submitted by James Carter Homes against the Council's refusal of planning permission for Erection of two detached dwelling houses with associated access, parking, detached garage and landscaping, following demolition of existing club.

6.2 Pelham Lodge, 7-9 General St, Blackpool. FY1 1RW

An appeal has been submitted by Mr M Price against the Council's refusal of planning permission for Infill of basement area and erection of single storey front extension, erection of three storey rear extensions and use of part of basement as museum and ancillary use of hotel dining room as tea room open to the general public.

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

COMMITTEE DATE: [09/02/2015](#)

Application Reference: 14/0723

WARD: Stanley
DATE REGISTERED: 06/10/14
LOCAL PLAN ALLOCATION: Countryside Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: Newfield Construction Ltd

PROPOSAL: Erection of a pair of semi-detached houses and six detached dwellinghouses with associated garages, car parking, landscaping, boundary treatment and vehicular access from Common Edge Road.

LOCATION: LAND BOUNDED BY FISHERS LANE, COMMON EDGE ROAD AND ECCLESGATE ROAD, BLACKPOOL

Summary of Recommendation: Grant Permission

CASE OFFICER

Ms P Greenway

INTRODUCTION

An outline proposal (13/0397 refers) for a residential development of up to 14 detached and semi-detached houses across the whole of the site, with vehicular access from Common Edge Road raised significant objections from officers with regard to the impact of the proposal on the setting of the Grade 2 listed cottages on Fishers Lane. As a result the application was withdrawn by the applicant prior to determination. The scheme was revised to a full application for eight houses (14/0302 refers) in an attempt to mitigate the particular impacts. However, the Planning Committee refused the proposal, for the following reasons:

- i. The proposed development would have a detrimental impact on the setting of the Listed Cottages in Fishers Lane as it would create a suburban setting which would be at odds with the open rural/agricultural landscape in which the cottages currently sit. This harm would be emphasised by the proximity of the proposed houses to the cottages and the design/appearance of the proposed houses and the layout of the development. The proposed development would therefore be contrary to paras 129, 131-132 of the National Planning Policy Framework, Policy LQ9 of the Blackpool Local Plan 2001-2016 and the Marton Moss Characterisation Study 2009.
- ii. The proposed development would have a detrimental impact on the character and appearance of the Marton Moss Countryside Area as it would remove open views into that area from Common Edge Road and would lead to an intensification of built form on the eastern side of Common Edge Road. As such the proposed development would be contrary to Policy NE2 of the Blackpool Local Plan 2001-2016.

- iii. The application does not contain sufficient information for the Local Planning Authority to be satisfied that the proposed development would not have an adverse effect on the integrity of the Listed Cottages in Fishers Lane. The proposed development would therefore be contrary to paras 129, 131-132 of the National Planning Policy Framework, Policy LQ9 of the Blackpool Local Plan 2001-2016 and the Marton Moss Characterisation Study 2009.

Following on from the refusal of permission for eight houses, the current proposal attempts to address the Committee's expressed concerns. The changes and additional information/reports submitted with this application include the following:

- i. The Design and Access Statement includes an addendum where advice has been taken from a piling contractor, which describes how their piling techniques can minimise any risk to adjacent or nearby properties. The Company is aware of their responsibilities as responsible constructors and contractors, in that any damage to any property or land caused by their activities is their responsibility in law. That said, the consulted piling contractor is confident that the works could be carried out without any problems to neighbouring land and buildings.
- ii. The Planning and Heritage Statement covers relevant legislation and policies and considers if there would be any detrimental impact on the setting of the two statutorily listed cottages at 1 and 2 Fishers Lane. This is part of the reason for refusal 1 and the main thrust of reason for refusal 3 on the decision notice. The statement is appended for the Committee's consideration.
- iii. There have been various changes to the proposal in respect of the design and materials for construction of the proposed dwellings. These have been submitted to address part of the reason for refusal 1 and also reason for refusal 2 on the decision notice. The changes include:
 - More appropriately designed units on plots 4, 5 and 6 (closest to the Listed cottages in terms of views across from Common Edge Road) reflecting a more rural/semi-rural setting and moving the closest dwelling 2.36 metres further away from the listed cottages, than the previous scheme. In particular, plots 5 and 6 would now comprise a pair of semi-detached units, more in the form of cottages with rendered finish, slate roofs, mono-pitch porch, cottage style windows and would incorporate a central chimney stack.
 - More traditional materials to roofs (replica slate as opposed to more modern, concrete roof tiles).
 - More appropriate surfacing materials and increased amenity area and general "space" within the vista/views towards the listed cottages, which better respects the semi-rural character of the site; and a reduction in size of the access road and turning head to increase the amount of soft surface at the front of plots 4, 5 and 6.
 - Dwellings moved further away from the Listed cottages in Fishers Lane for two reasons, i) to improve upon the setting of the Listed Buildings and, ii) to provide a greater distance between the proposal and the cottages to minimise as much as possible any possible impact of piling on them.

SITE DESCRIPTION

This 0.451 ha site is currently open grassland grazed by horses. Records indicate that a few glasshouses previously occupied part of the site in the northwest corner, but other than that the site

has always been Greenfield. Common Edge Road (B5261) forms the western boundary along with the rear boundary of 202 Common Edge Road, Fishers Lane is to the north, Ecclesgate Road to the south (with public rights of way footpath nos. 2 and 51) and a dwelling with large garden to the east. The site has a frontage of approximately 40 metres to Common Edge Road with the remainder of the frontage between Fishers Lane and Ecclesgate Road taken up by 202 Common Edge Road. The site is within Marton Moss Countryside Area (MMCA) and the topography of the land is generally level, although the site overall is approximately 500mm lower level than Common Edge Road. There are a number of relatively new residential developments in the vicinity across Common Edge Road (formerly nurseries, which are within the urban area); and Belve Close on the same side of Common Edge Road, which was previously Thompson's Holiday Camp and Ivy Leaf Club. Numbers 1 and 2 Fishers Lane, to the north across Fishers Lane, are Grade 2 Listed Buildings and comprise a pair of semi-detached, thatched, single-storey cottages. There is a dyke along the north boundary and the northern half of the east boundary. A 380mm diameter surface water drain runs along the southern boundary with Ecclesgate Road.

DETAILS OF PROPOSAL

The proposal is a full application for the erection of eight detached and semi-detached dwellings within the east portion of the site; the west portion would remain as open land with a pond. Five properties would have integral garages and three would have detached garages. The six detached houses would have single storey conservatories projecting into the rear garden. There would be a single vehicular and pedestrian access point from Common Edge Road, with no vehicular or pedestrian access from either Fishers Lane or Ecclesgate Road.

The application is supported by:

- Design and Access Statement
- Transport Statement
- Site Investigation Report
- Drainage Layout
- Ecology Report
- Topographical Survey
- Detailed drawings
- Landscaping Plan
- Boundary Treatment Plan
- Key Cross Sections and Street Scene
- Planning Statement
- Planning and Heritage Statement

The Committee will have visited the site on 9 February 2015.

MAIN PLANNING ISSUES

The key issues in relation to this application are:

- the principle of the proposal in terms of whether it would be acceptable in an area where development plan policy seeks to retain rural character and prevent peripheral urban expansion
- the impact of the size and scale of the houses on the open character of the area
- the impact on the amenities of neighbours
- the impact on the Grade 2 listed buildings in the vicinity (1 and 2 Fishers Lane)
- the acceptability of the means of access proposed in terms of highway safety

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

CONSULTATIONS

Environment Agency:

We have no objection in principle to the proposed development providing that the Proposed Drainage Layout (Drawing No. 1117/DL01) is implemented in full.

Sustainability Manager:

The report by Brian Robinson MIEEM covers the ecological aspects of this small site in fine detail. The proposals for biological enhancements under the provisos of the NPPF are sound and should be followed by the developer. I welcome the default inclusion of proposals for bats, house sparrows and starlings in the document. The tree and shrub species shown in the list provided in Table 5.1 are a good selection which should thrive in the locality but the addition of Alder buckthorn (*Frangula alnus*) would be beneficial. The grassland wildflower mix stated in the report will be low maintenance as there are no aggressive grasses provided it is sown onto a low nutrient substrate and the guidelines for management given by the seed supplier to aid establishment are followed.

Head of Transportation:

No objection but makes the following comments:

1. The site to be formally adopted under a S38 agreement, details relating to limits of adoption, construction and materials to be discussed and agreed in the first instance with Highways and Traffic, Transportation, Blackpool Council. Lighting (existing and new) to be discussed with Eon - PFI Street Lighting Contractor for Blackpool, and drainage with (United Utilities).
2. The access road leading from plot 5 to plot 8 will not be adopted by the Highway Authority due to the width of the road. I would advise though that it is constructed to highway adoptable standards. The same will apply to the access road fronting plots 1 to 3. A Management company should be set-up to deal with future maintenance of these roads.
3. It would appear that there is no footpath link between the edge of the public highway and the proposed houses. The footpath wraps around the radius at the access point and terminates with the final surface being grass (not resin bound which is for the small link road serving plots 6, 7 and 8). The development should provide good pedestrian connectivity and in order for this to be done a continuous footpath should be provided.
4. The bulge in the access road leading to plots 5 to 8 looks a bit odd where it is but it is probably in the best place, it would be preferable to amend the layout so that it actually looks like a passing point and possibly hatch this with some white thermoplastic paint to prevent parking for long periods, a sign may help also.
5. The parking provision is considered acceptable as two spaces are available on the driveway of each property, with one in the garage. I should point that the application form states 24 but the Technical Note provided by SCP (3.8, page 6) states 16, 2 per unit. Garages to be conditioned for this use only.
6. The bin drag distance is quite significant for future occupiers of Plots 7 and 8. It would be advisable to discuss future bin collection arrangements with the Head of Waste Services, Blackpool Council.
7. The properties will require formal postal addresses.
8. A Construction Management Plan should be conditioned, if permission is granted.
9. With regards the creation of the new access into the site including the dedicated right-turn lane, this should be done as part of a S278 agreement. Given the small number of vehicle movements

associated with the development, the Highway Authority is happy to accept the sub-standard lane widths for the right-turn lane facility. There is no requirement to re-locate the pedestrian refuge and there is stacking space for up to two possibly three vehicles. The "No Waiting at Any Time" restriction to remain but these should follow the new kerb-line into the site - these works should be implemented prior to main construction activities commencing.

10. There is a lighting column in the vicinity of the proposed access; this may have to be re-positioned. Lighting columns can be re-positioned in either direction but the maximum distance is 1m. If this particular column has to move more than 1m, it may have a knock-on effect for the lighting levels in the area. The developer should contact blackpoolpfi@sustainable.eon-uk.com in order to undertake a review of the lighting should it be affected.

Head of Environmental Services:

I have no concerns with this application.

Contaminated Land Officer:

Looking at the Phase 1 and the exploratory investigation that was carried out, there is information outstanding. Due to the historical nature of the surrounding area and the ground condition gas monitoring is required to ensure that there is not a build-up of methane and it is recommended that this is done within six rounds. Whilst I appreciate that gas monitoring was done on the St Nicholas Site a number of years ago, this does not mean that there may not be a problem on the proposed site, and the necessary gas measures need to be provided if required. In addition to this looking at the data provided for the trial pits (TP) and boreholes (BH), following on from the introduction of C4SL's BaP falls within the criteria limit, however there is an increased elevation in lead in TP4 for 260 mg. Looking at the location of the TP and BH there does not seem to be a distribution within the North East of the site, why is this, as there are no obstructions on the site that I am aware of that would have prevented this.

Built Heritage Manager:

I refer to the revised application for development of the above land. Although the design has been altered to enable a view of the listed cottages from Common Edge Road, the proposal still represents an infringement of the open setting to the front of these buildings. The historic rural setting of the cottages has already been compromised by the housing development to the rear, and this proposal would, in essence, enclose it from the front. In addition, the ground beneath the cottages has been affected by flooding in the past, and from voiding from water used to put out a fire to the thatch at no. 2 Fishers Lane in approximately 2011. The building as a whole has had to be partially underpinned so, if it is considered ultimately that the revised proposal is acceptable in design terms, a conservation accredited structural engineer's report should be sought to ascertain whether the work will compromise the integrity of the partially underpinned building which is of a fragile cobble and cob construction.

Police (Secured By Design):

I have conducted a crime and incident search of this policing incident location and during the period 01/01/2013 to 01/04/2014 there have been a small proportion of reported incidents. This is hardly surprising due to the site history and being unoccupied for some considerable time, however reported incidents including burglary increases along Common Edge Road. In order to prevent the opportunity for crime and disorder in the future at the proposed development in particular burglary, below are recommendations for consideration:-

1. This development should be built to Secured By Design Standards in terms of physical security
2. The front and rear of dwellings should be protected with dusk till dawn lighting units.
3. The dwellings should be secured with a 1.8m high fencing arrangement.

Should Secured By Design accreditation for the site be progressed, further security advice and checklists can be provided by the Police Architectural Liaison Officer.

Blackpool Civic Trust:

We continue to have serious concerns about this proposed development. We recognise that the developers have moved some way towards answering previous objections. We continue to be concerned about possible physical damage as a result of piling. We note there is no independent qualified conservation engineer's comment / opinion on this. We would want to see this. We also continue to be concerned about the further increase of building volume around the cottages and the impact on their setting and rural views which are undoubtedly part of their character. A further and related concern is the urbanisation of the essentially rural area and the increase in traffic. We note also of the comment from the police. They recommend high fences and security lighting for the new dwellings. This seems to add weight to the urbanisation comment. We therefore object.

United Utilities:

United Utilities will have no objection to the proposed development provided that the following conditions are attached to any approval:

Condition 1 (Foul Water)

Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details. This development shall be completed maintained and managed in accordance with the approved details.

