

Blackpool Council

25 September 2015

To: Councillors I Coleman, Critchley, Elmes, Hutton, Robertson BEM, Stansfield and L Williams

The above members are requested to attend the:

PLANNING COMMITTEE

Tuesday, 6 October 2015 at 6.00 pm
in Committee Room A, Town Hall, Blackpool FY1 1GB

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 8TH SEPTEMBER 2015 (Pages 1 - 4)

To agree the minutes of the last meeting held on 8th September 2015 as a true and correct record.

3 PLANNING APPEALS LODGED (Pages 5 - 8)

The Committee will be requested to note the planning appeals lodged

4 PLANNING ENFORCEMENT UPDATE REPORT (Pages 9 - 12)

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

5 PLANNING APPLICATION 14/0608 - UNITS 21-25 SQUIRES GATE INDUSTRIAL ESTATE, SQUIRES GATE LANE (Pages 13 - 18)

The Committee will be requested to consider suitable conditions to be attached to the planning application, details of which are set out in the accompanying report.

6 PLANNING APPLICATION 11/0314- LAND AT WHYNDYKE FARM, PRESTON NEW ROAD (Pages 19 - 54)

To consider planning application 11/0314 for outline planning permission for the development of a maximum of 1,400 residential dwellings, 20 hectares of Class B2 general industrial/ Class B8 storage and distribution, Class D1 primary school, two local neighbourhood centres (Classes A1, A2/ A3), Class A4 drinking establishment, Class D1 health centre, Class D1 community building, vehicle access onto Preston New Road and Mythop Road with associated road infrastructure, car parking, public open space, sports pitches, allotments, the retention and improvement of natural habitats, watercourse, ponds, reed beds and hedgerows and landscape features.

7 PLANNING APPLICATION 15/0494- FORMER YATES WINE LODGE 2-10 TALBOT ROAD (Pages 55 - 72)

To consider application 15/0494 for the erection of a 6 storey building to provide a public house/restaurant use and hotel reception at ground floor level, with hotel accommodation above comprising 150 en-suite bedrooms, with associated rooftop plant deck, yard and sub-station at Former Yates Bros Wine Lodge PLc, 2-10 Talbot Road.

8 PLANNING APPLICATION 15/0302- 141-147 ABBEY ROAD (Pages 73 - 84)

Planning Application 15/0302 for internal and external works including the erection of 1.8m high wall to Squires Gate Lane boundary and use as altered as children's day nursery for up to 70 children at 141-147 Abbey Road.

Venue information:

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

Other information:

For queries regarding this agenda please contact Bernadette Jarvis, Senior Democratic Services Adviser, Tel: (01253) 477212, e-mail bernadette.jarvis@blackpool.gov.uk

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

Present:

Councillor L Williams (in the Chair)

Councillors

I Coleman
Critchley

Elmes
Hutton

Robertson BEM
Stansfield

In Attendance:

Bernadette Jarvis, Senior Democratic Governance Adviser

Gary Johnston, Head of Development Management

Latif Patel, Group Engineer (Traffic Management)

Carmel White, Chief Corporate Solicitor

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE MEETING HELD ON 4TH AUGUST 2015

Resolved: That the minutes of the meeting held on 4th August 2015 be signed by the Chairman as a correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

To note the planning/enforcement appeals lodged and determined.

Background papers: letter from the planning inspectorate dated 17 August 2015.

4 PLANNING ENFORCEMENT UPDATE REPORT

The Committee considered the planning enforcement update report.

In response to a request for an update on the Community Protection Notice served in connection with enforcement case 15/8316, land adjacent to 39 School Road, Mr Johnston confirmed that the majority of the actions requiring compliance by 20th July 2015 had been achieved with the exception of a small section of fencing that still needed to be erected along the boundary with number 39 School Road. Reporting on the requirements for compliance by 10th August 2015, Mr Johnston reported that the desktop study, the details of the foul and surface water drainage arrangements and details of the finished levels for the development had been submitted.

Responding to concerns raised by a Member of the Committee, Mr Johnston agreed to investigate the use of the recently acquired cabin to ascertain if it was being used as living accommodation.

Resolved: To note the outcomes of the cases in the report and to support the actions of

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 8 SEPTEMBER 2015

the Service Manager, Public Protection Department in authorising the notices.

5 PLANNING APPLICATION 14/0608 - UNITS 21-25 SQUIRES GATE INDUSTRIAL ESTATE, SQUIRES GATE LANE

The Committee considered application 14/0608 for the erection of a single storey retail food store (Use Class A1) with main pedestrian access from the Blackpool Retail Park, creation of vehicular access through from the Blackpool Retail Park to the Squires Gate Lane Industrial Estate, creation of 44 car parking spaces and associated servicing area and landscaping, following demolition of existing buildings.

Members were reminded that at its last meeting the Committee had resolved to defer consideration of the application to this meeting to enable further information to be received relating to the sequential test, particularly in relation to the Booths Store on Highfield Road and the cumulative impact on the Local and District Centres in the Southern part of Blackpool.

Mr Johnston, Head of Development Management provided the Committee with an overview of the application and the site location plan. He reported that the proposed development, if approved, would involve the loss of 0.7 hectares of employment land and would represent a departure from Policies DE1 and DE2 the Council's Local Plan and policies CS3 and CS24 of the Council's Core Strategy. It was also located within the proposed Enterprise Zone which was due to come into effect in January 2016. Mr Johnston advised Members that the proposed development would open up a new vehicular link to the retail park which was currently closed. There would be 44 parking spaces and parking availability would be shared with other retail stores which would provide a total of 524 spaces. Mr Johnston advised Members that the applicant's agent had confirmed that the new store if approved would provide employment for up to 40 people.

Mr Johnston referred to additional information that had been provided by Savills, Aldi Stores Ltd, Steven Abbott Associates and Hollis Vincent in relation to the sequential test and the cumulative impact on the Local and District Centres in the Southern part of Blackpool. He reported that he was satisfied that the applicant had demonstrated that there would not be a significant impact on the Local and District Centres in the Southern part of the town. However, the main issue remained that, in Mr Johnston's opinion, there was a sequentially preferable site available based on location, transport links to the town centre and a greater residential catchment area. Mr Johnston reminded Members that satisfying the sequential test was a key element of the National Planning Policy Framework and that there was a requirement for flexibility on both parties on issues such as format and scale of any proposed development. Mr Johnston considered that the application should be refused on the grounds that it had failed the sequential test.

Mr Hollis, representing Baxter Group Ltd spoke in objection to the application.

Mr Sobic, the applicant's agent and Mr Isherwood, on behalf of Aldi spoke in support of the application.

The Committee carefully considered the representations made by all parties both in writing and at the meeting.

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During consideration of the application, Members acknowledged the loss of employment land for retail purposes, particularly in an area identified as being within the Enterprise Zone. The Committee also considered the relevant policies within the Local Plan and Core Strategy.

The Committee noted that the application site currently had units that had been vacant for some time and considered that the location of the proposed development would be segregated to a certain extent from the rest of the industrial estate. Members felt that the application site was more closely related to the retail park. Members also acknowledged that the development, if granted, would create employment opportunities in the near future.

The Committee considered at length the issue of whether there was a sequentially preferable site available. Members accepted the view from Aldi that the premises that had been identified as being sequentially preferable would not be a viable option for the applicant.

The Committee agreed that the proposed redevelopment would provide employment opportunities in the near future. It also acknowledged the length of time that the units had been vacant with no present prospect of development and the fact that the proposed site was to some extent segregated from the rest of the industrial estate and would represent a rounding off of the retail park. Members also agreed that the redevelopment would enhance the appearance of the area and would contribute to linked trips to the retail park. Taking into account all of the above material considerations, Members considered on balance that the benefits of the proposed development outweighed the disadvantages of the loss of employment land and justified a departure from policy. The Committee did not consider that the development would prejudice any future redevelopment of the industrial estate and was not satisfied that there was a sequentially preferable site available.

The Committee went on to discuss the requirement for conditions on the development should be application be granted and agreed that if Members were minded to approve the application, relevant conditions would need to be imposed.

The Committee therefore agreed to consider conditions proposed by officers separately at its next meeting.

Resolved: That the application be granted in principle, subject to the Committee agreeing relevant conditions to be attached to the development at its next meeting.

6 PLANNING APPLICATION 15/0224 - 170 PRESTON NEW ROAD

Prior to consideration of application 15/0224 for the erection of residential development in the rear garden with associated access from Preston New Road, Mr Johnston, Head of Development Management advised Members that the report had been withdrawn to enable clarification on the application's planning history.

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Responding to a question from the Committee, Mr Johnston confirmed that there would be a further opportunity for objections to the application to be submitted and that the timescale for objections to be received was approximately two weeks.

Resolved: To note that the report had been withdrawn and that the application was likely to be re-submitted to the Committee at its next meeting on 6th October 2015.

7 PLANNING APPLICATION 15/0362 - KINGS CHRISTIAN CENTRE, WARLEY ROAD

Prior to consideration of application 15/0362 for the erection of a three storey building comprising of 15 two bedroom self-contained permanent flats with vehicle access from Gynn Avenue and associated car parking facilities for six vehicles, refuse store and cycle store to rear, Mr Johnston advised that a late objection to the application had been received from the Head of Transportation. He informed Members that due to the late submission, the applicant had not had sight of the objection and in view of this requested that the Committee defer consideration of the application to allow the applicant the opportunity to consider and respond to the objection.

In response to concerns raised regarding the late receipt of the objection, Mr Johnston agreed to discuss with officers from the Transportation section the requirement for comments to be made available at the time that the report is being prepared to allow for those comments to be considered within the report.

Resolved: To defer consideration of the application to a future meeting to allow the opportunity for the applicant to consider the Head of Transportation's objection.

Chairman

(The meeting ended 6.52 pm)

Any queries regarding these minutes, please contact:
Bernadette Jarvis Senior Democratic Services Adviser
Tel: (01253) 477212
E-mail: bernadette.jarvis@blackpool.gov.uk

Report to:	Planning Committee
Relevant Officer:	Gary Johnston, Head of Development Management
Date of Meeting	6 th October 2015

PLANNING APPEALS LODGED

1.0 Purpose of the report:

1.1 The Committee is requested to note the planning appeals lodged.

2.0 Recommendation(s):

2.1 To note the report.

3.0 Reasons for recommendation(s):

3.1 To provide the Committee with a summary of planning enforcement appeals for information.

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

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

3.3 Other alternative options to be considered:

None, the report is for information only.

4.0 Council Priority:

4.1 Not applicable

5.0 Background Information

5.1 Planning Appeals lodged

5.2 Dean Nurseries, Chapel Road , Blackpool (14/0730)

An appeal has been submitted by Mr Terry Maddock against the Council's refusal of planning permission for the erection of two detached dwelling houses including car parking and boundary treatment.

5.3 Fernbank, Division Lane, Blackpool (14/0866)

An appeal has been submitted by Mr Phil Hough against the Council's refusal of planning permission for External alterations to include removal of door and use of premises as altered as single private dwelling house and erection of a private garage.

5.4 Does the information submitted include any exempt information? No

5.5 List of Appendices:

None

6.0 Legal considerations:

6.1 None

7.0 Human Resources considerations:

7.1 None

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 None

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 None

13.0 Background papers:

13.1 None

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Report to:	Planning Committee
Relevant Officer:	Tim Coglan (Service Manager, Public Protection)
Date of Meeting	6 th October 2015

PLANNING ENFORCEMENT UPDATE

1.0 Purpose of the report:

1.1 The Committee is requested to consider the summary of planning enforcement activity within Blackpool during August 2015.

2.0 Recommendation(s):

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

3.0 Reasons for recommendation(s):

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

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

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

3.3 Other alternative options to be considered:

Not applicable. The report is for noting only.

4.0 Council Priority:

4.1 Not applicable

5.0 Background Information

5.1 Cases

New cases

In total, 56 new cases were registered for investigation, compared to 51 received in August 2014.

Resolved cases

In August 2015, twenty cases were resolved by negotiation without recourse to formal action, compared with seven in August 2014.

Closed cases

In total, 35 cases were closed during the month (24 in August 2014). These cases include those where there was no breach of planning control found, no action was appropriate (e.g. due to more effective action by other agencies, such as the police) or where it was considered not expedient to take action, such as due to the insignificant nature of the breach.

Formal enforcement notices / s215 notices / BCNs

- One enforcement notice authorised in August 2015 (one in August 2014);
- No s215 notices authorised in August 2015 (three in August 2014);
- No Breach of Condition notices authorised in August 2015 (none in August 2014);

relating to those cases set out in the table below

- No enforcement notices served in August 2015 (four in August 2014);
- Two s215 notices served in August 2015 (two in August 2014);
- No Breach of Condition notices served in August 2015 (none in August 2014).

Enforcement notices / S215 notices authorised in August 2015

Ref	Address	Case	Dates
14/8609	8 Trent Road	Unauthorised erection of a boundary treatment consisting of close boarded wooden fencing adjacent to highway, namely Trent Road and the Access Road that links Severn Road and Trent Road together, exceeding one metre in height	Enforcement Notice authorised 19/08/2015

Enforcement notices / S215 notices served in August 2015

Ref	Address	Case	Dates
14/8107	30 Braithwaite Street	S215 Notice – poor condition	Compliance due 10/11/2015 unless an appeal is made to the Magistrates Court by 10/09/2015
14/8512	297 Dickson Road	S215 Notice – poor condition	Compliance due 14/12/2015 unless an appeal is made to the Magistrates Court by 14/09/2015

Does the information submitted include any exempt information?

No

List of Appendices:

None

6.0 Legal considerations:

6.1 None

7.0 Human Resources considerations:

7.1 None

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 None

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 None

13.0 Background papers:

13.1 None

COMMITTEE DATE: 06/10/2015

Application Reference: 14/0608

WARD: Stanley
DATE REGISTERED: 09/09/14
LOCAL PLAN ALLOCATION: Industrial improvement zones
Main Industrial / Business Area
APPLICATION TYPE: Full Planning Permission
APPLICANT: LS Retail Warehousing Ltd

PROPOSAL: Erection of single storey retail food store (Use Class A1) with main pedestrian access from the Blackpool Retail Park, creation of vehicular access through from the Blackpool Retail Park to the Squires Gate Lane Industrial Estate, creation of 44 car parking spaces and associated servicing area and landscaping, following demolition of existing buildings.