Condition 2 (Surface Water)

Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

Blackpool International Airport:

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

Electricity North West Ltd:

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

Ramblers Association:

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

Site notice displayed: 14 October 2014

Neighbours notified: 13 October 2014

Objections received from 1, 2 Ecclesgate Road; 1, 2, 6, 8 Fishers Lane; 179, 199A Common Edge Road.

In summary, objections relate to:

- The proposal is contrary to Council policies for the countryside.
- The land is green belt/open land and has never been built on and should remain open; there would be loss of the open aspect across the paddock.
- Currently the undeveloped land protects the setting of the listed cottages on Fishers Lane.
- Common Edge Road is very busy and forming an additional vehicular access/egress would make the situation worse, and would result in additional highway safety issues and be dangerous.
- There are already large housing developments progressing at Whitehills and Queensway, so this development is not essential and will only add to congestion.
- The properties are close to the shared boundary and there would be issues with privacy and overlooking.
- There would be increased noise and disturbance from this new housing estate.
- The loss of mature trees from the site.
- Potential for flooding - Fishers Lane has a dyke which sometimes floods and a housing development would affect the water table and exacerbate the problem.
- Piling could cause structural damage to existing houses, particularly the listed buildings which have no foundations and already vibrate when heavy vehicles pass.
- The Council have refused a single dwelling at 7 Ecclesgate Road, so this should be refused as well.

In response, the issues will be discussed in the assessment section of this report.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

At the heart of the NPPF is a presumption in favour of sustainable development. There are three dimensions to sustainable development (economic, social and environmental) which should not be taken in isolation, as they are mutually dependent. Paragraph 17 provides a set of 12 principles which should underpin the plan-making and decision-taking processes. The key elements of these which are relevant to this proposal are that “every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.” It is followed by another principle that explains that local authorities should “always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings;” and local authorities should “actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable”.

In terms of delivering sustainable development, the most relevant parts of the NPPF are:

NPPF Part 4 - Promoting Sustainable Transport.

Identifies that any development that would generate significant amounts of traffic should be supported by a Transport Statement or Transport Assessment and states that decisions should take account of opportunities for sustainable transport mode depending on the nature and location of the site, to reduce the need for major transport infrastructure. Safe and suitable access to the site can be achieved for all people and Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

NPPF Part 6 - Delivering a wide choice of high quality homes.

Housing applications should be considered in the context of the presumption in favour of sustainable development. Local planning authorities should identify and bring back into residential

use empty housing and buildings in line with local housing and empty homes strategies. It is acknowledged that proposals for housing development should be looked upon favourably if a Local Planning Authority is unable to demonstrate a five year supply of housing land.

NPPF Part 7 - Requiring good design.

Planning decisions should aim to ensure that developments respond to local character and history. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

NPPF Part 12 - Conserving and enhancing the historic environment.

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the desirability of new development making a positive contribution to local character and distinctiveness.

In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

National Planning Practice Guidance Para 14 - prematurity issue:

In the context of the Framework and in particular the presumption in favour of sustainable development, arguments that an application is premature are unlikely to justify a refusal of planning permission, other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

NPPG - Conservation and the enhancement of the Historic Environment

The NPPF sets out a clear framework for decision-taking to ensure that heritage assets (which includes listed buildings) are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development. The NPPG further discusses the setting of a heritage asset and how it should be taken in to account in decision making and states: "A thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it." Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not.

The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places.

The “setting of a heritage asset” is defined in the Glossary of the National Planning Policy Framework as “The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”.

Ministerial Statement - On 28 November 2014 Brandon Lewis MP announced that affordable housing and tariff style contributions should not be sought through Section 106 Agreements for housing developments of ten or fewer dwellings.

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
- LQ3 Layout of streets and spaces
- LQ4 Building design
- LQ6 Landscape Design and Biodiversity
- LQ8 Energy and Resource Conservation
- LQ9 Listed Buildings
- HN4 Windfall sites
- HN6 Housing Mix
- HN7 Density
- BH1 Balanced and Healthy Community
- BH3 Residential and Visitor Amenity
- BH10 Open space in new housing developments
- NE2 Marton Moss Countryside Area
- NE10 Flood Risk
- PO1 Planning Obligations
- AS1 General Development Requirements
- SPG11 Open Space: New Residential Development and the Funding System

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 16th June 2014 and by the full Council on 25th 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 NPPF 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 NPPF. 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 of Development - to create predominantly residential neighbourhoods on the edge of the Inner Areas. The focus of the Core Strategy is on regeneration of the Town Centre and Resort Core with supporting growth at South Blackpool. It recognises the important character and appearance of remaining lands at Marton Moss and the priority to retain and enhance its distinctive character.

CS2: Housing Provision - sets out Blackpool's housing provision with *'sites and opportunities identified to deliver around 4,200 new homes to meet Blackpool's housing need between 2012 and 2027.'*

CS7: Quality of Design - ensure amenities of nearby residents are not adversely affected by new development.

CS10: Sustainable Design and Renewable and Low Carbon Energy - all new developments should ensure buildings are located, designed and orientated to maximise passive environmental design for heating, cooling and natural day-lighting.

CS11: Planning Obligations - development will only be permitted where existing infrastructure, services and amenities are already sufficient or where the developer enters into a legal agreement.

CS13: Housing Mix, Density and Standards - on sites where flats are permitted no more than 30 per cent of the flats should be less than two bedroom flats.

CS14: Affordable Housing - where developments comprise 3-14 dwellings then a financial contribution towards off-site affordable housing is required. The contribution will be set out in a SPD.

CS26 of the Core Strategy sets out the approach to Marton Moss and states:

'1. The character of the remaining lands at Marton Moss is integral to the local distinctiveness of Blackpool and as such is valued by the local community. A neighbourhood planning approach will be promoted for this area to develop neighbourhood policy which supports the retention and enhancement of the distinctive character, whilst identifying in what circumstances development including residential may be acceptable.

2. Prior to developing a local policy framework through the neighbourhood planning process development on the remaining lands of the Moss will be limited to:

- a. Conversion or change of use of existing buildings for agricultural or horticultural purposes*
- b. Outdoor recreational uses appropriate to a rural area*
- c. New dwellings essential in relation to the agricultural or horticultural use of the land*
- d. Extensions or replacements dwellings in keeping with the scale and character of the area and not exceeding 35 per cent of the original ground floor footprint of the existing dwelling.'*

ASSESSMENT

Principle

There are two key policy issues:

- impact of the proposal on the character/ function of the designated Countryside Area; and
- consideration of Blackpool's housing requirement.

The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, which means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Relevant policies for the supply of housing should not be considered up-to-date where the Council is unable to demonstrate a five-year supply of deliverable housing sites. However, this is not applicable as the 2013 SHLAA Update demonstrates that Blackpool has a five-year supply against the proposed housing requirement (also accounting for a shortfall against the previous RSS target of 444 dwellings per annum and a 20 per cent buffer to reflect persistent levels of under-delivery). Therefore, the emerging Core Strategy policies are a material consideration along with relevant saved policies in the current Blackpool Local Plan. However, in recent appeals, Inspectors have commented that this five year supply has not yet been tested through the Examination of the Core Strategy. Whilst this uncertainty exists it would be inappropriate to refuse planning permission on the basis that the Council does have a five year supply of housing.

Both the Core Strategy and the current Local Plan identify the site within Marton Moss Countryside Area. In terms of the principle of residential development in this location, key policies are saved Policy NE2 and Policy CS26 (formerly numbered CS27 in the Revised Preferred Option). To retain the existing rural character and prevent peripheral urban expansion, Policy NE2 limits new development to conversion/change of use of existing buildings for agricultural or horticultural purposes, outdoor recreational uses appropriate to a rural area, or new dwellings essential in relation to the agricultural or horticultural use of the land. It does not permit infill development. Policy CS26 promotes a neighbourhood planning approach for this area which will support the retention and enhancement of the distinctive Moss character, whilst identifying in what circumstances development including residential may be acceptable. Prior to the neighbourhood planning process, development on the remaining lands of the Moss will be limited in accordance with saved policy NE2. Representations received to the emerging Core Strategy to date have shown general support for Policy CS26.

Whilst the Council has been successful in resisting new residential development in the Countryside Area in the past in accordance with Policy NE2, the way NPPF is being interpreted by Inspectors in recent appeals where Councils do not have a five year housing supply (including the Runnell Farm appeal) makes it increasingly difficult to defend new residential development in sustainable locations; although the impact of the development on the character and appearance of the Countryside Area remains an important consideration. It has been established in current and proposed policy that there is a need to protect and enhance the distinctive Moss character, which is considered integral to the local distinctiveness of Blackpool and is valued by the local community; and development that would be detrimental to the existing rural character of the area should continue be resisted. Number 7 Ecclesgate Road (where the Council refused planning permission for a dwelling and stables in 2012, 12/0550 refers) differed from the current proposal in that the scheme was for only one house, so wouldn't have made a significant contribution to the five year supply, it was in a less sustainable location down a single track lane and would have impacted more on the character of the Moss being in a more isolated location, rather than on the urban edge of the Moss.

In considering the impact of the development on the Moss character, key considerations include the character and appearance of the existing site and immediate surroundings, the scale and function of the proposed development, the location of the site in relation to the existing urban area, accessibility/ connectivity to existing road networks, local services and public transport, and any other sustainability issues as appropriate. In the case of this particular application, the site's close proximity to the urban area, existing services and main road network, and the mixed character of Common Edge Road suggest the effects of the development on the character of the area would be acceptable in principle (when considered in the context of the Runnell Farm appeal decision). The closest primary school is less than 400 metres distant and there is a bus stop close to the Shovels PH (within 200 metres) with a 30 minute frequency of bus service (currently service no 17). The current scheme would provide for a significant amount of open space towards the front of the site, which would allow views through to the listed cottages on Fishers Lane. The properties would be detached, with one pair of semi-detached houses and any detached garages would be located in such a way that would preserve some views through the site to the open land beyond.

In terms of prematurity, as the application is being considered in advance of the Core Strategy being adopted and a neighbourhood planning approach for the Moss area being developed, and given the size of the application site, then it is highly unlikely that this would meet the prematurity test set out in NPPF and NPPG. It is not considered that the scheme could be resisted on this basis, which is consistent with the Inspector's ruling on prematurity in the Runnell Farm appeal decision.

For the reasons outlined above there are no policy objections to the principle of the development.

Design

In terms of the impact of the size and scale of the houses on the open character of the area, this is considered to be acceptable. The gross residential density would be 17 dwellings per hectare which is low to reflect the densities of the semi-rural area. As indicated previously, the current scheme has been designed to respect the open nature of the site and the open aspect across the frontage, which allows views through to the listed cottages beyond. In terms of biodiversity and habitat, there would be a pond (surrounded by a kick rail) towards the front of the site to protect the perspective across the site and to encourage local bird, mammal and plant species to flourish. The amount of tarmac would be kept to a minimum to assist with onsite rainwater drainage.

No new dwellings would directly front Common Edge Road; the properties would be staggered towards the rear of the site. Much of the private parking from the front of the properties would also be discouraged through the design of the layout, specifically to protect the open view through to the listed cottages beyond. The site would be less densely developed than the majority of developments in the vicinity to reflect the semi-rural nature of the site. The mix of three and four bed roomed houses (3 x 3bed and 5 x 4bed) would fit in with the character of the area, as would their layout, appearance and materials.

The appearance of the scheme has been influenced by the consultation process and the previous refusal - to ensure that the dwelling types and styles proposed would be sympathetic to the surrounding area and would be of a size appropriate in the locality. The proposed properties would all be two storeys high, comprising six detached and two semi-detached properties, the majority of which would have a single storey conservatory at the rear, and some with detached single storey garages.

The building materials would be of a similar nature to the neighbouring properties, with elevations consisting predominately of facing brick (apart from the two units nearest to the listed cottages), with artificial art stone cills, contrasting brick detailing, tile hanging and sections of render finish.

Roof materials would consist of replica slate white uPVC soffit and fascia and black rainwater goods. External openings to the properties would be finished with white uPVC casement windows and alternately coloured front doors. Plots 5 and 6 (closest to the listed cottages) would be rendered and have cottage style windows, a central chimney stack and replica slate roofs. The revisions also mean that the nearest proposed property to the listed cottages would be 2.36 metres further away than on the previous scheme. The final appearance would be subject to a condition to be discharged by officers. The boundary to Fishers Lane would be constructed as a 0.6 m high post and knee rail fence.

The property on plot 1 would be closer to Ecclesgate Road than most of the existing properties on that road; however I do not see this as an issue due to the unusual character of this single track, cul-de-sac lane. There are existing single-storey buildings on the opposite side of Ecclesgate Road which almost abut the lane.

Amenity

With regard to the impact on the amenities of neighbours, a mobile home on Ecclesgate Road shares a boundary with the application site (a certificate of lawfulness was granted for the mobile home in 2002 - 02/0649 refers). The closest two storey rear elevation to a new dwelling would be 11 metres away from the private rear garden of the mobile home, the other property which would bound the site would be 16 metres distant. I consider that there would be sufficient separation to protect privacy. A boundary treatment comprising 1.8 m high close-boarded fence would also help protect the privacy of the neighbour. I do not consider that the noise and disturbance generated by the proposed residents would have a significant impact on the quality of life in the private rear garden of the mobile home. Existing properties on Fishers Lane would be unaffected by privacy issues as the proposed dwellings would look across to the public/ street face of the existing dwellings. With regard to 202 Common Edge Road, the closest proposed property would be about 17 metres to the common boundary, which again would be an adequate separation distance in order to protect privacy.

The scheme has been designed so that there would also be minimal overlooking between the proposed dwellings themselves.

Highway Safety

The submitted Transport Assessment shows that the development would take vehicular access directly off Common Edge Road in the south west corner of the site via a priority controlled junction and a dedicated ghost island right turning lane, with the required visibility splays along the existing highway. The lanes to be created in Common Edge Road would be slightly substandard in width, but because there would be relatively few vehicle movements associated with this site, the Head of Transportation has no objection to the new access road to Common Edge Road in terms of highway safety. The existing cycle lane would be modified to accommodate the new access road. The access road would be designed to accommodate a refuse wagon and a turning head would be provided within the site to allow a wagon to turn around and leave the site in forward gear.

Parking and Accessibility

Each property would have in-curtilage parking for three vehicles, including either an integral or a detached garage. The Head of Transportation has asked for a footpath to be provided into the site to make pedestrian access easier. However, the site would only accommodate eight dwellings and the roadway inside the site beyond the rumble strip would be a shared surface. I feel that to add a footpath would detract from the character of the site and increase the amount of impermeable surface, to the detriment of surface water drainage. The garden to each house would be sufficiently large to accommodate a cycle shed if the garages were not utilised. The site is in a sustainable

location, with a generally flat topography and bus stops in the vicinity. The location scores medium on the accessibility rating. There is a network of public footpaths leading in to Marton Moss proper (Ecclesgate Road becomes Public Right of Way number 2 at its eastern end and joins PRoW no. 51 to provide access to St Nicholas School without walking next to the main road) and Common Edge Road is on a cycle route. It has good transport links by private car and public transport (Common Edge Road is a bus route with a half hour service), the area is well served by primary schools, a secondary school and employment land; and there is a retail park within a 0.8 km walking distance and a local centre (Highfield Road) with a supermarket, medical centre, dentist, ATM etc. within a 2km walking distance.

Impact on the Listed Cottages

In terms of the impact on the Grade 2 listed buildings in the vicinity (1 and 2 Fishers Lane), the Council's Built Heritage Manager considers that although the design has been altered to enable a better view of the listed cottages from Common Edge Road than was the case with the scheme previously refused by Committee, the proposal is still an infringement of the open setting to the front of these buildings. The historic rural setting of the cottages has already been compromised by the housing development to the rear, and this proposal would, in essence, enclose it from the front. In addition, the ground beneath the cottages has been affected by flooding in the past, and from voiding from water used to put out a fire to the thatch at no. 2 Fishers Lane in approximately 2011. The building as a whole has had to be partially underpinned so, if it is considered ultimately that the revised proposal is acceptable in design terms, a conservation accredited structural engineer's report should be sought to ascertain whether the work would compromise the integrity of the partially underpinned building which is of a fragile cobble and cob construction.

In response, attached is the applicants' Planning and Heritage Statement which shows how they have arrived at the more sympathetic, revised design and are aware of the issues regarding the stability of the listed cottages. I consider that the scheme has been sensitively designed to protect the view across to the listed cottages, particularly when coming in to town from the south, which is their current main aspect. Built development has been kept away from that aspect and the driveways/parking has been designed so as not to encroach into this open space. The creation of a pond in the southwest corner of the site, and the use of open fencing also assist with preserving the view.

Contrary to the Built Heritage Manager's assertions, I feel that this is a sustainable development, the developer having incorporated sustainability principles into the design of the houses. With regard to damage to the listed cottages, due to the depths of made ground and soft underlying natural strata, conventional foundations are not considered to be a suitable solution by the developer, and it is likely that the dwellings would require piled foundations. The applicants have taken advice from a piling contractor (addendum to the Design and Access statement), which describes how their piling techniques can minimise any risk to adjacent or nearby properties. The addendum identifies the intention to carry out vibration monitoring as part of the piling works, with the method chosen such that peak velocities would be limited to less than the upper limit for ancient monuments. In addition, the structural engineering consultants would carry out surveys of neighbouring properties, be they solely external or including an internal inspection should access be permitted, prior to work commencing.

Regarding the potential vibrations from groundworks associated with the construction of the dwellings and the structural integrity of the Listed Cottages (raised by the Council's Built Heritage Manager) the applicants have consulted a Heritage accredited surveyor, who has been involved with the remediation works to the two Listed Cottages recently. The remediation works followed substantial fire damage and suggested a programme of works for the underpinning of the walls. Of

the alternative solutions (including traditional concrete underpinning), the less intrusive pattern of low pressure resin injections was opted for. Your Building Control Officers have been involved in this work.

The applicants advise that they have always maintained an awareness of the setting of the Listed Cottages. They feel that they have now investigated the concern of the residents, and are satisfied that the recent accounts of the listed buildings' fragility are vested in a building element that has little heritage value and has since been remediated. They are however taking the diligent step of according with the request of your Built Heritage Manager to the best of their ability, and would extend an invitation to the residents at the Listed Cottages to maintain a monitoring survey throughout the groundworks phase of their development.

Subject to planning permission, and following discussion with the Heritage accredited surveyor, their intention is to have their specialist piling and foundation engineers put together a job specific methodology – taking into account both the existing site investigation report and in context of the nearby listed buildings. The applicants' intention is then to have their proposed methodology reviewed by the Heritage accredited surveyor mentioned above and submitted to the Council prior to commencement of development. A condition could be attached to any approval to require this.

Other Issues:

With regards to surface water drainage and flooding, there are numerous open watercourse features located within close proximity to the site forming a network of land drains. The nearest drain is on Ecclesgate Road approx. 40 m from the site. This system of drains flows south towards Marton Moss where the watercourses become designated as "main river". The Environment Agency flood maps do not indicate that the site is at potential risk of flooding from rain or tidal sources; and they have no objection to the proposed development providing that the submitted drainage layout is implemented in full. This can be the subject of a condition. The scheme includes a pond which should assist in providing surface water attenuation on site.

The northern boundary ditch is approximately 0.5 metre deep and 0.2 metre wide at its base and supports no aquatic vegetation. The ditch was dry at the time it was surveyed and it is considered reasonably likely (due to the vegetation supported by the ditch and the ditch's small size) that the ditch only infrequently holds water. The applicant would clear out any debris and incorporate the ditch into the responsibility of the intended management company who would look after the open space areas. In terms of the adjoining ditches, the applicant could not maintain ditches outside their land ownership as they would have no control or rights to the land.

There are no trees on site currently protected by a TPO, the land consists of poor semi-improved grassland with locally common trees, shrubs and bramble scrub at the boundaries. There are no rare or uncommon plant species, no special habitats, nor evidence of any protected species. Whilst the boundary trees and scrub are suitable for nesting birds, the ecological report makes recommendations for protection of the birds during nesting and enhancement of their habitat as part of the development. The report also proposes enhancements in relation to bats. The proposed tree planting on site would be placed so as to retain the view through to the listed cottages. The development would present an opportunity to provide ecological enhancements, consistent with the stated aims of the NPPF. The Council's Sustainability Manager supports the proposals for biodiversity enhancements, subject to the recommendations in the ecological report.

Policy CS14(Affordable Housing) of the emerging Core Strategy would require a contribution for off site affordable housing as this site falls within the 3-14 dwellings category. However, the Ministerial Statement of 28 November 2014 means that this could not now be sought.

CONCLUSION

In conclusion, although the proposal is contrary to current Countryside Policy (Policy NE2), the NPPF states that planning permission should be granted for residential development, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, where policies relating to the supply of housing cannot be considered up-to-date. At this moment in time, the Council is of the view that it has a five year land supply but this has not yet been tested through the examination of the Core Strategy. Within this context and taking into account the sustainable location of the site relative to other areas of the Moss, it is not considered that the impact of the proposal on the character of the surrounding Countryside Area would be accepted by an Inspector as being sufficiently harmful to outweigh the beneficial contribution the new homes would make towards meeting Blackpool's future housing requirements. Furthermore, the applicant has demonstrated his willingness to amend the scheme to improve the relationship with the listed cottages and safeguard their integrity and I consider that the benefits of developing the site in the manner proposed outweigh any disbenefits relating to the setting of the listed cottages beyond.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

Policy BH10 sets out that all new housing developments should either physically provide or financially contribute to the full rate of provision of 24 sq. m of open space per person. SPG Note 11, *Open Space Provision for New Residential Development and the Funding System*, provides more detailed guidance, with the policy applying to all new residential developments of three or more dwellings.

Since no open space capable of being utilised as play area has been provided (the pond cannot be considered as a play area in terms of SPG11), there is a requirement for the developer to provide the full commuted sum of £9976 in lieu of open space provision (based on 3 x 3 bed and 5 x 4 bed units on the site), to be secured by means of an appropriately worded condition.

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 and the setting of the listed cottages, in accordance with Policies LQ4 and LQ9 of the Blackpool Local Plan 2001-2016.

3. 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). 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. Unless the absence of nesting birds has been confirmed by further surveys or inspections, any removal of vegetation including trees and hedges shall be undertaken outside the nesting bird season [March - August inclusive]. Any removal of vegetation outside the nesting bird season shall be preceded by a pre-clearance check by a licensed ecologist on the day of removal.

Reason: To ensure that there are no adverse effects on the favourable conservation status of birds and to protect the bird population from damaging activities and reduce or remove the impact of development, in accordance with Policy LQ6 of the Blackpool Local Plan 2001 - 2016 and The Wildlife and Countryside Act 1981 (as amended).

5. No development shall be commenced until a gas monitoring regime has been carried out in accordance with a written methodology, which shall first have been agreed in writing with the Local Planning Authority. If mitigation is then considered necessary, a scheme for implementation of this in the design of the dwellings shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to occupation of each dwelling. 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. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall have foul wastewater and surface water drained in accordance with the principles outlined in the submitted Drainage Plan P4979/14/100B - prepared by Thomas Consulting dated 26 March 2014. For the avoidance of doubt, foul must drain separate to surface water which must then combine at the last manhole prior to discharging into the public combined sewer located on Ecclesgate Road. Surface water draining from the site must be restricted to a maximum pass forward flow of five litres per second. The approved drainage scheme shall be implemented before the development is brought into use and retained as such.

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.

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

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.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no change of use from Use Class C3 (the subject of this permission) to Use Class C4 shall take place without the written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and to prevent the further establishment of Houses in Multiple Occupation which would further increase the stock of poor quality accommodation in the town and further undermine the aim of creating balanced and healthy communities, in accordance with Policies BH3 and HN5 of the Blackpool Local Plan 2001-2016.

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 dwellings 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 and the setting of the listed cottages, in accordance with Policies BH3 and LQ9 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, other than those detailed on approved site layout drawing no. CMNEDGE/SK/001. The boundary to Fishers Lane shall be constructed as a 0.6 m high post and knee rail fence and thereafter retained.

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, would detract from the setting of the listed cottages and would therefore be contrary to Policies LQ2 and LQ9 of the Blackpool Local Plan 2001-2016.

12. Notwithstanding the details shown on soft landscaping layout drawing no. CMNEDGE/LANDSCAPE/01, the details and siting of one bat roost tube, one house sparrow terrace and one starling box shall be agreed in writing with the Local Planning Authority, and provided prior to first occupation of the relevant dwelling and thereafter retained.

Reason: In order to enhance the biodiversity of the site, in accordance with Policy LQ6 of the Blackpool Local Plan 2001 - 2016.

13. 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 £9976 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.

14. No external lighting shall be installed within the site, unless the details of the lights and their locations have previously been agreed in writing with the Local Planning Authority.

Reason: In order to protect the amenities of existing residents and in the interests of biodiversity, in accordance with Policies BH3 and LQ6 of the Blackpool Local Plan 2001 - 2016.

15. A piling and foundation methodology specific to this site, and taking into account the Listed cottages adjacent, shall be submitted to and agreed in writing by the Council, prior to the commencement of any ground works on the site. The piling and foundations shall thereafter be carried out in accordance with the agreed methodology.

Reason: In the interests of the structural stability of the Listed cottages at 1 and 2 Fishers Lane and in accordance with Policy LQ9 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.
2. The grant of planning permission will require the developer to enter into an appropriate Legal Agreement with Blackpool Borough Council acting as Highway Authority. The Highway Authority may also wish to implement their right to design all works within the highway relating to this proposal. The applicant is advised to contact the Council's Built Environment Department, Layton Depot, Depot Road, Blackpool, FY3 7HW (Tel 01253 477477) in the first instance to ascertain the details of such an agreement and the information provided.
3. This advice note is to remind you of the requirements of BS 7121 Part 1, specifically paragraph 9.3.3 which requires that: "the appointed person should consult the aerodrome/airfield manager for permission to work if a crane is to be used within 6 km of the aerodrome/airfield and its height exceeds 10 m or that of the surrounding structures or trees."

This permission should be sought at least **one month** prior to any crane being erected as other bodies may need to be consulted prior to granting a permit.

Application for crane permits should be made to the email address: safeguarding@blackpoolairport.com

The following information will be required as a minimum:-

- Date(s) of operation of the crane (it is best to overestimate the end date rather than have the permit time expire before the job is finished).
- Geographical Location (street name(s) and also Latitude/Longitude of the crane location as accurately as you are able to provide.
- Height of ground level at that location above Mean Sea Level (AOD as derived from Google Earth is sufficient).
- Maximum height of extended jib above ground level.
- Hours of operation each day, and whether this includes use at night (if not confirmation that the jib will be fully lowered at night).
- Local contact number should it become necessary to require lowering of the jib in an emergency.

In order that the airport authority can provide a service to a consistent and high standard, a charge is levied for each submission. The airport's standard fees and charges are available to view or download at www.blackpoolairport.com

4. Blackpool Council operates a refuse collection and recycling service through the use of wheeled bins and sacks with most premises having 3 or 4 wheeled bins. The Council has purchased and provided these wheeled bins to all existing properties. However, it will be incumbent on developers and builders of new residential properties, including conversions, to provide these bins. Contact should be made with the Waste Services

Section at Layton Depot, Plymouth Road, Blackpool, FY3 7HW or telephone 01253 476279 about the requirement, provision and cost of the wheeled bins prior to any resident moving in.