LOCATION: UNITS 21-25 SQUIRES GATE INDUSTRIAL ESTATE, SQUIRES GATE LANE, BLACKPOOL,

Summary of Decision: Approve the conditions to be attached to the application

CASE OFFICER

Gary Johnston

INTRODUCTION

Members will recall that at the meeting of the Planning Committee on 8 September 2015 the above planning application was recommended for refusal by officers but members considered there were sufficient reasons to approve the application in principle subject to the Committee agreeing proposed conditions at its next meeting.

Members were mindful of the fact that the application site is allocated for industrial/business purposes in the Blackpool Local Plan 2001-2016, in the emerging Core Strategy, that the application site falls within a proposed Enterprise Zone and that there is a site available on Highfield Road (Booths site). However, members considered that the application site had been vacant for some time with no realistic prospect of it being developed in the near future. They also considered that the application site was segregated from the larger part of the Squires Gate Lane Industrial Estate and as it had frontages to the Blackpool Retail Park it related well to the retail park and would represent a rounding off of the Retail Park. Taking this into consideration members considered that its redevelopment would enhance the appearance of the area and would contribute to linked trips to the retail park and the Morrisons' foodstore. Members felt that the employment benefits of the proposal weighed in its favour.

Members did not consider that the loss of industrial land in this particular location would prejudice the overall supply of industrial land in the town nor would it prejudice any future redevelopment of the Squires Gate Lane Industrial Estate and therefore considered that the benefits of the application

outweighed the fact that the application was contrary to the employment policies of the Local Plan and emerging Core Strategy and that the proposal would be consistent with paragraph 22 of the National Planning Policy Framework.

Although members acknowledged that the Booths store site in Highfield Road was available and had been identified as being sequentially preferable, they accepted the view from Aldi that this premises would not be a viable option for the applicant. Members also noted the close proximity to their other stores at Waterloo Road and Oxford Square.

As the original application had been recommended for refusal, officers had not included any proposed conditions to be attached to the application. Listed below are the proposed conditions that would have been included to make the application acceptable, had the officer's recommendation been to grant approval. Officers recommend that the conditions below are attached to the application:

- 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 for the car parking and servicing areas 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 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 including bollards, 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.

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

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

- 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 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.

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

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

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

- dust mitigation measures during the construction period
- control of noise emanating from the site during the construction period
- hours and days of construction work for the development
- contractors' compounds and other storage arrangements
- provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
- arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways

- the routing of construction traffic.

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

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

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

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

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

- 11 The single storey retail unit hereby approved shall only be used for food retail purposes with ancillary clothing, footwear, garden, home products and for no other purpose within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended)

Reason: To safeguard the vitality and viability of Blackpool Town Centre in accordance with Policies BH11 and BH12 of the Blackpool Local Plan 2001-2016

- 12 The net sales area of the single storey retail unit hereby approved shall be restricted to 1254 square metres.

Reason: To safeguard the vitality and viability of Blackpool Town Centre and the District and Local Centres in the town in accordance with Policies BH11, BH12, BH13 and BH14 of the Blackpool Local Plan 2001-2016

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 there shall be no change of use from Class A1 food retail without the prior written permission of the Local Planning Authority.

Reason: In order to ensure that the Council has control of any possible future uses of the retail unit in accordance with Policy DE1 of the Blackpool Local Plan 2001-2016

- 14 No development shall be commenced until a scheme for the alteration of the mini roundabout in Amy Johnson Way, providing access to the Morrison's foodstore car park and the Blackpool Retail Park car park, has been submitted to and approved by the Local Planning Authority.

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

- 15 The single storey retail unit hereby approved shall not be opened for trading until the highway scheme referred to in condition 14 has been implemented in full.

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

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COMMITTEE DATE: [06/10/2015](#)

Application Reference: 11/0314

WARD: Marton
DATE REGISTERED: 23/06/11
LOCAL PLAN ALLOCATION: Countryside Area

APPLICATION TYPE: Outline Planning Permission
APPLICANT: Whyndyke

PROPOSAL: Outline application for development of a maximum of 1,400 residential dwellings, 20 hectares of Class B2 general industrial/ Class B8 storage and distribution, Class D1 primary school, two local neighbourhood centres (Classes A1, A2/ A3), Class A4 drinking establishment, Class D1 health centre, Class D1 community building, vehicle access onto Preston New Road and Mythop Road with associated road infrastructure, car parking, public open space, sports pitches, allotments, the retention and improvement of natural habitats, watercourse, ponds, reed beds and hedgerows and landscape features.

LOCATION: LAND AT WHYNDYKE FARM, PRESTON NEW ROAD, BLACKPOOL

Summary of Recommendation: Approve in principle and then defer for delegation to the Head of Development Management subject to the completion of a Section 106 agreement

CASE OFFICER

Mark Shaw

SUMMARY OF RECOMMENDATION

The application is recommended for approval subject to the completion of Section 106 Legal Agreement relating to financial contributions towards affordable housing, secondary school education, provision of a new bus service to make the development more accessible and sustainable, and also relating to the provision of off street highway works at various agreed stages. Final agreement between Blackpool and Fylde officers of the detailed wording of the wide range of conditions required for a development of this scale is also necessary. A summary of the range of conditions will be provided via the up-date notes and discussions are still on-going at the time of writing this report.

INTRODUCTION

This outline planning application is one of two submitted simultaneously, one to Blackpool Council and the second to Fylde Council as the 90 hectare application site located adjacent to Junction 4 of the M55 is partly in Blackpool (7 hectares) and partly in Fylde (83 hectares), hence Fylde Council has taken the lead role in processing and administering the proposal. Members will be aware that the Fylde outline planning application ref: 11/0221 was considered at their Development Management Committee meeting on 18th June 2015 A resolution was unanimously passed at this meeting to grant planning permission for the development subject to the completion of a Section 106 Legal Agreement

relating to the payment of sums of money towards the provision of affordable housing in Blackpool, towards secondary school provision and the phased payment of money towards off site highway works and the funding of a bus service. The Fylde Council decision included a total of 62 planning conditions covering the wide range of issues and topics raised by the proposal.

Please find attached link to the corresponding Fylde Development Management Committee report and update notes for their 18th June Development Management Committee meeting.
<http://fylde.cmis.uk.com/fylde/MeetingsCalendar.aspx>

The two planning applications have been subject to protracted negotiations between the two authorities, the applicants, agents, and several outside agencies including the Highways Agency and Lancashire County Education and Highways officers. Also involved in the application from late 2014 at the request of the applicants have been ATLAS (The Homes and Communities Agency Advisory Team for Large Applications). The proposal, as first submitted, involved the erection of a maximum of 2000 dwellings with associated development and infrastructure but was later amended at officers requests to incorporate up to 20 hectares of employment land at the southern end of the site abutting the M55 motorway, which will help address the shortage of employment land availability in Blackpool. As a result of this amendment and as a result of receiving more detailed plans, the maximum number of dwellings was reduced firstly to 1,500 and then to 1,400. Other protracted discussions and requests for information have centred around the provision of affordable housing, secondary school education contributions, transportation and highways issues and also the viability of the scheme and its capacity to be able to deliver the various on site and off works and facilities which are required.

SITE DESCRIPTION

The application site measures 90.86 hectares and is currently a mixture of farmland, including a collection of farm buildings located towards the southern end of the site, and two small caravan sites, there are also a number of ponds on the site and hedgerows. The site is also used regularly for car boot sales, paintballing and other leisure pursuits and is located adjacent Junction 4 of the M55 which forms the southern boundary to the site. The application site is bounded by Mythop Road to the north, Preston New Road to the west and Gypsy Hill and Wildings Hill Woods to the east beyond which is open countryside. Electricity pylons with overhead power lines run from north to south within the site along the east boundary. Whilst most of the site is within Fylde Council land located directly to the rear of the new NHS Mental Health Facility on Preston New Road is within Blackpool as is a stretch of land bounding Mythop Road and a 50 metre strip of land along the Preston New Road frontage. There are two proposed vehicular accesses into the site from Preston New Road, the northern most access has already been provided to serve the new NHS mental health facility and the second access is proposed adjacent to the petrol filling station and opposite the existing traffic signal junction of Clifton Road with Preston New Road. Across Preston New Road from the site is the Mereside housing estate, employment land and a retail area and includes a large Tesco store. Although, as stated, the site is predominantly within Fylde the development of the application site will effectively be an urban extension of Blackpool.

That part of the application site within Blackpool is currently allocated as part of the Countryside Area under Policy NE2 of the approved Blackpool Local Plan, the remainder of

the site within Fylde is also designated as countryside under Policy SP2 of the Fylde Borough Local Plan and a section of the site within Fylde is also safeguarded under Policy TR11 for the Fylde Coast Easterly By-Pass.

DETAILS OF PROPOSAL

This is an outline planning application which solely seeks approval for the means of access(es) to the site shown as being from two points on Preston New Road, one access already exists adjacent the new Mental Health Facility and a second vehicle access will be provided from Preston New Road opposite the Clifton Road junction. There is a third vehicle access point from Mythop Road via a new roundabout. The application now proposes a maximum of 1,400 dwellings (the application originally proposed 2,000 dwellings) and also includes 20 hectares of business/ employment land comprising Class B2 and B8 (general industrial and warehouse uses) located at the southern end of the site, two neighbourhood centres, one including a public house. Also to be provided on site is a primary school, a health centre and community building, public open space, sports pitches and allotments with associated road and pedestrian links throughout the site. In addition the application states that all existing ponds, hedgerows, reed beds and other natural features will be retained and improved as part of the development.

An indication of scale, density and design principles and the location of each land use has been included in the application in the form of a Parameters Plan and a Design Principles and Parameter Statement (DPPS), which will be used to form the basis of subsequent design codes to be prepared alongside subsequent reserved matters applications for the site. Although the details of the site layout are reserved for future determination the plans submitted show that the residential element of the proposal will be concentrated within the northern and central parts of the site with the 20 hectare employment site to be located at the southern end adjacent to the M55 motorway. The applicants’ statement details that enhanced and new green infrastructure providing a series of new walkways and cycle paths around the site, these would be integrated within and between the existing natural features which are to be retained. The illustrative master plan indicates that:

- 20 hectares of new B2/B8 employment uses would be accommodated at the southern edge of the site adjacent to the M55 motorway. They would be split into two blocks of 7.5ha and 12.5 hectares retaining the areas of greatest ecological value.
- The residential areas would be located north of the employment site and split into 10 different blocks, each with different characters and densities proposed. Public open space will need to be formed within and around each of these areas. The densities of each of the areas is shown below;

Area	Hectares	Density/Ha
Units		
1		3.3
40	132	
2		6.8
40	272	
3		4.6
35	161	

4		3.5
40	140	
5		3.0
40	120	
6		2.6
50	130	
7		1.5
50	75	
8		3.5
50	175	
9		1.6
35	56	
10		1.5
35	52	
N/hood Centre 1	0.7	80
56		
N/hood Centre 2	0.4	80
32		
Total		33
1401		

- Two neighbourhood centres are proposed one adjacent to Preston New Road, south of the mental health facility and one within the site between the employment and residential block 8. The land use split over the whole site is outlined below;

Land use	(Use	Class)
Maximum amount		

Residential		(C3)
1,400 units		

Of which up to:

350 x 2 bed (25%)

700 x 3 bed (50%)

280 x 4 (20%)

70 x 5 bed (5%)

Primary School 2 form entry (D1)

1.5ha

Neighbourhood Centre 1 containing:

0.7 ha

Public House/ Restaurant (A4, A3)

550 sqm

Foodstore (A1)

400 sqm
Health Centre (D1)
600 sqm
Residential (C3)
56 no. units

Neighbourhood Centre 2 containing:

0.4 ha
Retail Units (A1)
350 sqm
Café (A3)
100 sqm
Financial and professional services (A2)
100 sqm
Hot food takeaway (A5)
100 sqm
Residential (C3)
32 no. units

Employment
20 ha
Class B2
40,000 sqm
Class B8
80,000 sqm
Community Centre
500 sqm

The proposed two form entry primary school will occupy a site 1.5 hectares in size. Other features of the site include the community use building which would be located adjacent public open space on the eastern side of the site. This is the main area of public open space (POS) which would serve the needs of the site as a whole, smaller areas of Public Open Space would also be required to be provided and integrated within the residential areas. Vehicle access into the site would be provided from Preston New Road and Mythop Road with improvements to existing junctions and to the motorway roundabout. There are also a number of proposed new routes through the site, in addition to landscape buffers between the employment and residential areas. It is expected that the built form of the development would range from 2 to 3 storeys high for the employment units, and 2 to 2.5 storeys for the residential units, with some 3 to 4 storey apartment buildings. The neighbourhood centre areas are likely be three storeys and along with the site frontage to Preston New Road are likely to contain the highest buildings.

The application has been submitted with various plans, supporting statements and reports which detail the above proposals and have been used to assess the proposal. These include;

- Site location
- Design Principles and Parameters Statement
- Parameters plans
- Environment Statement

- Environmental Assessment
- Environmental Assessment Scoping Request
- Noise Assessment
- Air Quality Assessment
- Planning Statement
- Design and Access Statement
- Sustainable Energy and Utilities Strategy
- Flood Risk Assessment
- Transport Assessment
- Transport Assessment Addendum
- Technical Notes 1-10
- Landscape Strategy
- Phase 1 habitat survey
- Agricultural Report
- Viability Assessment

MAIN PLANNING ISSUES

the main planning issues are considered to be:

- Principle of Development
- Sustainability and Acceptability of the Mix of Proposed Land Uses
- Means of Access/ Highway Safety/ Accessibility of Site
- Affordable Housing
- Educational Requirements
- Retail Development
- Employment Land Provision
- Impact on Residential Amenity
- Public Realm/ Public Open Space/ Landscaping/ Recreation
- Drainage/ Surface Water/ Flood Risk
- Contaminated Land/ Remediation Works
- Ecology/ Nature Conservation
- Archaeology
- Agricultural Quality
- Viability
- Phasing and Delivery of Development

CONSULTATIONS

Highways and Traffic

1) Convenience retailing, primary schooling and primary healthcare (GP surgery) are necessary on site. A statement from the applicant is needed on this point, to confirm they will be provided, for the proposal to be acceptable in transport terms.