5. Please note that any address changes or new addresses needed as a result of this development must be agreed by the Council. Please contact Council's Streetscene and Property Department, Layton Depot, Depot Road, Blackpool, FY3 7HW (Tel 01253 477477).
6. Notwithstanding the details on the approved plan it is requested that the applicant consider achieving "Secured By Design" for the proposed development.
7. Policy BH10 of the Blackpool Local Plan states that new residential developments will need to provide sufficient open space to meet the needs of its residents in accordance with the Council's approved standards. The policy goes on to say that where it is not possible to provide the full requirement of public open space on site, developers may pay a commuted sum to cover the provision or improvement of public open space off site. Details of the Council's standards and calculated commuted sum rates are set out in Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development". In accordance with this document, and given that no public open space can be provided on site, the commuted sum required in respect of this development would be £9976 (3x £1032 and 4x£1396).

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Planning & Heritage Statement

Common Edge Road,
Blackpool, FY4 5DN.

September 2014



Shepherd Planning

Dave Shepherd MRTPI

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1. INTRODUCTION

This Planning & Heritage Statement is provided to accompany an application by Newfield Construction Ltd c/o Jones Homes Limited for 8No. 3 and 4 bedroom residential units with associated car parking and landscaping on approximately 0.45 hectares of land accessed off Common Edge Road, Blackpool. As mentioned in both the submitted Design & Access Statement and the Planning Statement, the scheme submitted now has been revised since determination of the last application (14/0302) that was considered by Blackpool's Planning Committee at their meeting held on the 14th July 2014.

The changes and additional information/reports submitted with this application include the following;

- i) The Design & Access Statement includes an addendum where advice has been taken from a piling contractor – “Roger Bullivant Ltd” – which describes how their piling techniques can minimise any risk to adjacent or nearby properties. The Company is clearly aware of their responsibilities as responsible constructors and contractors, in that any damage to any property or land caused by their activities is their responsibility in law. That said, the consulted piling contractor was confident that the works can be carried out without any problems to neighbouring land and building owners. (This is of course a civil matter in any case but was understood to be a concern of the committee).
- ii) This Planning & Heritage Statement covering relevant legislation and policies and considering if there would be any detrimental impact on the setting of the two statutorily listed cottages at 1 & 2 Fishers Lane, is submitted in support of the proposal. (This is part of the reason for refusal 1 and the main thrust of reason for refusal 3 on the decision notice).
- iii) Thirdly, there have been various changes to the application proposal in respect of the design and materials of construction of the dwellings proposed. (These are considered to address part of the reason for refusal 1 and also reason for refusal 2 on the decision notice). The changes include;
 - More appropriately designed units on plots 4 – 6 (inclusive) reflecting a more rural/semi-rural (and less suburban) setting and moving plot 6 by 2.36 metres further away from the listed cottages. In particular, plots 5 and 6 are now a pair of semi-detached units more in the form of cottages with rendered finish, slate roofs, mono-pitch porch, cottage style windows and they incorporate a central chimney stack
 - More traditional materials to roofs (replica slate as opposed to more modern, concrete roof tiles)
 - More appropriate surface materials and increased amenity area and general “space” within the vista/views towards the listed cottages that better respect the semi-rural character of the site and reduction in size of the access road and turning head
 - Dwellings moved further away from the Listed cottages in Fishers Lane for two reasons, i) to improve upon the setting of the Listed Buildings and, ii) to provide a greater distance between the proposal and the cottages to minimise as much as possible the impacts of piling on them

It is considered that the revised application overcomes the previous concerns of the Planning Committee and addresses the three reasons for refusal given on the decision notice dated the 14th July 2014.

This Planning & Heritage Statement is submitted in support of the proposal and considers appropriate areas of legislation at national level, reference to the Planning (Listed Buildings and Conservation Areas) Act 1990 and to relevant Blackpool Local Plan policies in respect of new development both to and affecting the setting of listed buildings.

This Planning & Heritage Statement should be read in conjunction with the Planning Statement and Design & Access Statement which also form part of the application, together with the following documents which have influenced the analysis and resultant proposals:

- Site Location Plan and Site Layout
- House Type Floor Plans and Elevations
- Drainage Layout
- Transport Statement
- Ecology Report
- Landscaping Plan
- Site Investigation Report

1.1 Report Author

I am David Shepherd a Chartered Town Planner with almost 25 years experience in the planning profession. I hold Post Graduate Diploma's in both Building Conservation and Environmental Planning and a HNC in Building Construction. I am a member of the Royal Town Planning Institute.

I have held various senior posts at all of the three coastal planning authorities (Blackpool, Fylde and Wyre) and ended my Local Government career two years ago as Head of Development Management at Wyre Council. My responsibilities at Fylde and Wyre also included being the point of contact for all conservation matters, as the two authorities did not employ a conservation officer. I have had experience of dealing with the administration and grant funding of appropriate works to Listed Buildings and non-listed buildings in conservation areas, dealing with Listed Building Consent applications and Conservation Area Consent applications and appeals for the same including written representations, hearings and at public inquiry.

I have been self employed as a sole planning practitioner since September 2012.

2. PROPOSAL

2.1 Locality

The main concern of the planning committee in relation to the application proposal seems to be in respect of the potential for the new development to cause harm to the setting of the listed cottages on Fishers Lane. This is clearly borne out by the content of reasons for refusal 1 and 3 on the decision notice on 14/0302.

The application site area (shown red below) shows the proximity of the listed cottages just to the north-west corner of the red edge (above the annotation Fishers La.).



The north western corner of the site faces the listed cottages at 1 & 2 Fishers Lane, that are indicated in red on the constraints plan on the following page. The topography of the land is generally level, though the site overall is at an approximate 500mm lower level than Common Edge Road to which it abuts.

The residential properties in the immediate vicinity of the application site are predominately one and two storey detached, semi-detached and terraced dwellings, built in traditional style with either hipped or gable roofs. External materials tend to be either red or grey roof tiles/slates, with a mixture of render or facing brick facades. The surrounding property styles are mixed and no one style dominates. More recent, urban development abuts the western boundary of the listed cottages.



Constraints plan (taken from the Design & Access Statement) shows the listed cottages in red.



Photograph of the listed cottages at 1 & 2 Fishers Lane.

3. LISTING DESCRIPTION

The full listing description from English Heritage is appended at the end of this statement. In brief, it notes that the pair of cottages are probably late 18th Century, cobble and brick built with roofs of thatch, corrugated metal and slate. It continues to note a “modern flat roofed extension to left hand side” of No1 and extensions to No2. It also notes modern window frames are inserted.

No comments are made in relation to the surrounding area (or the listed buildings setting). It is fair to say that these two cottages are relatively rare on the Fylde coast – though there are other similar aged, cobble built properties nearby at both Walker’s Hill Farmhouse, off Midgeland Road and Blowing Sands at 166 Common Edge Road. Both of these are also listed Grade II.

It is noted that both these other late 18th Century properties (mentioned above) are surrounded by more recent developments in a manner far more harmful to their setting than the proposal would be on No1 and No2 Fishers Lane (in particular Walker’s Hill Farmhouse and surroundings). New development has taken place to the west of the cottages on Fishers Lane also (in Belverdale Gardens). The existing residential development there is considered to have a greater impact on the setting of the listed cottages than the proposal would.

3.1 Planning History Re: 1 and 2 Fishers Lane.

There is some recent planning history regarding developments at the listed cottages. Some is related to necessary repairs, improvements and alterations regarding new slab floors and walls as a result of damage to the properties understood to be as a result of both fire damage and resultant water ingress. There is however, the following application for listed building consent;

Application 10/0575. 2 Fishers Lane. Erection of 2 store side extension incorporating rear dormers, single storey rear extension and alterations to roof. This was approved in July 2010. What is interesting – despite these quite extensive extensions and alterations that were granted both Listed Building Consent and planning permission – is that there was no Heritage Statement submitted (or required by officers) in order to assist in judging how these extensions would impact on the historic and architectural character of the listed building(s).

4. POLICY CONSIDERATIONS

National, regional and local plan policies relevant to the proposal are considered in more depth in the accompanying Planning Statement. More heritage related matters are discussed below.

5. NATIONAL PLANNING POLICY FRAMEWORK (NPPF) (2012)

The National Planning Policy Framework (NPPF) contains sections dealing with; requiring good design and Conserving and enhancing the historic environment.

In respect of design, paragraphs 56-57 and 60-64 are especially relevant. These seek high quality design, seek to promote *or* reinforce local distinctiveness and improvements in the character and quality of an area.

Regard shall be had to the advice given at Section 12 of the NPPF “Conserving and enhancing the historic environment”, (paragraph 128 in particular) and to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, “General duty as respects Listed Buildings in exercise of planning functions”, specifically, “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.

6. NATIONAL PLANNING PRACTICE GUIDANCE (NPPG) (2014)

This came in to effect on the 6 March 2014.

This refers to both Conserving and Enhancing the Historic Environment and Design matters. It cross references at many points with the guidance contained within the same sections of the NPPF (that are referred to above). This refers to both Listed Buildings and Conservation Areas.

6.1 Conservation and the enhancement of the Historic Environment

In respect of “Conservation and the enhancement of the Historic Environment” (Paragraph: 003 Reference ID: 18a-003-20140306), the NPPG states;

“Where changes are proposed, the National Planning Policy Framework sets out a clear framework for both plan-making and decision-taking to ensure that heritage assets (includes listed buildings) are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development”.

The NPPG further discusses the setting of a heritage asset and how it should be taken in to account in decision making at Paragraph: 013 Reference ID: 18a-013-20140306. It states;

“A thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not.

The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each”.

The “setting of a heritage asset” is defined in the Glossary of the National Planning Policy Framework as;

“Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”.

6.2 Comments on the impact on the setting of the listed building (No1 and No2 Fishers Lane).

The proposed layout of the development subject of this application has been considered and its evolving nature has been covered in the Design & Access Statement that accompanies this application. As mentioned in this statement, the Planning and D & A Statements, and now in line with how this re-submitted proposal has evolved in design terms, it is considered that the setting of the listed building is not detrimentally affected by the proposal.

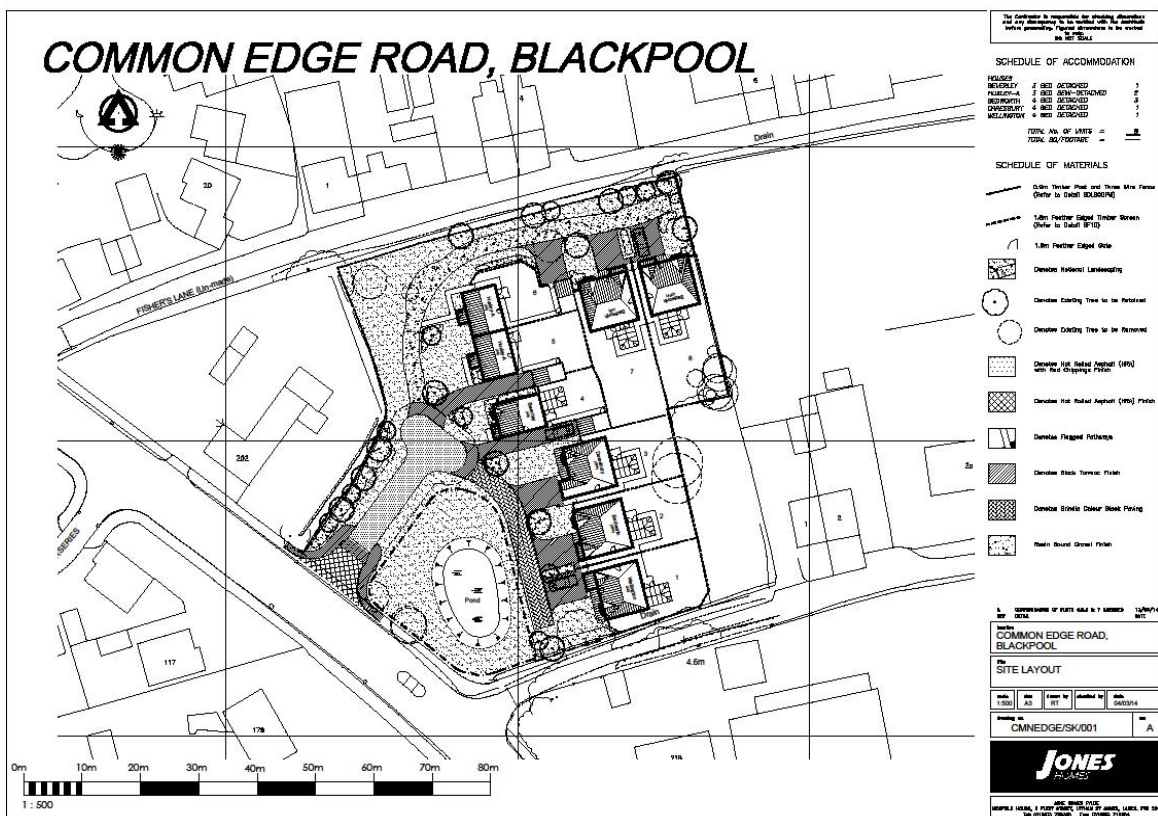
There is an ample vista across from Common Edge Road at its junction with Ecclesgate Road, where the cottages are viewed from. This can be taken to be the main zone of visual influence (ZVI) and where the natural views of the listed cottages are best observed from. This open view will not be intruded on by the proposed development. In fact the re-submission moves the plots 4, 5 and 6 further east and away from the field of vision to the cottages. The design changes proposed to those units also means that the “suburban setting” (referred to in reason for refusal 1 on application 14/0302) has been removed with a far more appropriate setting both in terms of design and proximity to the cottages. Better quality surfacing materials also add to the more sympathetic setting of the new development and its relationship with the cottages.

In the “setting of a heritage asset” as defined in the glossary of the NPPF, it mentions, “...The surroundings in which a heritage asset is experienced. Its *extent is not fixed and may change as the asset and its surroundings evolve*” (my italics). Having regard to the fact that the “extent of setting” is not fixed and that it “may change as the asset and its surroundings evolve”, it is suggested that it is an unreasonable expectation for there to be no further new development in the locality of the listed cottages, and that its setting has already changed as a result of other new development over the last 25 years (and to date) as the area has evolved to take on a more urban feel. Going back to the wording again of “setting of a heritage asset”, it mentions, “Its extent is not fixed and may change as *the asset and its surroundings evolve*”. It is suggested that the actual listed building itself is evolving. The fact that alterations have been made and Listed Building Consent granted for quite considerable extensions/alterations to number 2 (see planning history above application 10/0575), this further suggests that both the listed building and its surroundings are evolving.

It is considered that the main views across the field (to the rear of 202 Common Edge Road) would be retained and enhanced by the revised proposal. The setting of a pond and appropriate landscaping with improved, wider views towards the front of the cottages and a reduction in the turning head, is considered to comply with the NPPF and NPPG. The listed cottages can still be appreciated and arguably their setting would be improved upon by quality new development of appropriate design, scale and materials. That impact is at least a neutral impact but it is considered to be more of a positive impact on the cottages.

6.3 Design matters

The guidance in respect of design refers to the “Innovative use of construction materials and techniques” and that “Innovative construction materials and techniques can help achieve well designed homes and other buildings”. Layout, form, scale, detailing and materials are all identified as being important issues. The proposal is for a small development of just 8no dwellings. The design changes that have been made to this re-submitted proposal are considered to result in at least a neutral impact on the listed cottages, though the improved setting could be construed to be a positive impact on their setting. As has been mentioned elsewhere in this statement and in the Design & Access Statement, design changes to the nearest dwellings to the listed cottages have been made and also the distance between the proposal and the cottages has been widened by approximately a further 2.36 metres from the earlier application. The proposal is considered to comply with the aims of the NPPG in respect of Design matters. The more “innovative materials and construction techniques” are considered to have been given weight in the design changes to the nearest units to the listed cottages, where this has informed a more appropriate design and massing to the new development because of its proximity to the listed cottages.



Site layout plan of revised application. Note changes to plots 4 – 6 and the reduced turning head



Plots 5 and 6. Huxley in form of semi-detached cottages.

7. **BLACKPOOL LOCAL PLAN (2006)**

The Blackpool Local Plan (adopted June 2006) is almost 6 years older than the National Planning Policy Framework. The “saved policies” direction still pre-dates the NPPF by a number of years. The NPPF clearly has a greater weight in terms of decision - making and places great emphasis on sustainable development. Paragraph 12 of the NPPF states that, “Proposed development that accords with an up-to-date Local Plan (my emphasis) should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise”.

The most relevant policies here are;

- Policy LQ1 – Lifting the quality of design
- Policy LQ2 – Site Context
- Policy LQ9 – Listed Buildings

7.1 **Policy LQ1 – Lifting the quality of design**

The policy refers to the need for high standards of design making positive contributions to the areas where new developments are located. In relation to this application, the proposal has been modified since determination of the last application (14/0302) and the design solution proposed now is considered to provide a high quality development that will respect the listed building, its setting and the immediate locality. The design “changes” proposed (discussed more in the Design & Access Statement) see more space created between the listed cottages and the new development, better/more appropriate design/massing and materials used for those dwellings nearest to the listed cottages and more appropriate

surfacing materials. It is considered that the visual impact of the proposal is minimised to such an extent that it causes no recognised harm to the locality.

7.2 Policy LQ2 – Site Context

The policy states, “The design of new development proposals will be considered in relation to the character and setting of the surrounding area.

- A) New developments in streets, spaces or areas with a consistent townscape character should respond to and enhance the existing character. These locations include;
- i) Affecting the setting of Listed Buildings”.

In this regard, the proposal has been considered in relation to the character and surroundings of the immediate area. As the submitted D & A Statement points out, the area has a rich variety of shapes and styles of dwellings. The revised proposal has been amended to include more appropriate design and layout that recognises the presence of the listed cottages, the character of the area and also takes on board the concerns of the planning committee when determining the previous application.

7.3 Policy LQ9 – Listed Buildings

Section (B) of the policy considers development affecting the setting of a Listed Building. It states that development which adversely affects the character or appearance of a Listed Building or its setting will not be permitted.

Section (C) Deals with alterations and extensions to a Listed Building which are not relevant to this proposal.

In terms of Section (B), the proposal is not considered to adversely affect the character or appearance of the listed building or its setting. As explained above (Comments on the impact on the setting of the listed building), the proposal at best has a positive impact on the setting of the listed cottages or at worst a neutral impact. The development certainly does not have an adverse impact on the setting of the listed building.



Recent photograph of the cottages

8. **HERITAGE MATTERS**

Partly referred to in the policy section above.

Regard shall be had to the advice given at Section 12 of the NPPF “Conserving and enhancing the historic environment”, (paragraph 128 in particular), Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of “General duty as respects Listed Buildings in exercise of planning functions”. Specifically, “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. Also, Policy LQ9 of the Blackpool Local Plan (June 2006) is relevant, as already discussed.

Paragraph 128 of the NPPF states that when determining such application, “Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting”. It continues to say that, “*the level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance*”.

In this case, the application should be considered in relation to any potential that it may have on the “setting” of the listed cottages. The proposal is not considered to impact in any

detrimental way on the listed cottages and it preserves their setting for reasons previously discussed.

Section 12 of the NPPF deals with, “Conserving and enhancing the historic environment”. Of particular relevance to this proposal is the content of paragraph 128 (mentioned above) that gives advice as to what local planning authorities should require of an applicant, in order to determine applications. Clearly, this whole statement is relevant, but the Heritage section in particular deals with the impact of the proposal on the listed cottages. This is obviously the key consideration when determining this application.

Paragraph 131 of the NPPF states, “In determining planning applications, local planning authorities should take account of (amongst other things);

“the desirability of new development making a positive contribution to local character and distinctiveness”. In this case, the design changes made to this revised application are considered to overcome previous concerns raised in relation to the earlier application (14/0302) and the proposal now makes a positive impact on the locality and one that is in character with the general area and that is not harmful to the setting of the listed cottages.

It is considered that the main issues are whether the proposed development detrimentally (or adversely) affects the setting of the listed cottages.

Policy LQ9 of the local plan allows us to consider the impacts of the proposal on the “setting” of a listed building, (as opposed to actual/physical “works” to a listed building). It is suggested that the proposed development does not harm the listed cottages architectural or historic character, nor does it harm their setting.

The buildings within the immediate locality are somewhat varied in terms of their styles and designs (and height, size, massing and materials). The listed cottages are seen as one of many varying building/dwelling designs in the wider area.

9. **CONCLUSION**

The revised proposal is considered to comply with the basic thrust of the NPPF and NPPG, in terms of;

- Requiring good design
- And, Conserving and enhancing the historic environment

It complies with the NPPG (which, in the main, repeats the advice from within the NPPF).

It meets with the requirements of Sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, "General Duty as respects Listed Buildings in exercise of planning functions", specifically, in respect of considering whether to grant planning permission for development which affects a listed building or its setting, and special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

It complies with the relevant policies of the Blackpool Local Plan (2006), in respect of;

- Policy LQ1 – Lifting the quality of design
- Policy LQ2 – Site Context
- Policy LQ9 – Listed Buildings

This amended proposal is not considered to be prominent, dominant, intrusive or conspicuous in this area. It would utilise appropriate materials that would be in keeping with the immediate locality and surrounding development. The development would blend in without detriment to the immediate area and to neighbouring dwellings. It is not considered to either be harmful to the setting of the listed building, nor is it development that would have a detrimental effect on the listed buildings architectural or historic character. It is considered to preserve the character and appearance of this part of the Marton Moss area.

Dave Shepherd, Dip EP, Dip Bldg. Cons, MRTPI.
September 2014.

APPENDIX-A - English Heritage Listing Description and location plan.

List entry

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List entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Name: No name for this Entry

List entry Number: 1205761

Location

1 AND 2, FISHERS LANE

The building may lie within the boundary of more than one authority.

County	District	District Type	Parish
	Blackpool	Unitary Authority	

National Park: Not applicable to this List entry.

Grade: II

Date first listed: 20-Oct-1983

Date of most recent amendment: Not applicable to this List entry.

Legacy System Information

The contents of this record have been generated from a legacy data system.

Legacy System: LBS

UID: 183666

Asset Groupings

This list entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

List entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

Details

SD 33 SW 3/9

BLACKPOOL FISHERS LANE Nos 1 and 2

II

Pair of single-storey cottages, date uncertain but probably late C18. Cobblestone and brick, with roofs of thatch, corrugated metal sheet, and slate. Each is essentially a single-unit plan with gable-end chimney stack; No 1, recently re-thatched, has a rear extension under cat-slide roof, and a modern flat-roofed extension to left-hand side. No.2 has rear extension of brick with roof of corrugated sheet, and low side-extension with slate roof. Doors of both are close to gable ends, that of No.1 with modern gabled porch; both have two rectangular windows in front wall, all with modern frames. No. 2 has a very small square window in the rear wall, close to the end walls, perhaps originally to light the hearth. Listed as now rear examples of single-storey cobble-walled dwellings.

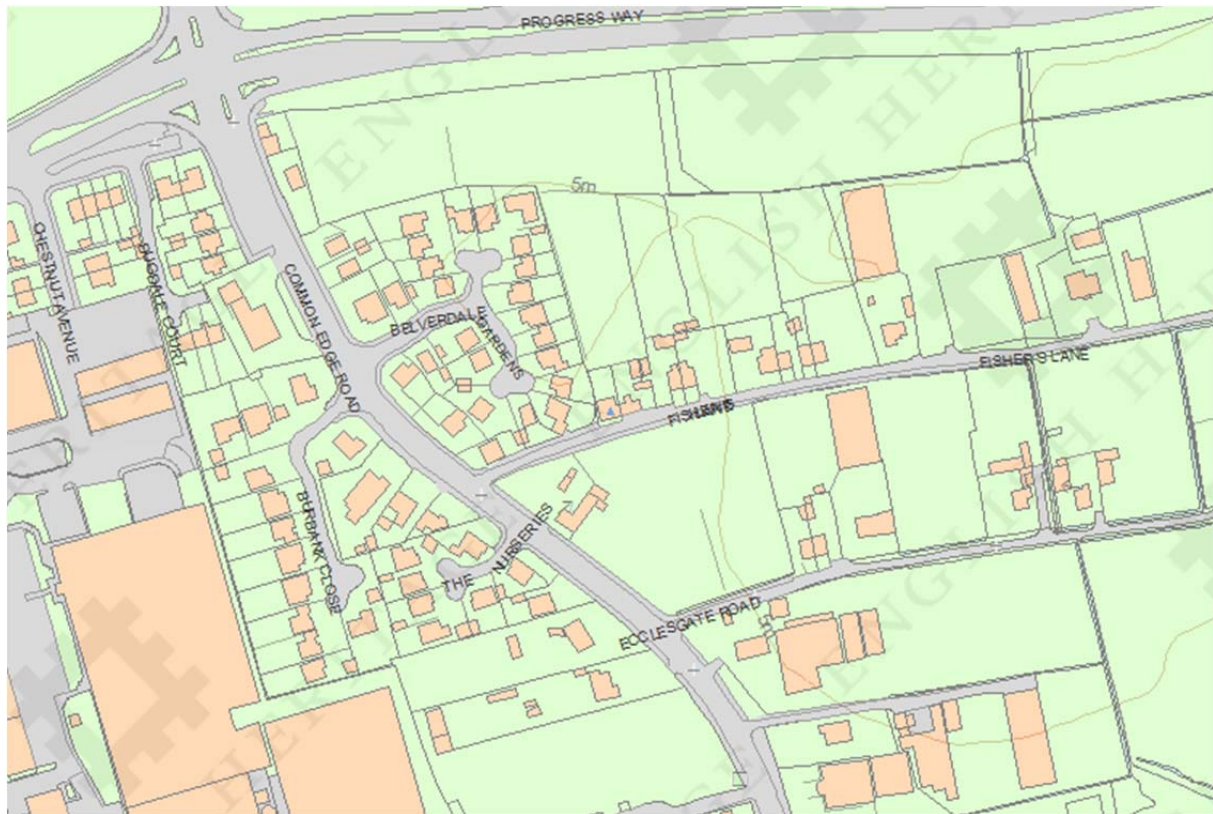
Listing NGR: SD3291932192

Selected Sources

Legacy Record - This information may be included in the List Entry Details

National Grid Reference: SD 32919 32192

Map



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The above map is for quick reference purposes only and may not be to scale. For a copy of the full scale map, please see the attached PDF - [1205761.pdf](#) - **The pdf will be generated from our live systems and may take a few minutes to download depending on how busy our servers are. We apologise for this delay.**

This copy shows the entry on 17-Sep-2014 at 11:32:23.