2) Car parking should be provided in accordance with the appropriate parking standards and traffic calming provided in subsequent applications.

3) All works in NW/CAP/WHYN.1/1001 rev H require to be delivered and the Troutbeck Crescent issue evaluated. Please see the annotation on the plan, "Alignment to be considered

as part of detailed design”.

4) The proposed highway network also shows the mental health facility, via a priority junction. Currently, the access arrangements for the NHS facilities are a single carriageway link road. However, in the development proposals, the access road becomes dual carriageway, meaning turning out of the mental health facility will become more problematic, compounded by the additional development traffic. The main concern is that at peak times, traffic impacts on the operation of the priority junction. A response is required from the applicant stating how this impact could be mitigated. This should involve proposals to widen the central reserve and incorporate ‘keep clear’ markings. The response should cover what options there would be for NHS traffic exiting the mental health facility at busy times.

5) The residential function of the development should predominate, the case, the applicant should agree to reduce the impact of through traffic (and traffic generally) by providing appropriate traffic calming, that has minimal impact on bus operations, and necessary pedestrian/ cycling facilities and crossings within the site.

6) Blackpool Council would want to see the improved mental health facility junction with Preston New Road in place (and the approaches to it) by the time the 200th dwelling is constructed and no more than 25% of the employment land is developed. A Section 278 Agreement will be necessary to enable this work to take place; It is recommended that the developer provide an indicative timescale for the development to reach this stage in order that Blackpool Council can forward plan the agreement requirements.

7) Blackpool Council would want to see the improved Clifton Road junction in place (and the approaches to it) by the time the 700th dwelling is constructed and no more than 50% of the employment land is developed. The Section 278 Agreement will need to incorporate this element of work.

8) Blackpool Council agrees with the approach set out for an interim scheme at M55 Junction 4 by the time the 50th dwelling is occupied. The final signal scheme (partial signalisation) should be implemented by the time the 750th dwelling is occupied.

9) It should be acknowledged that payments for public transport provision may be subject to change. Blackpool Council would want to see the internal elements of the site served by bus by the time the 100th dwelling is occupied. Conditions are necessary to ensure no future development occurs on site after occupation of the 100th dwelling without the specified route and service pattern being in place.

10) Blackpool Council would also need to approve the Travel Plan. The development and implementation of travel plans for all major on site uses, in accordance with local authority requirements, should be conditioned.

11) The proposed development site currently has low accessibility, which will be improved by walking and cycle linkages and public transport provision, coupled with travel planning initiatives. Notwithstanding, the proposed development has the potential to generate very high car use and impact on the surrounding highway network, a key gateway to Blackpool. The developer should contribute £50,000 to Blackpool’s Variable Message Signing scheme to assist in offsetting the traffic impact of the development.

12) The traffic modelling shows that the modified local highway network will not work as well with development traffic, compared to the existing road layout with no development traffic. The modelling presented represents scenarios, without and with development, for the year 2028. The traffic input is considered to be robust. The modelling input parameters have been checked and are considered to be satisfactory, therefore the modelling outputs can be taken as a guide to likely impact on highway operation in the future. Please note that these comments refer to the impact of development traffic on the Blackpool highway network only, centred on A583 Preston New Road. Lancashire County Council is responsible for most of the highway network on the roundabout linking with the M55 Motorway. Highways England is responsible for the motorway itself and the east facing on and off slip roads. Blackpool Council has worked closely with these two highway authorities regarding this planning application, including the 2013 modifications when the employment land was added and 600 fewer dwellings proposed.

13) Without this development, the local highway network the applicant has modelled operates satisfactorily in 2028, with the exception of the Mythop Road junction. This is overcapacity in both morning and evening peaks meaning large queues would build on all junction arms. This would affect journey times and reliability for all traffic that would use this junction. Both the three-arm Clifton Road junction and the new mental health facility junction operate within capacity (satisfactorily) in 2028. However, queuing traffic from the Mythop Road junction is modelled to extend as far as this junction in the evening peak, affecting operation.

14) With the Whyndyke Farm development in place, the modelling submitted by the applicant also shows the Mythop Road junction with overcapacity. In addition longer queues build up on Preston New Road at the two site access junctions. In the evening peak especially, the junctions are operating at their capacity limit, affecting journey times and reliability for all traffic that would use this part of Preston New Road and Clifton Road. The development provides alternative routes for right turning traffic from Preston New Road to Mythop Road (through the development), easing the pressure at the Preston New Road / Mythop Road junction.

15) Local business Glasdon has raised concerns about the intensified use of the Clifton Road junction: "Glasdon employees currently have significant problems exiting our Preston New Road site onto Clifton Drive from Sandhams Way and in particular from Britannic Way. We feel that the proposed changes to the Clifton Road / Preston New Road junction would only exacerbate the current problems and we would ask that consideration is given to these issues before the junction is redesigned." The applicant should respond on this issue.

16) A Section 278 Agreement (S278) would need to be entered into with Blackpool Council to implement all works in drawing number NW/CAP/WHYN.1/1001 rev. H, and should include all the highway bordered in red on drawing NW/CAP/WHYN.1/1001 rev H as well as specific junctions and include connections to the surrounding highway network (including footway and cycleway links) and street lighting. To be included in the signal-controlled junction upgrades, works to include MOVA control with UTC backup, full toucan crossings and comprehensive bus priority. Also included in this S278 agreement or a separate S278 agreement would be work on the roundabout where the A583 and A5230 eastbound connect (at M55 J.4). The remainder of the measures outlined in Drawings NW/CAP/WHYN.1/1007 Rev B and NW/CAP/WHYN.1/1008 Rev A are on highway that is the responsibility of other

authorities. All work would have to comply with standard development specification for traffic signals and street lighting apparatus. The developer must, under the Section 278 Agreement, indemnify Blackpool Council against all costs relating to Land Compensation Act 1973.

17) A Section 106 Agreement will be entered into, with the following elements:

- Gateway and speed indicator device for Staining – £20,000 contribution outlined in Technical Note 9 Mythop Road Link Monitoring (February 2013). An additional £30,000 contribution, subject to a 10% increase in traffic on Mythop Road, east of the proposed development.
- Traffic signals review – £20,000 contribution for post scheme optimisation of Preston New Road's signal-controlled junctions with Clifton Road, mental health facility and Mythop Road. More detail from the applicant about what this entails and how it will be implemented is required.
- Pump priming and support costs for necessary public transport provision. Estimated cost £1,183,836 but please see comment 9) above.
- Cycling routes along Preston New Road and beyond, to connect with St Georges School and East Park Drive at Lawson Road junction – a £244,000 contribution to proposals identified by Blackpool Council and agreed with the applicant.
- Travel plan support – £100,000 for personalised travel planning and an initial £30,000 contribution with further funding, through Lancashire County Council if targets within the Travel Plan(s) are not achieved. In addition to the Section 106 contributions, ATLAS provide details of a number of highways works which are required to be carried out to existing roads. How have these figures been calculated?

18) The layout of the development in Blackpool should accord with Manual for Streets 2.

19) A Construction Management Plan, to be submitted to Blackpool Council as Highway Authority and should be conditioned.

20) A Section 38 Agreement will be required, together with plans for lighting (through the Community Lighting Partnership) and drainage (both waste and surface water).

Head of Strategic Housing

An outline planning application has been submitted by the owners of the Whyndyke Farm site with an emphasis on residential development. The numbers of potential new homes are currently estimated to be around 1,400. Most of the site falls within Fylde, although a small part of the site that may have capacity for up to 150 homes is within Blackpool. Functionally the site represents an extension of the Blackpool urban area. Among a large number of issues to be satisfied before the application is determined, there is a need to be clear on the contributions required from the developer to local infrastructure provision, including the local requirements for affordable housing. Both Fylde and Blackpool's current Local Plans require that 30% of new homes are provided as affordable housing. If this large site were to be developed as proposed, it might take 14 years or so to complete at a rate of 100 homes a year, so arrangements also need to be agreed that set parameters for the timing of affordable housing contributions. It has been proposed by Blackpool Council that the affordable housing contribution made by the developers of the Whyndyke Farm site should be provided off-site, and that while additional affordable homes should be made available to Fylde residents, they should be located within Blackpool. Set out are the details of how this approach could work

and how it complies with requirements laid out in the National Planning Policy Framework.

Why provide affordable housing associated with the development off-site in Blackpool? The large proposed development at Whyndyke Farm is a green field site some distance from the principal settlements in the borough of Fylde. The new homes will be accessed from Preston New Road within Blackpool, over the road from one of Blackpool's largest social housing estates at Mereside. There is a strong need for affordable housing in both Blackpool and Fylde as evidenced by the Fylde Coast Strategic Housing Market Assessment published in February 2014, and it is important that such a significant part of the new housing supply makes a contribution to the shortfall in the assessed need for affordable housing in line with the existing local planning policies. The need for affordable housing in Fylde is concentrated to a large extent in the borough's largest settlement of Lytham St Annes. There is very little need for new affordable housing within the immediate vicinity of the Whyndyke Farm site on the Fylde side of the boundary because the area is rural in character with a low population density. While the site is considered sustainable for general residential use because of the road links and local services available on Blackpool side of the boundary, it may not be suitable to meet Fylde's affordable housing needs on a significant scale. A recent provision of affordable housing as part of housing developments in the Whitehills area on the other side of M55 Junction 1, proved unpopular with Fylde residents in need of affordable housing because of the location remote from urban centres in Fylde. The Strategic Housing Market Assessment 2014 shows that Blackpool's need for additional affordable housing is split equally between Inner Blackpool – an area that accounts for just over 20% of the borough's households – and the remaining 80% of the borough. However, the existing provision of affordable homes is focused on estates on the edge of the borough, including the social housing estate at Mereside which is adjacent to this site. To provide further affordable housing in large numbers on the site at Whyndyke Farm would not best meet Blackpool's needs because of the existing concentration of affordable homes in the immediate vicinity. Rather, it would be better to meet local needs in more dispersed locations. It is challenging to provide large numbers of new affordable homes in alternative locations closer to urban centres where needs predominantly arise. But in Blackpool there is the opportunity to incorporate affordable housing provision into a long term programme to re-structure the inner areas and create sustainable residential neighbourhoods. This clearly has its own challenges, but represents the greatest strategic priority in Blackpool and is essential to the town's long term economic future. Such is the importance of this work that contributions for affordable housing from large developments in outlying parts of the borough, such as from the 600 home development at Moss House Road, are to be directed towards affordable housing provision within the inner areas. Paragraph 50 of the NPPF allows for off-site provision to allow for the effective use of the existing housing stock – the 3rd bullet point states, "where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time." The Whyndyke Farm development is an extension of the Blackpool urban area and it is appropriate that affordable housing contributions from that development are used to meet housing needs within the same urban area, and for this to be achieved through off-site provision that makes effective use of the existing housing stock and promotes more balanced communities. But it is also appropriate for the contributions from the development to help meet the significant housing needs in Fylde in sustainable locations close to the main urban centre of Lytham St Annes where most needs arise.

How would Fylde's affordable housing needs be met? While it would be possible to offer all new lettings of affordable housing delivered off-site in Blackpool as a result of contributions from Whyndyke Farm to Fylde residents, it is suggested that Fylde residents in affordable housing need are given access to existing affordable housing stock in Blackpool that is closest to the boundary with Lytham St Annes. A number of lettings of homes in south Blackpool would be identified as being reserved for applicants with a Fylde local connection through the shared My Home Choice system each year. This would correspond to the number of affordable homes that are planned to be delivered in Blackpool as a result of affordable housing contributions from the Whyndyke Farm site. The advantage of this approach is that appropriate homes could be made available as soon as financial contributions are made, and there would be no need to wait for new affordable housing developments were completed before affordable homes were made available. The demand from Fylde applicants would be kept under review to ensure that the right sizes and types of homes that best meet Fylde's affordable housing needs were made available. The existing affordable housing stock in Blackpool is weighted towards the small homes that are most needed by Fylde residents, and the total number of affordable homes made available in Blackpool each year is approximately four times the number that become available in Fylde, so there is plenty of opportunity to identify sufficient suitable homes in southern parts of the borough, which are themselves amongst the most popular in the existing affordable housing stock in Blackpool. They could also retain a Fylde connection if Fylde Council wished to make provision for this within the Fylde Area Lettings Plan.

How would affordable housing be delivered in Blackpool? If affordable housing contributions from the developer of Whyndyke Farm are used in inner Blackpool, then Fylde Council would need to be satisfied that the new affordable homes will be delivered and that the funding would not be forfeited because of a lack of new provision within the required timescales. Current activity shows strong delivery of new homes within inner Blackpool, in accordance with the new Blackpool Local Plan priorities. This includes the on-going development of 410 new homes at the Rigby Road site, of which 70 will be for affordable rent, and the conversion and bringing back into use over 100 homes through the Clusters of Empty Homes programme. If affordable housing contributions from Whyndyke Farm are used in Blackpool, then the homes would be provided through further plans for the acquisition of former guest house and privately rented properties and their refurbishment and conversion into high quality homes for rent. A new Housing Regeneration Company has been set up with a remit to acquire and refurbish 80-100 properties per year through an on-going development programme. Three quarters of the cost of the programme will be accounted for by the building works. A proportion of these homes would be developed as affordable homes, with the subsidy from the development enabling homes that would otherwise have been let at market rents to be let to applicants from the housing register at affordable rents. If there is a demand from some Fylde residents for these homes, then some of them could be included in the quota of affordable homes reserved for Fylde residents.

Conclusion. This proposal meets Fylde's affordable housing requirements through the provision of homes in more sustainable locations, closer to Lytham St Annes than could be achieved through on-site provision. At the same time it helps meet Blackpool's needs to facilitate critical change in its inner town communities through new affordable housing provision. The Whyndyke Farm development straddles the boundary between the two authorities and is functionally an urban extension of Blackpool, so it is important and

legitimate that it contributes to the needs arising in both boroughs. The arrangement responds to the NPPF's promotion of sustainable new development, balanced with the particular need to make best use of existing homes. While there are a lot of details left to be worked out through a S.106 agreement with the developer and a legal agreement between the two local authorities, this arrangement should in principle maximize the contribution to affordable housing provision and renewal priorities of the respective authorities.