COMMITTEE DATE: [09/02/2015](#)

Application Reference: 14/0892

WARD: Stanley
DATE REGISTERED: 18/12/14
LOCAL PLAN ALLOCATION: Countryside Area
Protected School Playing Fields/Grounds

APPLICATION TYPE: Full Planning Permission
APPLICANT: Mr B Jenkins

PROPOSAL: Use of land as a gypsy caravan site for up to three caravans (one static and two tourers), erection of one single storey utility building, creation of a hardstanding and new boundary treatment including two metre high fence and landscaping to site frontage

LOCATION: LAND ADJACENT TO 39 SCHOOL ROAD, BLACKPOOL, FY4 5DS

Summary of Recommendation: Grant Permission

CASE OFFICER

Gary Johnston

INTRODUCTION

In early October the Council became aware that the application site was being cleared and in response to the site being covered in road planings and occupied by caravans, a temporary stop notice was served on the applicant on 3 October 2014 requiring the following -

- (i) You are required to cease using the land for the stationing of caravans for residential purposes by removing all the caravans and associated vehicles and equipment, from the land;*
- (ii) You must not bring or allow to be brought on to the land any caravan, vehicle or equipment associated with the use of caravans or associated vehicles or items for residential use on the land, from the date that this notice takes effect;*
- (iii) You are required to stop the unauthorised development of the land and the aforesaid engineering operations and not allow any further unauthorised development and hard-core surfacing to be delivered to or laid on the land from the date that this notice takes effect*

The applicant has complied with (ii) and (iii) but remains on site as a planning application was received on 6 October 2014. To ensure that no further work takes place on site or further caravans are brought onto the site an injunction was served on the applicant on 15 October 2014, having been agreed by the court. This injunction has been extended as Members will be aware that the previous application was refused on 1 December 2014.

This application seeks to address the reason for refusal of the previous application, which was -

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).

SITE DESCRIPTION

The application site is on the northern side of School Road, immediately to the east of a terrace of four houses. There is an access to the eastern side which serves a nursery and football club and provides pedestrian access to St Nicholas' Primary School. This access is also a public footpath which links to Ecclesgate Road to the north. The site is roughly square and has a frontage of 32 metres to School road and a depth of some 40 metres. There is a 1.8 metres high fence along the frontage to School Road and there is a field gate in the south east corner of the site. There is a line of trees/hedgerow along the eastern boundary of the site. The site has been cleared of the majority of the vegetation that once covered the site and has been covered in road planings.

St Nicholas' Primary School is to the east, a football pitch to the north and on the opposite side of School Road is open land with housing to the east and west. The site is within the Marton Moss Countryside Area as defined in the Blackpool Local Plan 2001-2016

DETAILS OF PROPOSAL

The previous application was for up to five caravans and two amenity buildings. It is now proposed to use the site for the siting of up to three caravans with one amenity building. The existing front boundary fence would be removed and a new 2 metre high fence erected 2 metres from the back of pavement with a visibility splay adjacent the access and landscaping would be provided in front of the fence. The access would be 7 metres wide and would be tarmaced for a distance of 10m from the back of pavement. An 8 metres deep strip of landscaping incorporating three existing trees would be retained at the northern end of the site adjacent the football ground and there would be a 4 metres wide buffer along the boundary with 39 School Road. The static caravan would be sited in the north east corner of the site with one touring caravan at the northern end of the site adjacent the landscaping and one on the western side of the site. The amenity building would be on the eastern side of the site.

The Committee will have visited the site on 9 February 2015

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- principle of the development
- need for the development
- personal circumstances of the applicants
- impact on the character and appearance of the Marton Moss Countryside area
- impact on residential amenity
- impact on highway and pedestrian safety

CONSULTATIONS

Ramblers Association - There is no mention of the footpath running along the east boundary of the site. However, it is stated in the documentation that the applicant owns both the hedgerow and access driveway (which is a PRW) along the eastern boundary and can therefore provide pedestrian visibility splays in both directions. It is essential that the hedgerow along the eastern boundary remains in place otherwise this development will have a significant effect on the public enjoyment of walking this path running up the eastern boundary of the site. Providing the pedestrian visibility splays must not impact on this footpath.

Blackpool Services, Contaminated Land - due to the historic nature of the use of land less than 25m from the site a Phase 1 desk study is requested. If this shows that there is likelihood of contamination being present then a Phase 2 report will need to be provided showing the contaminants and their levels. Based on the Phase 2 report it will be determined if remediation works will need to be carried out. This must be carried out before works take place.

Head of Transportation - the vehicle access point is shown in a different position to the existing one. The redundant crossing must be removed and a new crossing provided where shown. The plan shows radius kerbs and this to be amended to include transition and bull nosed kerbs, in order to give pedestrians priority. Applicant to contact the Highways and Traffic, Blackpool Council, Layton Depot, Depot Road, Blackpool, FY3 7HW, 01253 477477. Visibility is unlikely to be affected taking into account the arrangement of the site fencing, it maybe better though to reduce the height in line with neighbouring boundary walls and fence heights.

WASTE- Residential - recommends that a storage facility for waste should be considered as it may be scheduled for an alternate weekly residual and recycling collection. If this was the case bins would also need to be purchased.

PUBLICITY AND REPRESENTATIONS

Site Notice posted 12 January 2015

Neighbours notified 6 January 2015

Press Notice 15 January 2015

Representations **against** the application have been received from -
4 and 5 Pleasant View, School Road
Longacre , Rushymeade, Norwood and nos 33, 35, 37 and 39 School Road
259 Midgeland Road
16 Pear Tree Close, Wesham
18 Parkfield Crescent, Lea, Preston
Hazelford House, Milton Road, Shipton under Wychwood, Oxfordshire
Feldgate, Red Lane, Bardsea, Ulverston, Cumbria
52 Catherine Street, Chester
45 Lytham Road, Freckleton
71 Boston Road, St Annes

The key issues raised are -

- the development looks out of place
- it has had a detrimental impact on the character and appearance of School Road
- loss of privacy
- overlooking

- noise and disturbance
- skips full of rubbish on the site
- flooding of adjacent properties/gardens
- detrimental impact on highway safety through vehicle movements
- availability of alternative site
- inappropriate location next to houses and a school
- intensity of development
- size of amenity block
- land level and drainage
- lack of amenities on site
- loss of greenery/wildlife

It has to be borne in mind that as it stands the site is not connected to mains electricity and main drainage and does not benefit from refuse collection. Hence some of the issues raised would be addressed if planning permission is granted. The other issues will be discussed in the assessment part of this report.

Representations in **support** of the application have been received from -
 317-319 Vicarage Lane
 20 Church Lane, Backford, Cheshire
 386 Vicarage Lane
 Abbeydale Centre, 50 Common Edge Road
 St Nicholas' Pre School, School Road
 221 Cherry Tree Road
 388 Vicarage Lane
 Kinross Caravan Site, Whalley Lane
 Welcome Pet Shop, 394-396 Vicarage Lane
 Squires Gate Football Club, School Road

In the main the letters of support are character references for the applicant and his family although some of the representations refer to the site being tidied up and having an improved appearance.

Details of any further representations received will be reported in the update note.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

Para 14 states - at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as whole; or
 - specific policies in this Framework indicate development should be restricted.

Para 17 sets out the core land - use planning principles which should underpin both plan-making and decision-taking. These 12 principles are that planning should:

- be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);
- contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Paras 47 -55 deal with delivering a wide choice of high quality homes - including the requirement for a five year supply.

Paras 56 -64 deal with the requirement for good design.

Annex 1 of the NPPF deals with Implementation

Para 208. The policies in this Framework apply from the day of publication (27 March 2012)

Para 209. The National Planning Policy Framework aims to strengthen local decision making and reinforce the importance of up-to-date plans.

Para 210. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Para 211. For the purposes of decision-taking, the policies in the Local Plan (**i.e. your Blackpool Local Plan 2001-2016**) should not be considered out-of-date simply because they were adopted prior to the publication of this Framework.

Para 212. However, the policies contained in this Framework are material considerations which local planning authorities should take into account from the day of its publication. The Framework must also be taken into account in the preparation of plans.

Para 213. Plans may, therefore, need to be revised to take into account the policies in this Framework. This should be progressed as quickly as possible, either through a partial review or by preparing a new plan.

Para 214. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework.

Para 215. In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

Para 216. From the day of publication, decision-takers may also give weight to relevant policies in emerging plans (**i.e. your Blackpool Local Plan Part 1 : Core Strategy**) 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 this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

PLANNING POLICY FOR TRAVELLER SITES (PPTS)

This document sets out the Government's planning policy for traveller sites and it should be read in conjunction with the National Planning Policy Framework

The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.

To help achieve this, Government's aims in respect of traveller sites are:

- that local planning authorities should make their own assessment of need for the purposes of planning
- to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites
- to encourage local planning authorities to plan for sites over a reasonable timescale

- that plan-making and decision-taking should protect Green Belt from inappropriate development
- to promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites
- that plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective or local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies
- to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply
- to reduce tensions between settled and traveller communities in plan making and planning decisions
- to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure
- for local planning authorities to have due regard to the protection of local amenity and local environment.

Local planning authorities should, in producing their **Local Plan**:

- a) identify and update annually, a supply of specific deliverable sites sufficient to provide **five years' worth of sites** against their locally set targets
- b) identify a supply of specific, developable sites or broad locations for growth, for **years six to ten and, where possible, for years 11-15**
- c) consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries)
- d) relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density
- e) protect local amenity and environment

Applications for new sites should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the National Planning Policy Framework and this planning policy for traveller sites.

Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) the existing level of local provision and need for sites
- b) the availability (or lack) of alternative accommodation for the applicants
- c) other personal circumstances of the applicant
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- e) that they **should determine applications for sites from any travellers and not just those with local connections.**

Local planning authorities should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure.

Subject to the implementation arrangements, **if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites; this should be a significant material consideration** in any subsequent planning decision when considering applications for the grant of temporary planning permission

PROPOSED CHANGES TO NATIONAL PLANNING POLICY AND PLANNING POLICY FOR TRAVELLER SITES - DCLG consultation published on 14 September 2014 - closing date 23 November. The Government's response has not yet been published

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
HN9 - gypsies and travelling showmen
BH3 - residential and visitor amenity
BH7- playing fields and sports grounds
BH4 - public health and safety
NE2 - countryside area (2.1 land at Marton Moss)
NE10 - flood risk
AS1 - general development requirements (transport)

EMERGING PLANNING POLICY - BLACKPOOL LOCAL PLAN PART 1 : CORE STRATEGY

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16th June 2014 and by the full Council on 25th June 2014. The document was published for public consultation on 4th July 2014 for a period of eight weeks. After the consultation ended the document was updated and was submitted to the Planning Inspectorate in December 2014 for examination in Spring 2015. Paragraph 216 of the NPPF 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 NPPF. 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:

CS5 - connectivity
CS7 - quality of design
CS9 - water management
CS16 - traveller sites
CS26 - marton moss
CS27 - south blackpool connectivity and transport

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

FYLDE COAST GYPSY AND TRAVELLER AND TRAVELLING SHOWPEOPLE ACCOMMODATION ASSESSMENT (GTAA)

In response to the Government's 'Planning Policy for Traveller sites' document and to inform future planning policy and planning decisions this Council in conjunction with our neighbours Wyre and Fylde commissioned a needs assessment for gypsies/travellers and travelling showpeople. The assessment has been finalised and will shortly be published. It records the current situation in terms of provision within the three Council's areas and sets out the need in the future and then breaks the need down into five year periods as advocated by the Government's document. In terms of Blackpool the current position is that there are 44 gypsy and traveller pitches of which 26 are on the Chapel Road site. There are 18 pitches on private sites - the most recent of these were set up in the late 1990s/early 2000s at Parkway stables, Jubilee Lane (97/0588 refers), Applewood, Jubilee Lane (00/0292 refers), Fishers Lane (adjacent no 8) (01/0567 refers) and Holmfield, Jubilee Lane (02/0094 refers). In terms of future need the overall requirement is 38 pitches (21 in the period 2014-2019, 7 in the period 2019-2024, seven in the period 2024-2029 and three in the period 2029-2031 (to coincide with the Core Strategy Plan period)

ASSESSMENT

- **principle of the development**

The site is within the Marton Moss Countryside Area where in terms of Policy NE2 of the Blackpool Local Plan 2001-2016 there is a presumption against development other than for agricultural/horticultural purposes and outdoor recreational uses appropriate to a rural area. The rationale for the policy is retain the rural character of Marton Moss and prevent the peripheral expansion of urban uses into the area. In addition there is a specific policy in the Local Plan relating to the provision for gypsies and travelling showmen (Policy HN9). Part A of the policy requires there to be an identified need for a site and sets out five criteria for the assessment of proposals. Part B of the policy is prescriptive in identifying areas/land where sites will not be permitted. B (iv) states that new gypsy sites will not be permitted within the defined area of Marton Moss (as shown on the Proposals Map to the Local Plan). The rationale for excluding Marton Moss is set out in the justification for the policy (para 5.64) -

Marton Moss is Blackpool's only remaining substantial area of countryside land, the character of which has been significantly affected by its historical importance as a horticultural area (see Policy NE2). Reflecting its specific character, more restrictive policies exist on the Moss than in typical open countryside areas and new residential development is not permitted other than for agricultural or horticultural purposes. Reflecting the need to safeguard its remaining rural character and be consistent with the policies on the Moss generally, no further gypsy sites will be permitted on Marton Moss.

These policies were adopted in 2006 and subsequently saved in 2009 and therefore pre date the publication of the NPPF and PPTS. They also pre date the current assessment (GTAA) and the emerging Core Strategy. Whilst the starting point in considering the application is the policies of the Blackpool Local Plan the weight given to the policies of the Local Plan needs to be balanced against what the more recent evidence (GTAA) is saying and what the NPPF/PPTS say and what the emerging Core Strategy says.

The NPPF is seeking to promote sustainable development (para 14) and has 12 core principles (para 17) which include objectively assessing the need for housing, business and other needs of an area, securing high quality design and a good standard of amenity for existing occupants of land and buildings and future occupants, recognising the intrinsic character and beauty of the countryside, encouraging the re-use of brownfield land and encouraging development in locations where it can be served by various modes of transport.