Community and Environmental Services I have had a look through the report, and I would agree with the comments from Lancashire County Council with regards to surface water drainage. I would potentially like to see the ones around surface water strengthened in two ways:

- 1) Exceedance flood routes should be modelled and directed to allow emergency access to the development and where possible along purpose constructed routes (this relates to the Lancashire County Council comment about flood flows being directed away from highways and not relying on Public Open Space and playing fields)
- 2) Include a treatment train or similar to prevent pollution of ordinary watercourses (including an assurance that no surface water will enter Marton Mere)

Sustainability Officer no comments received

Head of Education

Blackpool Education Position Statement was published in September 2013.

At the meetings on 25th June and 22nd July 2013 with the applicants and Lancashire County Council the discussion related to the potential Section 106 contributions that would be requested from the developer. There are differences in the way Lancashire and Blackpool determine the sums required for both primary and secondary provision. These can be summarised as follows:-

- Lancashire has recently changed the calculation method they utilise to determine the commuted sums
- Which authority they children be directed for their secondary provision?
- Blackpool offered to discuss the provision of an all through education establishment but as Lancashire has no policy in place for establishing an all through school this was stalled. The main difference between Lancashire's position and Blackpool's relates to the yields used and where the children would be educated. Lancashire have asserted that secondary children would be educated within Lancashire County Council boundaries however Blackpool's position is that the a high percentage of children will apply to Blackpool Schools especially the two Diocese controlled Secondary schools within a 2 mile radius of the development.

Blackpool's position is identified below.

Calculation Methodology

As the Department for Education and the Education Funding Agency do not offer any guidance on how to calculate pupil yields Blackpool have recently undertaken a consultation exercise with other local authorities to ascertain best practice. Other urban authorities methodology and planning inquires relating to urban authorities are also being examined. A report is being drafted on the basis of this consultation and will be submitted to the Executive Board for approval. Until this report is produced and approved Blackpool is continuing to utilise the established yield figures that Lancashire used until 2012

- Primary yield of 0.35
- Secondary yield of 0.25

Provision of Places

At both meetings the discussions were mainly around the location of the proposed school on the site. The developers preferred location was within Blackpool's boundary and Blackpool were able to confirm their acceptance of the provision of a new primary school within its boundary. Lancashire colleagues did not accept this proposal as the majority of the housing would be within Lancashire's boundary they wished for the school to be placed within its boundary. If the school was to be placed within Lancashire then Blackpool's stance was that the area of land within the development that is under Blackpool's control should be housing to bring a yield to the town. Blackpool would not be in favour of the land within its boundary being utilised for green space or playing fields. Lancashire expressed the opinion that the children would be educated within Lancashire and that they would be looking to expand an existing school/academy within 3 miles of the development. As there is a current surge in primary places within all education areas Lancashire has expanded two of its schools in St Annes and the only high schools/academies available are at Lytham St Annes and Poulton-le_Fylde this may be seen as too great a distance for children to travel. Blackpool's position is that the children will naturally drift to secondary provision within Blackpool and this will give concern to an already overcrowded service. Blackpool would be looking for some form of commuted sum to be allocated to the authority to alleviate the strain on Blackpool's education provision.

Conclusion The preferred option for Blackpool is that the developer provides an all through school on the site to accommodate the housing growth and other housing developments in the area. If this option is not agreeable to Lancashire County Council then the provision of a primary school on site and the provision of commuted sums to Blackpool Council to assist in the provision of new pupil places that the development will generate would be acceptable. A discussion needs to take place between Blackpool and Lancashire Education Authorities to ensure that there is a cohesive policy in place that will benefit both authorities. As Blackpool is an urban authority with areas of land to each of its borders that could potentially be used for housing developments Blackpool is actively seeking education contributions from developers to alleviate the pressures that these developments will bring to the authority.

Contaminated Land Officer the relevant information has been submitted to Fylde Council. We need to ensure that when the development commences no contamination is found within Blackpool and there is no risk to site users or end users.

Waste Management The application form states the plans that have been submitted do not incorporate areas for the storage of either domestic or commercial waste. I would ask the applicant to ensure there is adequate storage for domestic and commercial waste and sufficient access for vehicles for collection.

Environmental Protection I have assessed the consultancy report on the effects of the development on air quality and concur with the conclusions. With regard to the noise report and its recommendations I would welcome a meeting with the consultants to understand more in how the assessments were undertaken and what the proposals are in more detail on mitigation measures where it is suggested that such is appropriate.

Highways Agency Based on our subsequent discussions, we note that the revisions consist of a reduction in dwellings to 1,400 and the removal of the sustainable energy building; all other quantities of development remaining the same. A substantial amount of work has been done

previously by us in relation to determining the impact of the proposals, which resulted in the Agency issuing a TR110 approval with conditions attached in December 2013. Given that the reduction to the development is slight and that there will be no additional development as part of the new proposals to that already conditioned in the previous TR110, the Highways Agency therefore has no objection, but the same conditions should be adhered to as before. Consequently, please find enclosed a new TR110 that supersedes the one issued previously. These conditions relate to the restriction of the amount of development, design and construction details of the site access and off site highway improvements, including the M55 junction and accesses, public transport services, a travel plan and protection of the motorways.

Lancashire County Council (Strategic Highways Planning) State that as the amendments to the scheme do not affect the access and off-site highway proposals or other highways and transport elements/triggers etc. previously agreed with the developer, they do not intend to provide any further detailed comments at this stage and, therefore, their previous comments remain with the acknowledgement that there has been a small change in the land uses. With regard to the M55 to Norcross link they note that the latest updated Parameter plans do not show any buffer zone in respect of the protected M55 to Norcross blue route. This potential highway scheme may require widening on the M55 by at least 10 metres or greater from the existing M55 Junction 4 going east to provide the parallel links. This should be deliverable within the extent of the current highway boundary however, this cannot be guaranteed until detailed design is carried out. Only then will the full requirements be known, where aspects such as drainage and other construction requirements may result in more land being necessary. The TA Addendum on which my previous comments were based, states that the site Masterplan will retain an area of land adjacent to the M55 to accommodate the M55 to Norcross Link Road. It is a concern that no further information/indication regarding the buffer zone has been provided. On the previous Masterplan (prior to the revised employment proposals) the strip of land that may have been affected was set aside for green space/recreational use which provided a level of flexibility. I consider the position needs to be clarified as the site Masterplan is developed to ensure a suitable buffer zone/flexible approach is retained (say 10m beyond the existing highway boundary to avoid potential difficulties in the future. As I understand it there is unlikely to be any building immediately adjacent to the highway boundary due to noise regulations, but there may be car parking, site drainage or other facilities located in the land that could be required by the link road. Therefore, a condition is suggested, stating that no development shall be permitted on the site within 10m of the existing highway boundary on the south side of the development between the A583/M55 Junction 4 roundabout and the eastern edge of the site.

County Planning Officer- As a consequence of the revocation of the Regional Spatial Strategy the County are no longer providing strategic planning views in response to consultations by District Council's. However given the nature and scale of the proposed development they make some observations based on Lancashire County Council's interests and corporate objectives. The development will place significant demands on infrastructure and service delivery. Education and highways will comment on planning obligations. The site lies within the boundary of the Peat Safeguarding Area as defined in the emerging Lancashire Minerals and Waste Development Framework Site Allocations

Police Architectural Liaison Officer Any new development of this type and scale at this location will create the potential for crimes of all categories to be committed particularly with regard to burglary and theft offences. This will have a substantial bearing on the types of security required to maintain a sustainable environment. I have no initial concerns with the proposed development but would make the following recommendations - All proposed buildings should be designed and built to Secured by Design specification. Laminated glazing should be installed to all doors and windows to the ground floor aspects and other easily accessible locations. Consideration should be given to Crime Prevention Through Environmental Design (CPTED). This relates to the layout and landscape features of the development.

Sport England The most recent comments from Sport England are dated the 30 August 2011 and state that the application site does not form part of, or constitute, a playing field as defined by the Town and Country Planning (Development Management Procedure) (England) Order and Sport England, therefore, regards the consultation as non-statutory. They refer to comments already made on 22nd July 2011 which remain relevant to this proposal. These comments refer to the old PPG guidance which is now obsolete with the adoption of the NPPF and they also refer to the previous scheme which was for 2000 dwellings not 1400. To summarise their comments state;

- Loss of existing recreation/sport uses on the site are not being replaced.
- The new dwellings will bring an additional need for outdoor sports facilities with playing fields shown on the plans. The level required should be based on sound assessment of current and future needs. It is important that the outdoor provision is included in the reserved matters. Request a condition relating to a scheme for provision of the pitches.
- New indoor facility need created by dwellings. Whilst not justifying a new sports hall or swimming pool in itself it will create demand for these uses.
- Conclude that the proposal does not accord with NPPF or their own policies as it results in loss of land for sport/recreation with no replacement and does not address indoor sport demand and they therefore object.

Natural England European wildlife sites

The application site is within or in close proximity to a European Wildlife Site, and therefore has the potential to affect its ecological interest. European wildlife sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is in close proximity to the Ribble and Alt Estuary Special Protection Area (SPA) and Morecambe Bay Special Protection Area, Special Area of Conservation (SAC), which are European wildlife sites. Both of these are also listed as Ramsar sites 1. Morecambe Bay Special Protection Area / Special Area of Conservation is also notified at a national level as the Wyre Estuary Site of Special Scientific Interest (SSSI) and the Ribble and Alt Special Protection Area /Ramsar site is notified as the Ribble Estuary Site of Special Scientific Interest (SSSI). This application is also approximately 550m to Marton Mere Site of Special Scientific Interest (SSSI). In considering the European site interest, Natural England advises that your authority should have regard for any potential impacts that a plan or project may have. Requirements are set out in the Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out are commonly referred to as the 'Habitats Regulations Assessment' process. The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process. In considering the requirements for Habitats Regulations assessment, your authority should check the Conservation Objectives in

place for the Ribble and Alt Estuary, Morecambe Bay Special Protection Areas (SPAs) and Morecambe Bay Special Area of Conservation (SAC), which explain how the site should be restored and/or maintained. Morecambe Bay Special Protection Area / Special Area of Conservation SAC is also notified at a national level as the Wyre Estuary Site of Special Scientific Interest (SSSI).

No objection

Natural England notes that the developer has screened the proposal to check for the likelihood of significant effects. Please note that due to the assessment being completed by the applicant, this is classed as a 'Shadow Habitat Regulation Assessment'. Please note your authority is required to undertake the actual Assessment of Likely Significant Effects, although the applicant can provide the Council with any necessary information and often do this in the form of a shadow Habitat Regulation Assessment. The assessment concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. This conclusion has been drawn having regard for the measures built into the proposal that seek to avoid all potential impacts. On the basis of information provided, Natural England concurs with this view.

Bird Disturbance

As mentioned in our previous responses Natural England advised that disturbance to the qualifying birds associated with the nearby Ribble and Alt Estuary Special Protection Area, Ramsar site and Morecambe Bay Special Protection Area, Ramsar site could be an issue. It is evident from the Screening report that the measures to reduce noise and visual disturbance such as high hoarding fencing and the retention of a wooded belt along the eastern boundary and the distance of the proposed development site from the winter feeding grounds are appropriate measures to rule out Likely Significant Effects. We do not advise that it is necessary to implement monitoring during construction to record the behaviour of qualifying features of the European sites.

Recreational Disturbance

This development could result in increased recreational pressure on the Ribble and Alt Estuary designated site. It is difficult to accurately predict the alterations in human related disturbance that may occur as a result of the development proposals. Given the location of the proposed development the most likely potential sources of human disturbance impact would be through walkers, including dog walkers. Studies identified this type of human disturbance as the most likely and frequent activities that will impact on the site. Some work by Footprint Ecology has come up with a list of factors to take into consideration when trying to assess human disturbance:

- Evidence indicates that approximately 24% of households have dogs so it should be possible to come up with figures for an estimate of the likely additional dog walkers from the proposed development.
- In order to mitigate the potential effects on the designated site that may be associated with increased numbers of walkers and dog walkers we suggest the following:
 - Providing alternative footpath routes away from the Estuary foreshore. But, targeting for dog walkers would need to ensure dog friendliness
 - Make better use/awareness of other recreational routes in the area
 - Additional signage to help the control of dog walkers and better management of informal access, with emphasis placed discouraging informal access and on the voluntary control of dogs

- The developer, working with the RSPB (and Council), to fund and implement these measures

Natural England encourage the use of 'SANGS' (suitable alternative natural green space) to ease the recreational pressure on Special Protection Area's. These need to be carefully designed and targeted to provide a viable alternative. The developer should be encouraged to incorporate these measures into their site design.

SSSI No objection – with conditions

This application is approximately 550m to Marton Mere Site of Special Scientific Interest (SSSI) and is approximately 5km from the Ribble Estuary and Wyre Estuary Sites of Special Scientific Interest. Natural England's main concerns relate to disturbance to the features of Marton Mere Sites of Special Scientific Interest, particularly the wide range of waterfowl and wetland birds. However if the proposal is implemented in accordance with the conditions set out below, Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with these conditions and the details of the application as submitted. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

Conditions

- Due to the potential for significant visitor pressure an effective management plan should be put in place to deter visitors from the sensitive locations of Marton Mere Site of Special Scientific Interest, this could include sympathetic management of recreational activities etc. as detailed above
- Vegetation and ground clearance works should be undertaken outside of the bird nesting season to avoid reducing the breeding success of bird species.
- Noise barriers should be used to attenuate noise to ensure the birds associated with Marton Mere Site of Special Scientific Interest are not disturbed
- Acoustic maps are required to illustrate how the noise will be attenuated
- A plan should be submitted showing the existing and proposed surface water drainage arrangements for the site to ensure there will be no discharge into Marton Mere.
- Further details are required and a plan showing the measures to be taken during demolition and construction, (particular dust) to prevent any risk of pollution of Marton Mere.
- Provide notice to Natural England of the permission, and of its terms, the notice to include a statement of how (if at all) your authority has taken account of Natural England's advice; and
- Shall not grant a permission which would allow the operations to start before the end of a period of 21 days beginning with the date of that notice.