The PPTS clearly requires Councils to have a five year supply of sites (and preferably more) if a need is identified. Our recent GTAA identifies a need and suggests a method of delivery over a 17 year period. The need is front loaded in part because there is a waiting list for the Chapel Road site but is also probably a reflection of the fact that the last planning permission for a site was 12 years ago (Holmfield, Jubilee Lane). Need is one aspect of the considerations and does attract weight when assessed against other considerations. However there is a clear requirement to consider the size/scale and location of any site, the characteristics of the surrounding area and to protect local amenity and the environment. There is also a requirement to 'strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan'

The Core Strategy has a policy relating to traveller sites (CS16). It suggests that the target for new pitches established through the GTAA will be met through the next stage of the plan - the site allocations and development management development plan document (DPD). However it also recognises that applications may come forward before the DPD is adopted and hence it sets out eight criteria against which applications should be judged.

a. Be suitable in that it provides a good living environment for residents, including access to essential infrastructure and services and does not cause an unacceptable environmental impact;

In this case the application site fronts a main east west distributor road which dissects the Marton Moss area and provides links to south Blackpool, the M55 and Lytham St Annes. The site is roughly square and is set between a terrace of houses and a primary school. School Road carries the no 10 bus route which provides an hourly service to Booths on Highfield Road and to the Town Centre. The site is also 200 metres to the east of Common Edge Road which carries the no 17 bus service providing half hourly services to St Annes and to the Town Centre. The site is immediately to the west of St Nicholas' Primary School but is approximately 1.9 km from Highfield Humanities College on Highfield Road. The Shovels public house is approximately 350 metres from the site and the nearest local centres (Common Edge Road/Highfield Road junction and St Annes Road /Squires Gate Lane junction) are some 1.5 km away (Booths and Morrisons are approximately 1.6 km away). So the site is not remote but equally it is not on the doorstep of facilities other than the primary school.

The site extends to 0.12 of a hectare but because of the need to improve access arrangements and retain a buffer around the trees to the northern end of the site and along the boundary with no 39 School Road the actual area of the site is more like 0.075 of a hectare. The reduction in the number of caravans to three and amenity blocks to one coupled with the buffers along part of the northern boundary and along the western boundary would give the site a more spacious feel than previously proposed.

b. Be appropriately located taking into account surrounding uses, with preference given to sites being located on brownfield land;

The site is not a brownfield site but was overgrown. The revised proposal seeks to reduce the intensity of the development and reduce the impact on the amenities of neighbouring residents

c. Not cause demonstrable harm to the quality, character and appearance of the landscape taking account of the cumulative impact of other authorised sites in the vicinity;

There are no other sites along School Road. The road is characterised by ribbon development interspersed with areas of open land, some of which previously housed green houses. It is more of an urban fringe area than an open countryside location and is not characteristic of many roads which criss cross Marton Moss, given its width and the existence of pavements either side of the road. The reduction in the number of caravans from five to three and amenity buildings from two to one would mean less impact on the character and appearance of the area.

d. Be of a size and scale appropriate to the size and density of the local settled community;

It is acknowledged that the adjacent terrace of four houses (if moved) could be accommodated on this site, albeit with shorter back gardens and the proposed layout would appear less cramped and be more in keeping with the prevailing character and building line in School Road. It is considered that this less intense form of development would not be at odds with the character and streetscene in School Road.

e. Have good access to transport links, public transport and be close to shops, schools, Jobs, health and local services and other community facilities;

See the comments in respect to a. above. The nearest doctor's surgery is approximately 1 km to the north on Common Edge Road.

f. Have safe and convenient vehicular and pedestrian access from the highway and provide adequate space for the provision of parking, turning, servicing, storage and land for associated livestock where appropriate;

The intention is to improve access and visibility for entering and leaving the site by setting the gate back into the site to allow vehicles to pull clear of School Road whilst the gate is opened and set the fence line back to provide a visibility splay for vehicles leaving the site. These improvements would assist in terms of vehicular movements on School Road and in terms of children walking to the school. An area is shown as being available for manoeuvring to enable vehicles to enter and leave the site in forward gear. The reduction in the number of caravans from five to three and amenity buildings from two to one would mean more space on the site and less people on the site which would assist in terms of parking/manoeuvring and in terms of the total number of vehicle movements onto/off the site.

g. Be well designed and landscaped to give privacy between pitches/plots, and between sites and neighbouring properties and to avoid harmful impacts by noise, light, vehicular movements and other activities;

The previous concern was that the proposal would be too intensive in terms of the number of caravans and buildings on the site and that because of the size of the site two of the caravans and one of the amenity buildings would be too close to 33- 39 School Road (between 2 and 2.5 metres from the boundary). Another detrimental impact given the size of the site was that there was no screening buffer proposed between the site and nos 33-39 School Road as the road planing surface extends up to the boundary fence. A buffer would help to mitigate the impact of the proposal but would further reduce space on the site. This added to the concern that what was proposed was overintensive for the site area available. The siting of one of the amenity buildings forward of 39 would have looked odd in the streetscene and the siting of two caravans close to the rear garden of

39 would have affected the enjoyment of the rear gardens of 33-39 especially as the occupants of the caravans would be elevated given the floor level of the caravans.

The revised proposal would reduce the number of buildings/caravans, site them more sympathetically in terms of the building line and neighbours at 33-39 School Road, provide a buffer along the boundary with no 39 School Road, reduce the potential for overlooking and noise and disturbance to the neighbours and reduce the potential number of vehicle movements onto and off the site.

h. Provide soft landscaping and where appropriate communal recreational areas for children.

The landscaping strip at the northern end of the site is essentially to be provided to allow for the retention of the three trees and hence would not provide a recreational area and the buffer along the western boundary would perform a screening function. However the reduced intensity of the proposal would provide for more space on the site.

Another tension in terms of the policy position is that the emerging policy for Marton Moss in the Core Strategy (CS26) envisages a continuation of the current policy stance set out in Policy NE2 until a neighbourhood plan is produced which will identify in what circumstances development may be acceptable.

- **need for the development**

The GTAA demonstrates that there is a need to provide sites over the next five years and beyond. There does appear to be an alternative site available in Fishers Lane and the applicant's agent has been asked to comment on this. This does only represent one site and would not meet the need for sites as part of the five year supply and the lack of a five year supply weighs heavily in favour of this proposal.

- **personal circumstances of the applicants**

In a statement which accompanies the planning application the applicant's agent has stated that - The proposed caravan site is intended to accommodate Brian Jenkins and his family, together with his mother. They are gypsies and travellers falling within the statutory definition, with strong family connections to Blackpool, and with a personal need for lawful accommodation in the town. Brian is proposing to purchase the site from his cousin, John Ireland, who lives in Bambers Lane, Blackpool.

- **impact on the character and appearance of the Marton Moss Countryside area**

The Marton Moss Characterisation Study that forms part of the evidence base to the Core Strategy acknowledges that Common Edge Road and School Road have a more urban feel to them because of the width of the roads, the existence of pavements and the extent of built form which contrasts strongly with the narrower lanes without pavements. Whilst the presence of gaps between the built form on School Road helps to make development appear a bit more sporadic and not conventional ribbon development the application site does not afford views into the open countryside because it has a football ground with attendant buildings to the north and has a 1.8 metres high fence along the site frontage. The building and caravans proposed would be visible above the fence line but would appear less cramped on the site than previously proposed and given the numbers of caravans/buildings and their proposed siting it is not felt that they would be out of character with the streetscene.

- **impact on residential amenity**

The application as submitted would have some impact on the amenities of the occupiers of 33-39 School Road but the reduced intensity of the proposal, the proposed siting of the caravans/building and the provision of a buffer along the boundary with no 39 School Road would help to reduce the impact.

- **impact on highway and pedestrian safety**

The intention is to improve access and visibility for entering and leaving the site by setting the gate back into the site to allow vehicles to pull clear of School Road whilst the gate is opened and set the fence line back to provide a visibility splay for vehicles leaving the site. These improvements would assist in terms of vehicular movements on School Road and in terms of children walking to the school. An area is shown as being available for manoeuvring to enable vehicles to enter and leave the site in forward gear. The reduced number of caravans/building proposed and associated vehicles would mean that there would be less potential that parked vehicles would impinge on the size of this turning area

CONCLUSION

This application raises a number of issues. The current Local Plan seeks an embargo on further traveller sites on Marton Moss. However this was adopted in 2006 following three sites being provided in Jubilee Lane and one in Fishers Lane. Since 2002 no further sites have been provided and the recent GTAA demonstrates a need for 21 pitches in the 2014-2019 period. The existence of a need and the lack of sites to meet that need weigh heavily in favour of this application. The application site is on one of the more urban roads which run through Marton Moss and there is a bus service along the Road (no 10) and another service within 200 metres of the site on Common Edge Road (no 17). The site is next to a primary school but at some remove from other facilities although it is clearly not an isolated site in the open countryside. So need, lack of alternative sites and relatively sustainable location weigh in favour of the proposal. Previously there was concern about the intensity of what was proposed in terms of the character and appearance of the area and in terms of the impact on the amenities of the occupiers of 33-39 School Road and these factors weighed against the proposal. Members felt that in terms of Para 14 of the NPPF the adverse impacts of what was previously proposed would demonstrably outweigh the benefits.

Applying the same judgement to the current proposal suggests that the factors that weighed against the previous proposal (intensity and impact on character and appearance of the area and impact on residential amenity) have been mitigated to some extent by the current proposal and hence are not as harmful so as to outweigh the benefits. On balance your officers consider that a recommendation of approval is now appropriate subject the conditions set out below

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. The Secretary of State recognises that these types of applications raise human rights issues but in this case the Council has considered those issues in its overall assessment of the application

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 site shall not be occupied by any persons other than gypsies and travellers as defined in paragraph 1 of Annex 1 of the DCLG document ' Planning policy for traveller sites ' (March 2012).

Reason: Planning permission is being granted on the basis that there is a need for the site as part of the Fylde Coast Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (2014) and in accordance with Policy CS16 of the Blackpool Local Plan Part 1 : Core Strategy - Proposed Submission

3. No more than 3 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended) (of which no more than one shall be a static caravan) shall be stationed on the site at any one time.

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

4. Details of materials to be used on the external elevations of the amenity building 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.

5. No commercial activities shall take place on the land, including the storage of materials

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

6. No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.

Reason: To safeguard the character and appearance of the area and the amenities of local residents in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016

7. Before the development is commenced refuse storage arrangements for the three caravans shall be submitted to and approved in writing by the Local Planning Authority. The approved arrangements shall then be provided within one month of the date of written approval by the Local Planning Authority and shall thereafter be retained. If the refuse storage arrangements are not in place in accordance with the timetable outlined above the use of the site shall cease until they are provided.

Reason: To safeguard the character and appearance of the area and the amenities of local residents in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016

8. a) No development shall take place until full details of both hard and soft landscaping works (for the buffer adjacent to no 39 School Road and the site frontage) 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, boundary treatment to School Road and to no 39 School Road, 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.

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 on-site 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. Details of the surfacing materials to be used including those to be used for the access from School Road shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development. The agreed materials shall then be used as part 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.

11. Before the development is commenced the foul and surface water drainage arrangements for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved arrangements shall then be provided within one month of the date of written approval by the Local Planning Authority and shall thereafter be retained. If the drainage arrangements are not in place in accordance with the timetable outlined above the use of the site shall cease until they are provided.

Reason: To ensure that the site is not at risk of flooding and does not cause flooding elsewhere in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016.

12. No external lighting shall be provided on the site without details having been first submitted to and approved by the Local Planning Authority.

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

13. The development shall not be brought into use until the access, visibility splay and turning area shown on the approved plan have been provided. The access, visibility splay and turning area shall thereafter be retained.

Reason: In the interests of highway and pedestrian safety in accordance with Policy AS1 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.

COMMITTEE DATE: [09/02/2015](#)

Application Reference: 14/0903

WARD: Stanley
DATE REGISTERED: 22/12/14
LOCAL PLAN ALLOCATION: Countryside Area

APPLICATION TYPE: Reserved Matters
APPLICANT: Kensington Developments Ltd

PROPOSAL: Erection of 38 semi-detached and 45 detached dwellings and garages with associated works, landscaping, open space and access from Midgeland Road

LOCATION: LAND AT RUNNELL FARM, CHAPEL ROAD, BLACKPOOL, FY4 5HS

Summary of Recommendation: Grant Permission

CASE OFFICER

Gary Johnston

INTRODUCTION

This application for the approval of reserved matters follows the appeal decision of 21 June 2012 when outline planning permission was granted for up to 83 dwellings on the site. The appeal was allowed subject to a number of conditions and subject to a Unilateral Undertaking relating to the payment of sums of money for off site provision of affordable housing, open space, primary school provision and highways/public transport. The affordable housing contribution was the subject of an appeal in 2014 and was amended by an Inspector in April 2014. An application has recently been determined to vary condition 8 of the outline planning permission in terms of the timing of the off site highway works associated with the proposed development (14/0823 refers)

The applicants circulated a leaflet to local residents prior to the application being submitted and a couple of issues were raised as part of this consultation, namely, the relationship of Plot 83 to no 73 Midgeland Road and the proposed footpath/cycle link to Stockydale Road (these matters have been resolved through changes to the site layout plan)

SITE DESCRIPTION

The site area is 2.84ha. The site is bounded by Midgeland Road to the west and Stockydale Road to the south-east. The site extends northwards behind nos. 49-73 Midgeland Road, and southwards to no. 41 Stockydale Road and the land adjacent to no. 109 Midgeland Road. Runnell Farm and Runnell Cottage, which front Chapel Road, and a strip of open land lie to the east of the site. The site has a frontage of approximately 80m in length to Midgeland Road, and a frontage of approximately 75m to Stockydale Road.