Green Infrastructure

The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision. Multi-functional green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancements providing green infrastructure have been explored. Natural England would welcome further opportunities to be explored at

the reserved matters stage and would welcome details of hectares and type of green infrastructure to be provided etc. May we also refer you to The Fylde Green Infrastructure Strategy 2011.

Other advice

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity);
- local landscape character; and
- local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies in order to ensure the Local Planning Authority has sufficient information to fully understand the impact of the proposal before it determines the application. If the Planning Authority is aware of, or representations from other parties highlight the possible presence of a protected or priority species on the site, the authority should request survey information from the applicant before determining the application. The Government has provided advice on priority and protected species and their consideration in the planning system.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Blackpool Airport- no comments received

National Air Traffic Services (NATS) Due to the lack of technical details available at outline stage NATS cannot provide a formal response supporting or objecting to the application. From their preliminary analysis they have no concerns with regard to the residential element of the development. With regard to the business use development of the proposal NATS state they wish to register concern as any large surface area has the potential to impact on radar. When the details of the sizes and heights of the commercial buildings are known at reserved matters stage they will review the proposal.

National Grid (UK Gas Distribution Pipeline NW) No objections but there are National Grid gas mains and pipelines in the vicinity of the area. There should be no development within 14.5m of the pipelines.

Electricity North West No objection but it could have an impact on their infrastructure. The development is adjacent to Electricity North West operational land. The developer must ensure the development does not encroach over land or ancillary rights of access or cable easements and contact Electricity North West for details.

Lancashire County Council (Ecology) The current proposed development layout appears to retain a broadly similar layout and footprint of development to earlier proposals. The applicant has also submitted a revised/ updated Environmental Statement (ES), although the ecology chapter and associated ecological surveys do not appear to have been updated, and surveys for protected and priority species are therefore now out of date. The 2010 bat survey revealed the presence of a temporary pipistrelle bat roost in the U-shaped barn and the residential building (paragraph 11.6.39), but is now nearly five years old (and may no longer be relevant/ valid). Despite the ES noting the presence of a bat roost in 2010, the revised Design and Access statement claims "there is no evidence of bats within the site". If more recent surveys have been carried out (confirming presence or absence) then these should be submitted in support of the application. If bats are no longer roosting, mitigation for loss of roosts will not be required. However, if bats do still roost at this site, and the proposals would result in a breach of the Conservation of Habitats and Species Regulations 2010 (as amended) then Fylde Council will need to consider the likelihood of a breach of legislation and, if there would be a breach, the likelihood of a licence being issued. On the basis of the out of date information, I am unable to advise further on this matter.

They state their previous response commented on various issues in respect of: loss of habitats and connectivity; the need for a CEMP; potential impacts on statutory designated sites; impacts on bat roosts and bat foraging commuting habitat; the need for repeat surveys for great crested newts in 2013, and the enhancement of habitat along the eastern boundary for newts; loss of habitat for ground nesting priority species of farmland bird, loss of wintering bird habitat, potential impacts on barn owls (and the need for resurvey if the large brick barn was not demolished during 2010); the need for mitigation/ compensation for impacts on Habitats and Species of Principal Importance in England, including hedgerows, reedbeds, ponds, amphibians, bats, brown hare, breeding birds. As no additional information has been submitted in support of the proposals, and the illustrative layout appears to treat green space in essentially the same way as previously, my earlier comments (except for those in respect of designated sites, which I understand Natural England has addressed) remain applicable to the current proposals. The ES claims that biodiversity can be retained and enhanced as part of this development. Whilst I agree that individual features could be enhanced (e.g. ponds or retained hedgerows could be diversified in terms of the number of species present, and managed for biodiversity), it must be acknowledged that these features will be increasingly isolated from one another by inhospitable built development and will be subject to disturbance (noise, visual, light pollution, humans, dogs and cats) and will not therefore perform the same ecological function (so will not necessarily have the same or greater value; context/ setting is key here). Moreover, the loss of grassland and arable land results in the loss of breeding and wintering bird habitat, and habitat for species such as brown hare, which cannot be compensated within the proposed development. I therefore fail to understand how the ES can claim that biodiversity would be enhanced by the proposed development. However, it is for Fylde Council to consider whether the proposed development does in fact deliver no net loss of biodiversity value and hence constitutes sustainable development for the purposes of the NPPF. In reaching this decision, Fylde Council will need to apply the mitigation hierarchy.

Campaign for the Protection of Rural England CPRE support the application. They accept that greenfield sites will need to be developed for dwellings and wish to see Whyndyke given priority.

1 SUSTAINABILITY ELEMENTS OF MERIT

As proposed, the Whyndyke Farm scheme has the following elements of merit which we support:

It will provide a mixed development of housing, employment, shops, healthcare, a new school and other community facilities which would be a truly sustainable community. The site has good accessibility: access to the M55, bus services to Preston, Blackpool and St Annes, and access to existing employment and retail facilities at Whitehills Business Park and Clifton Retail Park. Whilst any loss of agricultural land is unfortunate, we note that the agricultural land survey reports only 4% of the 84.6ha site to be Grade 3a best and most versatile agricultural land (Reference 5).

2 IMPLICATIONS ON THE LOCAL PLAN PREFERRED OPTIONS

In the Fylde Local Plan Preferred Options (Reference 6) the site was proposed as a strategic location for development (Policy SL2/Site M2). In our Consultation Response (Reference 7) our opinion was that excessive greenfield sites that are less sustainable than the Whyndyke site were proposed for allocation. The amended planning application in December 2013 reversed the Preferred Options assumption that only 560 new homes could be completed on the Whyndyke site within the plan period. Instead it stated that the scheme could deliver 1,500 homes by 2030. New housing deliverability of this latest revised scheme must be confirmed. (See 5).

3 REGRET AT REDUCTION IN THE NUMBER OF HOMES

CPRE regrets the reduction in the total number of new homes from 2,000 in the original scheme, to 1,500 in the December amendments, and now to 1,400 homes. We accept this reduction only on the understanding that the sustainability merits of the scheme are not compromised, specifically the socio-economics of creating a truly sustainable community through inclusion of local centres with community facilities. However, we suggest that further homes are provided instead of employment land. (See 6)

4 AFFORDABLE HOMES SHOULD BE ON SITE

Provision of affordable homes in Fylde is vital. It is essential that the Whyndyke scheme delivers the maximum number of affordable homes and that these are on-site. The amended Planning Statement confirms that 30% of the new homes will be affordable. Before granting planning permission the Council must be convinced that provision of 30% affordable homes on-site is economically viable.

5 CONFIRMATION OF HOUSING CONTRIBUTION TO THE 5-YR SUPPLY AND LOCAL PLANS

The Council's continued inability to show a 5-year supply of deliverable housing means that the Whyndyke scheme ought to be progressed with urgency. It is essential that in determining this application both Fylde and Blackpool Councils obtain the applicant's confirmation of:

The split of homes between the two authorities

The 5-year supply contribution, including planned phasing of development

The total homes that will be contributed within the Local Plan periods

6 REDUCTION IN EMPLOYMENT LAND IN FAVOUR OF ADDITIONAL HOMES

We believe the need for the amount of employment land that was proposed in the Preferred Options is highly questionable. These views are also expressed in the Employment Land Minority Report. In particular, in our Consultation Response we were critical of the Employment Land and Premises Study. For example, it excludes the Warton Enterprise Zone because 'it is a planned re-use of an established employment allocation'. The Study fails to allow for the Warton Enterprise Zone facilitating re-use of a large part of the BAE Systems site, with a potential net gain of 'jobs/ha'. A large area of the site such as the airfield runways and perimeter are designated for employment, but currently represent almost zero jobs/ha. Also the future of land at Blackpool Airport must now be considered. We understand a 'masterplan' is being prepared to create future employment and economic development opportunities for Blackpool and the Fylde Coast. We believe that taking the Enterprise Zone properly into account, together with the range of predictions and historical evidence in the Employment Land and Premises Study, the Council will probably need less land than is currently designated as employment land. For the above reasons we believe that the proposed allocation of 20ha of employment land at Whyndyke should be reduced in favour of additional housing.

7 SUPPORT FOR LANDSCAPE, OPEN SPACE AND GREEN INFRASTRUCTURE PROPOSALS

CPRE commends the ambitions of the scheme to retain as far as possible the existing features on the site that are of consequence to biodiversity, nature conservation and landscape. We support retention of existing ponds and drainage, hedgerows, coppices, and we support the proposed new planting, wetland areas and landscaped buffer zones. We would expect to see planning conditions imposed to address all these aspects. In conclusion, we trust that the Council will give due consideration to our views.

The Ramblers Association A public right of way runs along the southern edge of the site adjacent to the M55 in an east west direction towards Weeton and Greenhalgh which is re-iterated in the Transport Assessment. It is unclear what the intentions for this existing footpath are. Documentation submitted with the application suggests different treatments and improvements, who will be responsible for its maintenance and the hedge cutting necessary each year of landscaping around it?

County Archaeology Service More recent excavation work on the adjacent Mental Health facility in 2013 by Oxford Archaeology North, than the 2011 Archaeological Desk-based Assessment site referenced to in the revised Environmental Assessment, encountered buried archaeological evidence for prehistoric activity in the form of a low mound of burnt material (known as a burnt mound) dating to the Bronze Age (c.1600-1450 BC), only the second such example found in Lancashire. Other features encountered included pits and gullies, one of which was dated to the Late Neolithic/Early Bronze Age (c.2400 BC), as well as a Late Neolithic flint arrowhead find. A comprehensive palaeoenvironmental sampling programme was also undertaken during the fieldwork, and charcoal and pollen from those samples provided important information about the wooded nature of the surroundings in prehistory. The 2013 work by OAN has highlighted the potential for the proposed housing site to contain other locally or regionally significant archaeological features associated with Neolithic and/or Bronze Age activity in this area, and the applicant should be aware that there is a possibility that significant time and money is likely to be required to identify areas of potential archaeological interest across the site and adequately deal with such deposits should they prove to be widespread across the site, or require detailed archaeological excavation,

recording and post-excavation analysis. Lancashire County Archaeology Service would therefore wish to re-iterate the recommendation made in 2011 that, should the Council be minded to grant planning permission an appropriate staged scheme of archaeological assessment (to include topographical survey, geophysical survey and trial trenching and where necessary open-area archaeological excavation), be secured by means of condition.

United Utilities No objections subject to the inclusion of conditions which reflect the strategic nature of the application. The conditions have been drafted to reflect the fact that this site will be constructed in a phased manner over a number of years and, most likely, by numerous developers. In such circumstances, it is imperative that the delivery of the site is undertaken in accordance with a strategic and coordinated approach to the delivery of all infrastructure, including water and wastewater. They consider this necessary and reasonable. It is imperative that the site is drained on a separate system, with only foul drainage connected into the public sewer. Surface water should discharge to the most sustainable form in accordance with the details submitted as part of the application submission. Discharges to watercourse may require the consent of the local drainage authority or the Environment Agency. Surface water should not be allowed to drain to the public sewer as there are alternatives to the public sewer available which is clear from the submitted information. Whilst high level drainage principles have been established to inform the outline application for planning permission, we advise the attachment of conditions to any approval to ensure a strategic and coordinated approach to water and wastewater infrastructure is secured. They request conditions relating to a phased drainage plan, surface water and foul water discharge and drainage.

Blackpool, Fylde and Wyre Economic Development Company No comments received

Environment Agency Responded to the latest consultation to say they had no further comments to add to their previous response dated 25 October 2013. This response withdrew a previous objection on the basis of additional and revised plans being submitted. The additional information stated that the surface water run off from the proposed development would be contained on the site for up to and including the worst case 1 in 100 year storm event and an allowance of 30% would be used for attenuation calculations. The Environment Agency are satisfied that surface water run-off from the proposed development will be restricted to greenfield rates (identified as 6.3 litres/second/hectare in the FRA). It is essential that this is restricted to not exacerbate flooding downstream. They therefore request a condition in relation to the development being carried out in accordance with the approved FRA, a surface water drainage scheme being submitted which incorporates SUDS and none into the public or combined foul sewer network. They have also commented with regard to Biodiversity, stating that the amended plans include a number of additional ponds and that the development can be delivered without any net loss of ponds. They require a condition relating to the management of the pond network.

Their latest response received on the 13 January 2015 indicated that they had no further comments to add to their response of the 25 October 2013. This response stated that they withdraw their objection to the proposal subject to conditions. They request conditions to ensure this and state that surface water run off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS involve a range of treatments including soakaways, permeable pavements etc. With regard to foul drainage the development proposes connection to the combined sewer. UU can accept foul water but no surface water to this combined sewer. The Environment Agency

supports this as any increase in surface water run-off to the combined sewer could detrimentally impact upon bathing water quality. They request this be secured by condition. They state that the amended plans show that the development can be delivered without a net loss of ponds. And that a planning condition is required to ensure replacement ponds are designed, locate, constructed and managed in such a way to positively contribute to the aquatic value of the site. They do not consider it reasonable to impose a contaminated land condition on this site but it should be considered that some inert wastes may have been imported for use in agriculture such as hard standing or historic infill to ponds. A watching brief should be maintained for such deposits and appropriate sampling actions taken.

Blackpool Civic Trust- no comments

Westby With Plumpton Parish Council- The concern of urbanisation of the parish in order to accommodate the perceived needs of Blackpool is a major issue. The existing infrastructure is already inadequate for the area and any further development would further compound the issue. Councillor Butler also noted the existing issue with limited registration for parishioners with doctors and dentists which would again, further compound the problem.

Weeton With Preese Parish Council- recommend refusal of the application because of highways issues created by additional traffic, the large scale of the development in a rural area and the loss of good agricultural land, where will the residents living at the site work and the impact on the existing outdated drainage system.

Staining Parish Council- The Parish Council have no objections to this application

Singleton Parish Council- no response received

PUBLICITY AND REPRESENTATIONS

Site Notices displayed on 5th December 2012

Press Notice was published on 6th December 2012

Neighbour notification letters were sent out on 28th July 2011, 11 December 2013 and 22 December 2014 and in response 20 letters of objection have been received making the following comments:-

- Increase in noise and vibration affecting amenity of existing residential caravan park occupiers.
- Boundary treatment to residential park needs clarification.
- Flooding and drainage impact.
- Overlooking and loss of privacy.
- Highways objection – increase in traffic and unsuitable access. Surrounding junctions already at capacity, highway safety, pedestrian safety and parking.
- Loss of countryside.
- Westby will become part of Blackpool.
- Pressure on local schools.
- Brownfield sites available.
- Loss of wildlife habitat.
- Plan is overambitious –development site too small.

Two letters have been received in favour of the application making the following comments;

- Will provide dwellings that meet a need.
- Appears to be sustainable location and development.
- Drainage concerns have been overcome.
- Good transport links.
- Near to existing services and provides for those on site.
- Necessary environmental impacts have been undertaken.
- In line with the key NPPF policies.
- Fylde has a need for this scale of development.
- Hopefully employment land will be successful.
- Allocated in emerging local plan.
- Development of this site will protect other areas of countryside.

NATIONAL PLANNING POLICY AND GUIDANCE

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 NPPF is a material consideration in planning decisions.

The document confirms the presumption in favour of sustainable development and set out 12 core planning principles which include building a strong competitive economy; promoting sustainable transport; delivering a wide choice of high quality homes; requiring good design; promoting healthy communities and meeting the challenge of climate change.

In terms of its economic role planning can contribute towards building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation, and by identifying and coordinating development requirements, including the provision of infrastructure. In terms of its social role planning will support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural wellbeing. The supply of new homes can sometimes be achieved through planning for larger scale development, such as new settlements or extensions to existing towns that follow the principles of Garden Cities.

Section 4- Promoting Sustainable Transport

There should be a balance in favour of sustainable transport modes however government recognises between maximising sustainable transport solutions will vary between urban and rural areas. It is necessary to provide safe and suitable access to a site for all people.

Section 6- Delivering a wide choice of high quality homes

To boost significantly the supply of housing local authorities should use their evidence base to meet the full objectively assessed needs for market and affordable housing in the housing market area. For market and affordable housing a five year supply should be maintained. Housing applications should be considered in the context of the presumption in favour of

sustainable development. A wide choice of high quality homes for inclusive and mixed communities. A mix of housing based on current and future demographic trends, market trends and needs of different groups in the community. Planning Authorities should identify the size, type, tenure and range of housing that is required in particular locations reflecting demand and where they have identified that affordable housing is needed set policies for meeting this need on site.

Section 7- Requiring good design

Good design is a key aspect of sustainable development. High quality and inclusive design for all development is needed with poor design being refused.

Section 8- Promoting healthy communities

The planning system can play an important role in facilitating social interaction and creating healthy inclusive communities and involve sections of the community in planning decisions. Decisions should support community facilities such as shops, and services. Access to high quality open spaces can make an important contribution to communities. Existing open spaces should not be built on unless an assessment has been carried out showing land to be surplus to requirements, the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality.

Section 10- Meeting the challenge of climate change, flooding and coastal change

Development in areas at high risk of flooding should be avoided. When determining planning applications there should not be increased flood risk elsewhere.

Section 11- Conserving and protecting the natural environment

There should be protection and enhancement of valued landscape and minimise the impact on biodiversity. Distinction should be made between the hierarchy of international, national and locally designated sites when assessing the impact on wildlife or geodiversity sites or landscape so the protection is commensurate with the status and gives appropriate weight to their importance. Promote the preservation, restoration and re-creation of priority habitats and recovery of priority species population. When determining planning applications Local Authorities should aim to conserve and enhance biodiversity and if significant harm results adequate mitigation or compensation should be made.

NPPG: National Planning Practice Guidance

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

BH3- Residential and Visitor Amenity

BH4- Public Health and Safety

BH6- New Open Space Provision

BH10- Open Space in New Housing Developments

BH11- Shopping and Supporting Uses- Overall Approach

BH12- Retail Development and Supporting Town Centre Uses

BH17- Restaurants, Cafes, Public Houses and Hot Food Takeaways

BH19- Neighbourhood Community Facilities

BH20- Provision of New Community Facilities

LQ1- Lifting the Quality of Design

LQ2- Site Context

LQ3- Layout of Streets and Spaces
LQ4- Building Design
LQ5- Public Realm Design
LQ6- Landscape Design and Biodiversity
LQ8- Energy and Resource Conservation
HN3- Phasing
HN4- Windfall Sites
HN6- Housing Mix
HN7- Density
HN8- Affordable and Specialist Needs Housing
DE4- Outside the Defined Industrial/ Business Estates
NE2- Countryside Areas
NE5- Other Sites of Nature Conservation Value
NE6- Protected Species
NE7- Sites and Features of Landscape, Nature Conservation and Environmental Value
NE10- Flood Risk
AS1- General Development Requirements
AS2- New Development with Significant Transport Implications
AS3- Provision for Walking and Cycling
AS4- Provision for Public Transport
AS7- Aerodrome Safeguarding
PO1- Planning Obligations

**Joint Lancashire Minerals and Waste Local Plan
Peat Safeguarding**

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 ended the document was updated and was submitted to the Planning Inspectorate in December 2014 for examination in May 2015. The examination took place between 11 and 15 May and we are now awaiting the response from the Inspector.

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
CS2- Housing Provision
CS3- Economic Development and Employment
CS6- Connectivity
CS6- Green Infrastructure
CS7- Quality of Design
CS9- Water Management
CS10- Sustainable Design and Low Carbon and Renewable Energy
CS11- Planning Obligations
CS12- Sustainable Neighbourhoods
CS13- Housing Mix, Density and Standards
CS14- Affordable Housing
CS15- Health and Education
CS24- South Blackpool Employment Growth
CS25- South Blackpool Housing Growth
CS27- South Blackpool Transport and Connectivity

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

ASSESSMENT

Principle of Development

The application site is on the edge of Blackpool and remote from the built up areas of Fylde, it is allocated as open countryside under Policies NE2 of the adopted Blackpool Local Plan and Policy SP2 of the Fylde Local Plan. These Policies restrict the most built development to preserve the rural and open character, with the exceptions limited to agricultural or, for example, outdoor recreation uses such as a golf course. However, Policy NE2 of the Blackpool Local Plan is now largely superseded by the emerging Core Strategy due for adoption in January 2016 which allocates the 7 hectares within Blackpool for new housing development under Policy CS25 'South Blackpool Housing Growth'. Policy CS24 'South Blackpool Employment Growth' also allocates 14 hectares on the Fylde part of the application site to meet Blackpool's employment land shortfall. The site is also identified in the Blackpool Strategic Housing Land Availability Assessment 2013 Update, which forms part of the evidence base to the Core Strategy, as a potential future housing site. Within the Fylde Council Emerging Local Plan the application site is allocated under Policy SL2 'The Blackpool Periphery Strategic Location as Whyndyke Farm' as a mixed use site, for a residential development and 20 hectares of employment land (which includes 14 hectares of employment land to meet Blackpool's shortfall). The Fylde Strategic Housing Land Availability Assessment (SHLAA) has identified that Fylde has a limited amount of previously developed land compared to its neighbours in Blackpool and Wyre which means that it is likely that a greater proportion of the development in Fylde will have to be accommodated on greenfield sites.

Therefore the principle of development accords with the site allocations within in the two emerging Local Plans. Paragraph 216 of the National Planning Policy Framework (NPPF) states weight should be given to these emerging Local Plan policies according to their stage of preparation, the extent to which there are unresolved policy objections and the degree of consistency with the NPPF. The fact that this site is allocated for development therefore gives weight to the principle of developing the site. Paragraph 14 makes it clear that for decision-making this means approving development proposals that accord with the development plan without delay and where relevant policies in the development plan are out of date, granting permission for development unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The NPPF requires that local planning authorities provide for housing land equivalent to at least a 5 year supply of the Council's housing target, whilst Blackpool can satisfy this requirement Fylde is only able to demonstrate a 4.5 year supply. The presumption in paragraph 14 of NPPF is therefore activated and this is a strong factor to be weighed in favour of the proposed residential development. If a scheme is considered to deliver sustainable development and does not have any adverse impacts that would significantly and demonstrably outweigh the benefit in housing supply the guidance is clear that planning permission should be granted. Members are aware that Fylde have now resolved to grant outline planning permission for their corresponding application subject to the signing of a Section 106 legal agreement.

It is considered that the proposed development would be a sustainable mixed use community and self sufficient in a number of respects, and with the supporting infrastructure associated with the development, and highway, public transport additions and off site contributions towards affordable housing and secondary school education that the scheme accords with the provisions of the NPPF. It will also generate employment opportunities benefiting the local economy and will help meet local housing need. The principle of development is, therefore, considered acceptable.

Sustainability and the Acceptability of the Mix of Proposed Land Uses

The NPPF requires developments to be sustainable and that to be sustainable development needs to take account of the three interdependent dimensions; the economic role, social role and environmental role. Economically to ensure sufficient land of the right type is available in the right place to support growth and innovation. Socially by providing the supply of housing required with access to local services, and environmentally by protecting and enhancing natural, built and the historic environment and improving biodiversity. The application as proposed will provide up to 1400 dwellings, most of which will be located within Fylde's boundaries including an on site minimum of 20% affordable housing. There is an identified need for additional housing land and the Councils emerging Local Plan seeks to allocate the application site as a mixed use site. The provision of affordable housing is also a key element of sustainability as well as being a policy requirement. Whilst Fylde have chosen to allocate their whole 20% provision on site, despite Blackpool's objections, there will be a financial contribution towards the off site provision within the inner area of Blackpool arising from the 20% provision to be built on the 7 hectares in Blackpool. The exact number of houses on each side of the boundary and therefore the exact financial contribution are still to be determined.

Such payment, together with other financial contributions will be dealt with via a Section 106 legal agreement.

With regard to the social element of sustainability the development provides a good mix of houses sizes and types and tenures as well as proposing a mix of other uses which means that future residents of these dwellings will have ready access to local services. There will be a two form entry primary school on the site, shops, a public house, a community centre, a health centre as well as outdoor leisure opportunities including sports pitches, allotments and the creation of a green network within the site. It is considered, therefore, given all of the different uses proposed that the development would comply with the social role of sustainable development. Residential accommodation is included within the neighbourhood centres to make them vibrant and active. The NPPF also addresses the economic role. There is an identified need for the employment land that the proposal would meet, particularly for Blackpool, although it would have been preferable if Class B1 light industrial/ offices were also part of the intended mix of uses. The environmental role is that planning will contribute to protecting and enhancing the natural environment and improving biodiversity and the proposal includes the retention of key environmental habitats and promotes biodiversity by the retention of existing ponds and proposed green network running through the site. It is therefore considered that the development, as proposed in its revised form, complies with the three different elements of sustainable development.

The proposal involves a wide range of uses and the development of 90 hectares of land located on the edge of Blackpool and is effectively an extension to Blackpool despite largely being located in Fylde. The NPPF paragraph 52 states that 'the supply of new homes can sometimes best be achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of garden cities. Working with the support of their communities, local planning authorities should consider whether such opportunities provide the best way of achieving sustainable development. The NPPF suggests, therefore, that applications that are large scale are sometimes the most appropriate in providing a supply of new homes that is sustainable.

Means of Access/ Highway Safety/ Accessibility of Site

Consideration of this proposal has involved 3 highway authorities, Blackpool, Lancashire County Council on behalf of Fylde Council, and the Highways Agency given the close proximity to Junction 4 of the M55 and agreement has been reached that subject to the delivery of the range of off site highway works, including junction up-grades and contributions towards public transport that the proposal is acceptable in traffic and highway safety terms. Although given that two of the three vehicle accesses into the site are from Preston New Road within Blackpool it is considered that the highways impact is predominantly on Blackpool. The recently formed access to served the mental health unit on Preston New Road forms one of the proposed accesses and will be up-graded as the development progresses.

The application site forms part of the open countryside, however it is located directly adjacent to and is effectively an extension to the urban area of Blackpool. There are existing housing and employment sites to the north and west. To the south of the site located on the opposite side of the M55 is the Whitehills employment site. The site is located adjacent to and is accessed via the A583 which is a local distributor road and is located directly adjacent to the M55 motorway which provides a vehicular link to the wider area. Bus services are also

available in the local area and due to the size of the development a number of highway and transport improvements, including the provision of additional bus services, are proposed. The site is, therefore, well located to access the services and facilities that are available within Blackpool as well as the local highway network to access sites in Fylde and the M55. The site is therefore considered to be in an accessible location which complies with the NPPF requirement that housing applications should be considered in the context of the presumption in favour of sustainable development. In addition to the proposed maximum of 1,400 dwellings are two neighbourhood centres, containing both residential properties and a mix of commercial uses, a health centre, a primary school, a community centre along with 20 hectares of employment land. Along with the site being accessible to services in the wider area, the provision of these facilities on the site itself means that future residents will have a number of services including convenience goods, recreation, education and health services available thus helping reduce some car journeys.

Highway works and contributions that have been negotiated between the three respective highway authorities are a number of highway and junction improvements as well as sustainable transport measures including the provision of a £244,000 contribution towards off site cycle links, £294,000 towards personalised travel planning, of this £100,000 would be used to allocated bus travel passes are proposed. Also required is a contribution of £1,284,836 to be paid in 10 instalments, triggered by the development of the dwellings, to contribute towards securing a high frequency bus service (Lancashire County Council requires every 15 minutes at peak times and 30 minutes intervals at non-peak times) and provided/operational prior to occupation of 100 dwellings. Accordingly, a number of sustainable transport measures will be provided which will assist in improving the accessibility and sustainability of the site. In terms of access, highway safety and accessibility the proposal is therefore considered to be acceptable.

Affordable Housing

This Council's approach to the issue of affordable housing is that given the relatively isolated nature of the site relative to the built up areas of Fylde, the presence of a large social housing estate across Preston New Road, a recognition that the Fylde Coast constitutes a single housing market, and the Council's priority towards inner area regeneration and the improvement of housing stock justified a largely off site affordable housing provision within the inner area of Blackpool which would be made available to both Blackpool and Fylde residents thereafter. However, Fylde Council is unwilling to accept this approach and have resolved to grant outline planning permission on the basis that the dwellings to be built on site within Fylde will include a minimum of 20% on site provision of affordable houses. The off site contribution towards the provision of affordable houses, in the absence of any agreement, therefore relates solely to the minimum 20% proportion of dwellings to be built on the 7 hectares of the site which will be within Blackpool. Whilst this approach is considered regrettable given that it was understood up until recently that senior officers and members of both Council's had reached agreement on the off site provision for both the dwellings in Fylde and Blackpool towards affordable housing provision in inner Blackpool, it is not considered that the application can be resisted without this agreement. It should be noted that some on site provision of affordable housing in Fylde is considered necessary to make the development sustainable and meet the requirements of the NPPF. The minimum of 20% figure was set out and agreed following the submitted viability report.