The site is currently comprised of semi-improved grassland and sits within the defined Marton Moss Countryside Area. The site is bounded and cross-cut by historic hedgerows, which form four fields of differing sizes, and contains areas of bramble and scrub. There are two trees on the western boundary of the site to the rear of nos. 59-63 Midgeland Road. A midden exists on the eastern

boundary of the application site. The site was formerly in use as farmland but more recently has been used for grazing horses. The site slopes roughly north to south with a level change of approximately 2.5m, although there is also a gentle east-west slope across the site.

DETAILS OF PROPOSAL

The application is for the approval of appearance, scale, layout and landscaping for the 83 dwellings. The 83 dwellings would all be two storeys and would comprise 38 semi detached properties and 45 detached properties some with freestanding garages and some with integral garages. The properties would be a mixture of all brickwork, part brickwork and part render and all render. The brickwork would be a mixture of reds and the roofs would be grey tiles. A central area of open space would be provided with an area of 2305 square metres. The access to the development would be solely from Midgeland Road and none of the six properties which would face Midgeland Road would have direct vehicular or pedestrian access. There would be six properties facing onto Stockydale Road but none of these properties would have direct vehicular or pedestrian access. The hedgerow to the Stockydale Road frontage of the site would be retained and new hedgerow planting is proposed along the northern and eastern boundaries of the site with some tree planting as part of the hedgerows. There would be tree planting around the perimeter of the open space, along the Midgeland Road frontage of the site and along the main estate roads. All properties would have a minimum of two off street car parking spaces with many having space for more than 2 through the siting of garages in the back gardens. There would be an attenuation system for surface water to be stored on site and a controlled rate of run off. The houses fronting Midgeland Road would be some 26 to 36 metres from those on the opposite side of Midgeland Road (nos 86-98). The house on plot 83 would be set in line with the end terraced house to the north of the site (no 73 Midgeland Road). Within the development the houses backing onto to nos 49 - 73 Midgeland Road would be set some 30 metres from their rear elevations. In terms of the Stockydale Road frontage the houses facing nos 58,60a and 60 Stockydale Road would be between 25 and 35 metres away. An acoustic fence would be provided along part of the southern boundary of the site where the site adjoins some kennels.

The off site highway works to accommodate the development were approved at outline stage.

The Committee will have visited the site on 9 February 2015.

MAIN PLANNING ISSUES

- the design of the development
- the impact on the character and appearance of the area
- the impact on the amenities of neighbouring residents

CONSULTATIONS

Blackpool International Airport - 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.

Sustainability 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.

Head of Transportation - 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.

Blackpool Services, Contaminated Land - Although the site itself has been Runnell Farm since the 1890s, the surrounding area has a history of use relating to nurseries, as the site and the surrounding area have a number of water courses there is a possibility of leachate occurring. There a Phase 1 Desk Study is requested, if this shows that there is a significant likelihood of contamination then a Phase 2 Report shall be submitted to the Local Authority before ground works begin. Following on from the results of the Phase 2 will determine if remediation works will be required before development.

United Utilities Plc (Water) - No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

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

Environment Agency - The submitted drainage scheme (Ref: ELL-387-KD-C-CC-999) would not be sufficient to satisfy the requirements of Condition 11, as approved under Appeal decision APP/J2373/A/11/2166756 for Outline application 11/0260, for the following reasons:-Although the drainage scheme (Ref: ELL-387-KD-C-CC-999) shows the use of a hydrobrake to restrict the surface water run-off from the site to 14 litres per second (i.e. the agreed discharge rate of 5 litres per second per hectare), it does not indicate how it is proposed to attenuate the restricted run-off and does not consider the use of sustainable drainage systems (SUDS), which is a requirement of the National Planning Policy Framework. We would not therefore recommend this condition for discharge if this drainage scheme was subsequently submitted as part of any Discharge of Conditions application.

We therefore recommend that a revised drainage scheme, which takes into account the above comments, is submitted at the Discharge of Conditions stage. Surface water run-off from the site should be restricted and controlled as near to its source as possible through a sustainable drainage approach to surface water management. SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge absorbing diffuse pollutants and improving water quality.

The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

In accordance with current best practice, where possible, infiltration or other techniques should be used to try and achieve zero discharge to receiving waters for rainfall depths up to 5mm. For example, this can be achieved by the use of green roofs, pervious paving, which can be under-drained if ground conditions are not suitable, and by landscaping the development so that water is directed to permeable areas such as filter strips, swales and grass verges.

The applicants are in discussion with the Environment Agency to resolve the issues

Head of Parks and Green (Environment Services) - No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

Head of Housing and Environmental Protection Service - 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.

NATS Safeguarding - The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal. However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted. If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

PUBLICITY AND REPRESENTATIONS

Press notice published: 15 January 2015
Site notice displayed: 12 January 2015
Neighbours notified: 6 January 2015

Three representations have been received so far. Any additional comments that are received before the Committee meeting will be reported in the update note.

Mrs S Mounsey 60 STOCKYDALE ROAD, BLACKPOOL - I have received today, a leaflet from your company showing a sketch of the site layout for your development on Midgeland Road. In your written information you have made mention of a proposed cycle and footpath link to Stockydale Road. This is not showing on the sketch plans, neither was it proposed in the original plans. I am interested to know where exactly on Stockydale Road you are proposing to provide this access point to the estate as the only area I can see the estate boundary meeting on Stockydale Road is where the ditch runs along? My main concern regarding this access is not so much with the cyclists and pedestrians but more with the fact that it will also give vehicle owners access from a second point of entry to the site. This will result in occupants and visitors parking their cars on the narrow lane that Stockdale Road is, and walking through to the estate. As currently we have no parking restrictions in place on this end of the road it has the potential to create dangerous situations for the local traffic, particularly in bad weather conditions. I would appreciate your views on this subject and also details of the proposed site for the footpath.

The footpath/cycle link to Stockydale Road has been deleted from the scheme

Mrs H Ellwood 80 Midgeland Road, Blackpool - I wish to register my objections to the proposed development on two counts: Firstly on the loss to the only remaining green space in the area and secondly on the impact the new housing estate will have on the traffic along Midgeland Rd and leading to Vicarage Lane and Progress Way. During the years I have lived on Midgeland Rd there have been several occasions where road works either around Highfield Rd or around the Cherry Tree Rd / Vicarage Lane area have resulted in standing traffic along Midgeland Rd, particularly around peak travelling times. Even though we live a considerable distance from Vicarage Lane, it has surprised me that work in that area can bring traffic to a standstill as far back as my property. The Highfield Rd/ Midgeland Rd junction is already heavily congested and it can be very difficult to exit the junction for several minutes at busy times of the day. As the proposed estate has only the one entrance and many of the 83 properties will have at least one and possibly two cars, I cannot see how a mini roundabout will cope with the increased traffic in the area. Whilst the introduction of a

zebra crossing will obviously assist pedestrians in crossing, it will also increase the amount of standing traffic. The recent closure of Yeadon Way has already seen an increase in traffic along Midgeland Rd from Progress Way and the road has become something of a "rat run" over the last few weeks. It would seem more appropriate that the proposed site had two entrances, even if these were both on Midgeland Rd at either end of the estate. This would help to prevent a build up of traffic leading on and off the estate and being a standstill on Midgeland Rd. My second objection is to the loss of green space in the area. There are many deprived areas in the town which could be regenerated before the last remaining moss areas are taken. I accept the need for more housing and for affordable housing, but this area has gradually been eroded over the years, while the town itself falls further and further into a slum like state. This then encourages more and more slum like inhabitants and the further degeneration of the area. I have lived in Blackpool all my life and speak from the experience of having witnessed this and not purely from hearsay.

Mrs B Rowbotham 71 MIDGELAND ROAD, BLACKPOOL - is concerned about the impact of the additional traffic on the condition of Midgeland Road and loss of wildlife habitat.

The principle of developing the site for up to 83 houses was resolved by the appeal decision in 2012. The other issues raised will be addressed in the assessment part of the report.

Any further representations received will be reported in the update note

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:

- Policy LQ2 Site Context
- Policy LQ3 Layout of Streets and Spaces
- Policy LQ4 Building Design
- Policy LQ6 Landscape Design and Biodiversity
- Policy LQ8 Energy and Resource Conservation
- Policy HN3 Phasing
- Policy HN4 Windfall Sites
- Policy HN6 Housing Mix
- Policy HN7 Density
- Policy HN8 Affordable and Specialist Needs Housing
- Policy BH3 Residential and Visitor Amenity
- Policy BH4 Public Health and Safety
- Policy BH6 New Open Space Provision
- Policy BH10 Open Space in New Housing Developments

Policy BH20 Provision of New Community Facilities
Policy NE2 Countryside Areas
Policy NE6 Protected Species
Policy NE7 Sites and Features of Landscape, Nature Conservation and Environmental Value
Policy NE10 Flood Risk
Policy AS1 General Development Requirements
Policy AS2 New Development with Significant Transport Implications
Policy AS3 Provision for Walking and Cycling
Policy AS7 Aerodrome Safeguarding
Policy P01 Planning Obligations

SUPPLEMENTARY PLANNING GUIDANCE

SPG 11 - Open space: provision for new residential development and the funding system.

EMERGING PLANNING POLICY

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16th June 2014 and by the full Council on 25th June 2014. The document was published for public consultation on 4th July 2014 for a period of eight weeks. After the consultation period closed the document was amended and has been submitted to the Planning Inspectorate for consideration and an Examination in Public in Spring 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 SHMA 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 SHLAA Update demonstrates a five-year housing supply in accordance with the requirements of the NPPF.

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

CS2 Housing Provision
CS7 Quality of Design
CS9 Water Management
CS10 Sustainable Design and Renewable and Low Carbon Energy
CS13 Housing Mix, Density and Standards
CS14 Affordable Housing
CS26 Marton Moss

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

ASSESSMENT

The design of the development

The proposal has been designed to have properties fronting Midgeland Road and Stockydale Road but without individual properties having direct pedestrian or vehicular access. This would create

attractive frontages to both roads and would allow for the retention of the hedgerow to Stockydale Road and an entrance feature onto Midgeland Road. The proposed layout would have some properties set around an oval area of open space, giving the feel of a 'village green'. The properties would be a mixture of brick, brick/ render and render with grey roofs and as such would tie in with properties in the area. Additional hedgerow planting around the perimeter of the site would assist in retaining a rural feel to the edges of the development. The proposed layout should reduce the potential for on street car parking and by having side drives it would give the layout a more spacious feel between properties.

The impact on the character and appearance of the area

The principle of a residential incursion into this part of the Marton Moss Countryside Area has been established through the grant of outline planning permission. The retention of and provision of hedgerows around the perimeter of the site together with tree planting would help to soften the edge of the development and the transition to the open fields beyond. The use of materials common to the area - red brick, render and grey roofing materials would help to integrate the development with the area.

The impact on the amenities of neighbouring residents

The front to front relationship with existing properties on Midgeland Road and Stockydale Road is considered acceptable as is the rear to rear relationship. The houses fronting Midgeland Road would be some 26 to 36 metres from those on the opposite side of Midgeland Road (nos 86-98) The house on plot 83 would be set in line with the end terraced house to the north of the site (no 73 Midgeland Road). Within the development the houses backing onto to nos 49 - 73 Midgeland Road would be set some 30 metres from their rear elevations. In terms of the Stockydale Road frontage the houses facing nos 58,60a and 60 Stockydale Road would be between 25 and 35 metres away. An acoustic fence would be provided along part of the southern boundary of the site where the site adjoins some kennels. Overall the scheme is considered acceptable in terms of the relationship with surrounding residential properties.

Other matters

The representations from two local residents refer to issues which were considered as part of the appeal process - namely the principle of developing this part of the Marton Moss Countryside Area, the loss of green space, loss of wildlife habitat and the traffic implications of locating 83 houses with access off Midgeland Road. In allowing the appeal the Inspector concluded that the development was acceptable in relation to these issues.

The drainage of the site is being discussed with the Environment Agency and it is considered that an acceptable solution will be agreed. The use of permeable surfacing materials and water butts for the individual properties will assist in this regard.

CONCLUSION

The principle of developing this site for housing was established through the grant of outline planning permission by the Planning Inspectorate in 2012. The provision of detached and semi-detached houses on the site would represent a qualitative addition to the housing stock of the town.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

A Unilateral Undertaking was submitted as part of the planning appeal in 2012 and covers the requirement for sums of money to be paid to the Council for affordable housing (subsequently amended in April 2014), education, off site public open space and transport.

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 two 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) and conditions 1 and 2 of the outline planning permission (ref 11/0260).

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. The landscaping works shall be carried out in accordance with the details shown on the approved landscaping drawing 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).

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.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no change of use from Use Class C3 (the subject of this permission) to Use Class C4 shall take place without the written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and to prevent the further establishment of Houses in Multiple Occupation which would further increase the stock of poor quality accommodation in the town and further undermine the aim of creating balanced and healthy communities, in accordance with Policies 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 garages shown on the approved plan shall not be used for any purpose which would preclude their use for the parking of a motor car.

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 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.

8. No refuse bins/containers shall be stored forward of the front building line of any property other than on the day of presentation for collection.

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.

9. Prior to the commencement of development, a scheme for grey-water harvesting (including water butts) and re-use within the site shall be submitted to and agreed in writing by the Local Planning Authority. No property shall be occupied until all grey-water harvesting and re-use mechanisms associated with that property have been installed and these shall thereafter be retained.

Reason: In order to minimise flood risk from surface water run off both on and off site in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016.

10. 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 on site 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.

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.