Educational Requirements

The proposal will deliver a new two form entry primary school to cater for the additional demand arising from the 1,400 dwellings. However, there have been protracted discussions relating to the necessary financial contributions towards secondary school provision off site arising from the development. Blackpool Council and Lancashire County Council operate different formulas for calculating the financial contributions towards secondary educational provision and it has been agreed that each Education Authority will use its own formula. Accordingly there will be a financial sum paid to both Blackpool Council and Lancashire County Council as the respective local education authorities towards up-grading existing secondary schools as necessary to cater for the additional demand arising from the development. Highfield Humanities College and St George's High School are the two closest secondary school to the application site and it is expected that there will be a significant additional demand placed on both schools by the proposed development. Blackpool has an open door policy with regards to school admission. Historically Blackpool has been a 'net importer' of primary aged school children from Lancashire. This has varied over the past 5 years between 1-5%. It is however a 'net exporter' of secondary aged pupils, losing approximately 5-13% over the last 5 years (this has been rising over the last 2 years towards the 13%). As a general theme we are forecasting a significant shortfall in secondary places within the next 5 years, with the need for a new school within this period within the borough. Subject to the payment of the appropriate contribution towards the up-grading of Blackpool secondary schools the proposal is considered acceptable on this issue.

Retail Development

The proposal will deliver two neighbourhood centres, one on the Preston New Road frontage largely within Blackpool, and a second centre well within the site located close to the proposed employment area. The combined size of the two centres is 1.1 hectares (11,000 square metres) the first and larger neighbourhood centre on the site frontage providing 1,550 sqm of floorspace comprising retail, a public house and health centre as well as 56 residential units and the second smaller neighbourhood centre providing 650 sqm of floorspace comprising retail, a cafe, offices, a hot food takeaway and 32 residential units. As the combined retail floorspace is less than the threshold of 2,500 sqm of floorspace there has been no requirement for the applicants to submit a retail impact assessment. It is considered important that the two neighbourhood centres are primarily there to serve those living and working on or adjoining the site and that their size should reflect this function. The amount of retail and associated floorspace will be restricted by condition and subject to this the proposal is considered acceptable in retail terms.

Employment Land Provision

At officers requests the application was amended in 2013 to incorporate up to 20 hectares of employment land which has been defined in the parameters statement as 80,000 sqm of Class B8 warehouse floorspace and 40,000 sqm of Class B2 general industrial floorspace. Class B1 uses (light industrial and offices) was discounted by Fylde Council due to the stated lack of demand and the extra traffic generation. Blackpool officers would have preferred to have included the potential for Class B1 uses, for example, as a site for company headquarters given the strategic and prestigious location of the site overlooking the Junction 4 of the M55.

Although given that Blackpool has a shortage of available employment land the revision of the application to accommodate employment development is welcomed.

Identifying the southern end of the site for employment use has several advantages, including providing a buffer zone between the M55 and the residential development, this part of the application site is also closer to Junction of the M55 and is therefore more attractive to potential developers and means the business traffic uses a shorter section of Preston New Road to access the motorway.

Impact on Residential Amenity

There are residential properties across both Mythop Road and Preston New Road from the application site and also a small caravan park to the rear of the petrol filling station fronting Preston New Road and one of the two proposed vehicle access points would run alongside the petrol station and caravan site. The impact of the development on this residential accommodation would be significant in terms of traffic generation in particular although it is considered that subject to appropriate conditions, landscaping/ boundary treatment and the sensitive consideration of the nearby land uses in designing the site layout that the development will be acceptable in terms of its impact on residential amenity for both existing and future residents and would accord with Policy BH3 of the Blackpool Local Plan.

As the proposal only seeks approval in principle for the proposed development with only means of access being applied for at this stage it is not possible to address this issue any further other than to say that detailed consideration will be given at the reserved matters stage to ensure that the residential amenities of existing and futures residents are protected via appropriate site layouts, technical specifications and conditions .

Public Realm/ Public Open Space/ Landscaping/ Recreation

This application provides areas of Public Open Space within the residential developments blocks themselves which will be provided in phases in accordance with details to be agreed and secondly the provision of recreational and leisure space to meet the needs of the development as a whole which is shown to be an area adjacent to the east boundary with a second area abutting the employment area. Again the details and timetable for providing these areas and facilities are still to be agreed and will include Sport England to ensure that appropriate sports facilities are provided on site to meet existing and future needs.

Therefore as this is an outline application where the final number of residential dwellings and their locations is unknown it is likely that Reserved Matters applications will be submitted for each of the residential areas in turn it is appropriate for this matter to be dealt with at Reserved Matters stage. The public open space within these areas should take account of and incorporate features of existing ecological value.

Drainage/ Surface Water/ Flood Risk

The majority of the application site is located within Flood Zone 1 which is defined by the Environment Agency as an area of low probability of flooding where all land uses are appropriate. Flood Risk Assessments need to be submitted in these areas on sites over 1 hectare in size. A small proportion of the site at the northern end of the site within Blackpool

is located within Flood Zone 2 however this is shown on the master plan to undeveloped and landscaped with a surface water drain adjacent to it. One of the Environment Agency's requested conditions requires this area to be used by water compatible features which would enhance the aquatic environment. The site as existing is farmland and contains a number of ponds and land drains which serve as surface water distributors and a development of this scale will consequently result in an impact upon existing surface water movements. In order to have an acceptable impact the surface water run-off rates must not exceed the existing greenfield rates so that the development does not result in flooding downstream of the site. The submitted Flood Risk Assessment states that as a result of the development approximately 80% of the site will become impermeable. It states that it is estimated that between 15,000 and 20,000 cubic metres of storage would be required throughout the development to ensure that there is no increase in flooding to the surrounding area. The Flood Risk Assessment proposes that surface water be attenuated on site through a series of swales, holding tanks and ponds which would drain into watercourses and ponds, which would be enhanced to incorporate attenuation to ensure that this does not affect downstream flows. All the existing ponds on the site will remain and United Utilities and the Environment Agency have no objections to this approach.

However, the actual attenuation storage required can only be finalised during detailed design. It is proposed that the new buildings on the site would be set above the 100 year design water level to reduce risk of their flooding in the future. With regard to foul drainage, United Utilities have confirmed that there is adequate capacity in the existing public sewer and the development can link into this at the combined sewer on Clifton Road. United Utilities and the Environment Agency have no objections to the development and the proposed approach to managing flooding and drainage. Because of the outline nature of the application it is requested that the development shall be carried out in accordance with the Flood Risk Assessment and that a detailed surface water drainage scheme incorporating a Sustainable Urban Drainage Scheme (SUDS) be submitted and approved. With regard to the foul drainage going into the mains sewer both the Environment Agency and United Utilities require no surface water is to be disposed of in the combined or foul sewer. United Utilities similarly have no objections to the proposal subject to the inclusion of a number of conditions which they state reflect the strategic nature of the proposal and some of which partially reflect those requested by the Environment Agency. They state that whilst high level drainage principles have been established with the outline application they require conditions to ensure a strategic and coordinated approach to water and wastewater infrastructure. The conditions they require include the need for a phasing plan so that the development, including its associated drainage infrastructure, is delivered in a coordinated way, a foul and surface strategy for the whole of the site, and full details of a surface water regulation system based on sustainable drainage principles.

Contaminated Land/ Remediation Works

Neither Council's own Environmental Protection officers or the Environment Agency has raised any objections in relation to the issue of ground contamination, subject to appropriate conditions being placed on any permission granted and recommended work being carried out, the proposal is considered acceptable in terms of contaminated land.

Ecology/ Nature Conservation

Both Natural England and Lancashire County Council's own specialist advisors have been involved in providing comprehensive comments and the impacts of the development and what measures are required to minimise those impacts. The application site is close to several protected areas including the Ribble and Wyre Estuaries both approximately 5km away but much closer than these is the Marton Mere Site of Special Scientific Interest which is 550 metres to the north.

Lancashire County Council state given the scale of what is being proposed biodiversity cannot be enhanced, nevertheless, key features on site can be retained and enhanced including ponds, hedges and copses and will continue to form valuable ecological assets, and attractive settings and environments around which the built development can be planned, and a number of appropriate conditions and measures have been requested to deal with ecological and nature conservation matters. Blackpool would wish to re-iterate what has already been put forward. These measures will address both local and national planning policy and will cover matters such as when vegetation clearance can occur to avoid the bird breeding season, the erection of noise barriers, up-dated bat and other surveys and the imposition of a Construction Environmental Management Plan to control noise levels, dust, routing of vehicles and the many other environmental impacts of such a largescale proposal.

Archaeology

There is some evidence of archaeological interest on the site and the appropriate condition will be placed on any planning permission granted and requires a programme of investigative works to be submitted to and approved by the respective Council's although effectively this matter is dealt with on our behalf by officers at Lancashire County Council.

Agricultural Quality

3.3 hectares of the site (4% of the site) constitutes best and most valuable agricultural land being grade 3a. The vast majority of the agricultural land on site is grade 3b or worse which is not classed as best and most valuable. Paragraph 112 of the NPPF states that local authorities should take into account the economic and other benefits of the most versatile agricultural land and that where significant development of such land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference. Whilst the loss of any productive agricultural land is to be regretted, the loss is not significant and could not justify a reason for refusing the application, especially when balanced against the economic benefit and support at local and national level in planning policy for the provision of housing and economic development opportunities

Viability

One of the delays in determining the application has been the issue of viability to ensure that the development can deliver the range of associated development and both on site and off site works and infrastructure necessary to provide a mixed use sustainable development which meets the future needs of its residents and of the area. Whilst also minimising its impact on, for example, the surrounding road network and ensuring that the pace of the associated development keeps up with the housing development itself. The applicants

appointed a specialist in the field to illustrate what the development could afford to deliver in terms of payments and contributions and financial contributions have now been agreed following this submission which will be incorporated in to the Section 106 legal agreement.

Phasing and Delivery of Development

The phasing and delivery of appropriate levels of infrastructure is key to ensure that all of the required infrastructure keeps up with the pace of the development. The applicants Planning statement states that the two main elements of the proposal, the housing and employment uses, will be developed alongside each other but independently to ensure that the development is made strictly in response to demand and empty units are not provided. The housing development will commence at the access serving the new mental health facility and work around the site is intended in a clockwise direction with the local centre, school and other facilities being provided at key agreed stages. The employment development will commence at the Clifton Road junction and work from west to east in a broadly linear fashion across the site. The highway works will be developed in accordance with agreed trigger points that are subject to condition and a detailed phasing and masterplan condition will be required.

In order for the development to be considered acceptable as a whole various elements such as the school and highway works need to be completed and in order to secure these works conditions and a legal agreement will be required. The neighbourhood centres with the mix of retail and the other non-residential uses will make the scheme sustainable and provide for future occupants.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

A Section 106 Agreement will be required signed by the two Local Planning Authorities and the landowners/ developers to ensure that appropriate financial contributions are made at agreed times to cover the off site provision of affordable housing in Blackpool, the contribution towards secondary educational provision within Blackpool and Fylde, provision of a new bus service to serve the development and also the delivery of off site highway works at various trigger points of the development to ensure that the local road network can adequately accommodate the additional traffic movements.

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. There are not considered to be any specific human rights issues raised by 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

ADDITIONAL BACKGROUND DOCUMENTS

Associated outline planning application submitted to and approved by Fylde Borough Council reference 05/ 11/0221

Recommended Decision: Approve in principle and then defer for delegation to the Head of Development Management subject to the completion of a Section 106 agreement

COMMITTEE DATE: [06/10/2015](#)

Application Reference: 15/0494

WARD: Talbot
DATE REGISTERED: 22/07/15
LOCAL PLAN ALLOCATION: Town Centre Boundary
Retail Cafe Zone
Defined Inner Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: Shlomo Memorial Fund Ltd

PROPOSAL: Erection of a 6 storey building to provide a public house/restaurant use and hotel reception at ground floor level, with hotel accommodation above comprising 150 en-suite bedrooms, with associated rooftop plant deck, ground level plant, yard and sub-station.

LOCATION: SITE OF FORMER YATES BROS WINE LODGES PLC, 2-10 TALBOT ROAD, BLACKPOOL, FY1 1LF

Summary of Recommendation: Approve in principle and defer for delegation to the Head of Development Management

CASE OFFICER

Mark Shaw

SUMMARY OF RECOMMENDATION

This application is a re-submission (with amendments) of the previous planning application re: 14/0827 which was refused by Planning Committee on 13th April 2015 for the following reasons:-

The proposed development as a result of its style, form and design would appear as an overbearing and over dominating building in this part of the Town Centre Conservation Area and would be out of keeping with its setting. It would overpower the buildings which surround the site and would not represent the quality of design to offset this impact. As such the proposed development would be contrary to Policies LQ2 and LQ4 of the Blackpool Local Plan 2001-2016

The proposed development would increase pressure for car parking in the Town Centre through its scale and the lack of on- site car parking. The proposed development would increase competition for the limited on street car parking in the vicinity of the site and would be likely to lead to conflict on the adjacent highways to the detriment of the free flow of traffic and highway safety. As such the proposed development would be contrary to Policy AS1 of the Blackpool Local Plan 2001-2016.

This amended application is recommended for approval subject to the finalisation of a Section 106 Agreement relating to the applicants' use of the existing loading bay on Clifton Street which is directly adjacent the proposed development. Any approval is also subject to the list of conditions set out at the end of this report.

INTRODUCTION

A detailed planning permission was granted by the Planning Committee on 12 May 2012 under application reference 12/0141 for the erection of a two storey building with part mezzanine floor level comprising two restaurant uses and a retail/ office use within Use Classes A1-A3 with a total of 2235 square metres of floorspace. A second application was submitted reference 14/0827 involving the erection of a 6 storey building to provide a bar/restaurant use and hotel reception at ground floor level, with hotel accommodation above comprising 150 en-suite bedrooms, with associated rooftop plant deck, ground level plant, yard and sub-station. This application was refused for the reasons set out above and the current application is an amendment to the refused scheme.

SITE DESCRIPTION

Site of the former Yates Wine Lodge is 0.11 hectares (1,100 square metres) in area and lies adjacent the junction of Talbot Road and Clifton Street within the heart of the town centre and within the Town Centre Conservation Area occupying a prominent position facing onto Talbot Square and towards the Promenade whilst also fronting onto Talbot Road and Clifton Street.

The former Yates building which was previously on this site, whilst not listed, was nevertheless an important local landmark and housed the town's first free library. The building was three storey in scale with a four storey rotunda feature occupying the corner where the two roads meet. At first floor level attached to the rotunda was a glazed conservatory type structure and at ground level was an open canopy which wrapped around the building. The building was demolished approximately 7 years ago following an arson attack and the site has been boarded off since demolition whilst awaiting re-development. The Yates building had a 50 metre frontage to both Talbot Road and Clifton Street and was of brick construction with stone detailing and whilst the Talbot Road elevation was ornate the Clifton Street elevation was less attractive and had a more solid brick appearance. Both Talbot Road and Clifton Street slope downwards from east to west towards the Promenade. The site is within the designated retail/ cafe zone as part in the Blackpool Local Plan and is situated between the Grade II* Listed Sacred Heart Church on Talbot Road and the Grade II Listed Town Hall on Talbot Square.

DETAILS OF PROPOSAL

This is a detailed and revised planning application involving the erection of a 6 storey, three sided building with a corner clock tower feature onto Talbot Square. The top floor of the hotel is incorporated within the roofspace. The ground floor has a restaurant/ bar (714 sqm) and a hotel reception area (226 sqm) and a ground floor plant and yard area (92 sqm). Above the ground floor would be a 150 bedroom hotel (5,379 sqm). Two entrances to the restaurant/ bar are shown from Talbot Road and Talbot Square respectively, and the entrance to the hotel is shown from Talbot Road. There are recessed sub-station access doors, fire escape

doors and access to the service yard from Clifton Street adjacent to the existing loading bay which at present permits loading between 8am and 6pm being used by taxis at other times. The applicants are seeking a maximum of one hours use of loading bay per delivery vehicle rather than the existing 15 minute limit which is to be dealt with via a Section 106 Legal Agreement. An emergency exit from the hotel is shown onto the rear access road between Talbot Road and Clifton Street.

Further amendments have recently been submitted showing changes to the detailing of the proposal following discussions between the agents and officers deleting the fascia shown around the Talbot Square frontage to the building and also re-introducing the first level balcony, although the inclusion gates across the recessed electricity sub-station access has not been possible. The clock tower feature fronting Talbot Square acts as a focal point and the building incorporates art deco detailing to give the building an appropriate level of architectural interest given its key location. The proposed building has been shown alongside existing buildings to demonstrate its scale and context.

The building varies in height between 17.8 and 18.4 metres up to the parapet level and 24 metres high to the highest point on the clock tower. The brick built office building on the opposite corner of Clifton Street is approximately 13.9 metres high at its highest point and the town hall building is approximately 14 metres to the ridge of the main roof and 23 metres to the top of the clock tower. The proposed building would be constructed of brick, glazing and re-constituted stone with the clock tower and first floor balcony features facing onto Talbot Square forming the largest element and main focal point of the development in a similar manner to the rotunda on the former Yates building. There would be regular intervals of pillars on both the main elevations and the projection of the pillars from the face of the building and recessing of glazing will give the building a significant profile and the amount of glazing and setback of the roof level will help reduce the bulk of the building.

The application is accompanied by a Design and Access Statement, a Planning and Regeneration Statement, an Economic Impact Statement, a Sustainability Statement, a Statement of Community Involvement, a Drainage Statement, a Heritage Assessment, a Transport Statement, a Travel Plan and a Delivery and Service Management Plan.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle
- Design of the building and its impact on the Town Centre Conservation and adjacent Listed Buildings
- Access, Parking and Servicing Arrangements
- Economy/ Employment
- Other Issues

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

CONSULTATIONS

Built Heritage Manager: There are some improvements to the glazing to the Clifton Street elevation but I'm concerned about recessed doors to this elevation. If they really are essential then I would like wrought iron gates over the recess to prevent anti-social behaviour which as we know is a well-documented issue in this location.

I also note that yet again the balcony feature has disappeared to be replaced by a wraparound canopy with continuous fascia. It is my view that the balcony added significantly to the distinctiveness of the previously approved design and I am concerned that the corner elevation of the site is diminished by its removal. I am also concerned that the canopy is merely a device to allow a substantial wraparound fascia for signage.

In closing, I would advise the applicant to go return to the original approved scheme with a balcony containing decorative ironwork which should be mirrored in the gates to the recessed door on the Clifton Street elevation. The canopy and its over-long fascia should be removed from the scheme and signage detached from this application for agreement by advertising consent. I'm happy that signage zones should be indicated but these need to be between the projecting piers on both sides of the building and scaled to sit comfortably within the space they occupy.

Amended plans have now been submitted and any further comments will be reported

Blackpool Civic Trust: 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.

Town Centre Forum: 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:

1. Given the information that is available and the location of the proposal site, servicing would need to be considered carefully and possibly restricted. The use of the loading bay adjacent to the proposal site on Clifton Street will be made available for up to an hour via a 'special' permit. Details currently being agreed with the Council Legal team in terms of Permit Application Form, Form of Permit, Terms and Conditions for Permit via a legal agreement. A charge will apply for the issue of this permit. Details provided with regards to how the site will be serviced. A Servicing & Management Plan to be conditioned to ensure there is no deviation from this and to ensure the use of the loading bay continues to be available to others.

2. No details available with regards to possible staff numbers. Due to the size of the development and likely number of staff required for each establishment, a Travel Plan should be conditioned. Details not available in the actual application but this is covered in the Planning and Regeneration Statement. A Travel Plan condition is still a requirement.

3. The proposal site will require a number of services (Electric, Water, Gas), including the provision of a new sub-station. Re-instatements to be like for like. A programme of works to be agreed with Traffic and Highways to ensure these works and the overall scheme are managed and delivered with little disruption to the operation of the highway network, some of this will be covered via the CMP condition, point 7 below.

4. The hoarding that surrounds the proposal site currently encroaches onto the public highway, the footway that was available prior to the fire/demolition of the old building must be re-instated. Suggest the applicant contact the Head of Transportation who can verify this detail. Drawings submitted with this submission show the footway paving (blockwork) being extended to cover a greater area around the site. Whilst I will not be imposing this on the scheme, any works proposed on changing or enhancing footway surfacing must be agreed with Traffic and Highways. The agreed scheme to be implemented via a formal S278 Agreement.

5. A number of doors appear to open out onto the public highway, this to be designed out and all doors to open inwards.

6. Drawing no. (P) 203 shows a number of structures at the main entrance and first floor level, these overhang the public highway and will require an oversail license, further details required. Applicant to contact the Traffic and Highways.

7. A Construction Management Plan should be conditioned, this should include a programme of works. Information will be required as to how the building will be constructed/erected, access requirements for construction purposes and if there would be a requirement to have any temporary traffic regulation orders.

8. The illumination pole and cabinet in front of the main entrance have disappeared from the on some of the cgi images. Are these being re-located or removed altogether and who is covering the cost? The pole forms part of the Christmas light features and removal without relocation could affect this. Clarification required on this matter.

9. Comments and information relating to parking noted. The site was never able to allocate dedicated car parking, the site is restricted and parking is available in the vicinity via on-street parking (for short periods) or the use of the nearby public and private car parks.

Head of Housing and Environmental Protection Service:

As far as I can tell from the plans, the ground floor plant equipment is fully enclosed within a bin storage area and therefore we do not expect any noise issues from this. There may be noise issues from the roof top plant. I have looked at the plans and technical info regarding roof plant. Some of the bits of kit shown on the plan are 'noisy' (such as KEF1 at 72 dB) - but being kitchen related one would sensibly assume it will not be operating late at night. I do not consider that there will be much adverse effect on the [few] residences nearby.

Waste (Commercial): 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.

Contaminated Land Officer (commented on the last application): due to the age of the building destroyed by arson there is a likelihood that asbestos may be within the ground. Confirmation is required, by way of a desktop study, that there is no risk

Police Architectural Liaison Officer: Crime Summary- I have conducted a crime and incident search of this policing incident location and during the period 05/08/2014 to 05/08/2015 there have been a high number of reported crimes and incidents. There have been over 40 recorded crimes per month in this location including robbery of a business property, shoplifting, theft and assault. A development of this scale has the potential to create additional demand on local policing resources. This is a busy area of the town centre with a high level of footfall both during the day and in the evening 365 days a year. This area of the town centre has a number of retail outlets and licensed premises which operate within the night time economy. As a result of this, as well as to prevent the opportunity for criminal activity at the proposed development I make the following security recommendations:-

Security Recommendations- I would recommend that Planning Officers consider making a security condition part of planning approval. The hotel, pub and restaurant should be built to Secured By Design security standards where possible. The physical security of the building and access control arrangements are crucial to prevent criminal activity. Crime in hotels is often generated by offenders gaining unauthorised entry into areas by methods such as human tailgating. The main entrance to the hotel will be off Talbot Square with a secondary access off Talbot Road. All ground floor doors and windows should incorporate laminated glazing and should be doors and windows of enhanced security tested and certificated to industry standards.

An access control system should be fitted throughout the scheme. In order to manage footfall around the building for example around private staff areas and the roof area, doorsets should be fitted with an access control system. There are various types of systems such as keyfob/keypad/swipe card with anti-vandal proof readers for external use e.g the entrance for hotel residents. Security measures should be considered separately for each element of the scheme e.g the pub, restaurant and hotel. Should an individual be in the public house area of the development but they are not a resident of the hotel they should not be able to wander freely throughout the hotel element of this scheme. This type of open access benefits an offender as it provides more opportunities to enter areas in an unauthorised manner to commit crime in an undetected environment. The scheme should be afforded formal surveillance with a comprehensive CCTV system. An operational CCTV requirement should be devised for the scheme in terms of appropriate locations for cameras. Coverage of the pub area, restaurant, reception area and entrances/exits are recommended. The recorded images must be of evidential quality suitable for prosecution giving a clear image of suspects. The hotel lighting system should complement the CCTV system. There will be canopies over openings on Clifton Street and Talbot Road and wall mounted cigarette bins, these areas should be covered by CCTV. Doorsets must not be set into deep recesses. This design feature can generate criminal activity and should be avoided. All external entrances should be illuminated with a dusk till dawn light unit. All of the above recommended security measures should form part of an overall security plan for the development. As the scheme progresses throughout the planning process I would welcome the opportunity to meet with the Architects and Developer for this scheme to discuss in detail security requirements.

United Utilities :

With reference to the above planning application, United Utilities wishes to draw attention to the following as a means to facilitate sustainable development within the region.

Drainage Comments In accordance with the National Planning Policy Framework and Building Regulations, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. Building Regulations H3 clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

- a) an adequate soak away or some other adequate infiltration system, (approval must be obtained from local authority/building control/Environment Agency); or, where that is not reasonably practical
- b) a watercourse (approval must be obtained from the riparian owner/land drainage authority/Environment Agency); or, where that is not reasonably practicable
- c) a sewer (approval must be obtained from United Utilities) To reduce the volume of surface water draining from the site we would promote the use of permeable paving on all driveways and other hard-standing areas including footpaths and parking areas.

Drainage Conditions

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

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.

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.

Water Comments A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply regulations. Should this planning application be approved, the applicant should make contact regarding connection to the water mains or public sewers.

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

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.

PUBLICITY AND REPRESENTATIONS

Press notice published : 27th August 2015

Site notice displayed : 5th August 2015

Neighbours notified 4th August 2015: One letter has been received from local architect Joseph Boniface who makes the following comments:-

I met with the building designers and planning consultant at my office prior to this application being submitted. I was grateful to be given the chance to meet with the design team and put across my views to them. The new level of presentation for this application very much helps its cause and I was pleased to see that this now formed part of the application, as well as some minor revisions to the scheme.

I was disappointed however that, despite the Planning office urging the design team to attend the previous committee meeting via email, that the core of the previous scheme remains. Had any representatives from the design team attended the committee meeting, then they would have been well aware of the committee's desire to have a stand out, aspiration piece of architecture in this incredibly important site which this scheme is not. However, if this scheme is to be granted consent, then I would like to put forward my views on some of the details which were discussed at our meeting in my office as outlined below:

I pointed out that the glass canopies over the entrances will very quickly become dirty with the local climate and weather. Such examples of this can be found on the Municipal building on Corporation street (which is more protected from the elements than this site) and over the cash point at Sainsbury's which has been in place for a little over a year. I would recommend that a strategy for cleaning these on a regular basis forms part of any conditions should consent be granted or that a different strategy be considered for these elements altogether.

It was disclosed in our meeting from the building designers that Tesco's had been involved with the 2012 scheme from the very beginning which was granted consent in 2012 (12/0141). I understand that there are end users for the units in place already (as there were in the 2012 scheme), but I would want assurance that such uses are maintained for the future on this site and not one which would allow a Tesco (or other similar unit) to be located on this site.

To the front elevation facing Talbot Square, there are full length windows and metal-work balcony details to the front. Assurance should be sought that the metal work is fixed with a fixing which will not rust and stain the stone rendered pillar detail given its location and exposure to the weather. Assurance should also be sought that, given the importance of this location, value engineering does not take place further reducing the architectural quality of that proposed.

As I have previously stated, I welcome development of this important site and do not have any objections to the massing or use of the scheme. I also, as previously cited in the Refusal of the previous scheme, do not think that lack of parking should be an issue for this site. The site

is located close by to public transport links (train and bus stations) and there are numerous public car parks close by.

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework was published on 27 March 2012
It contains 12 core planning principles including :-

- 1- 'building a strong, competitive economy'-ensure the planning system does everything it can to support sustainable economic growth
- 2-'ensuring the vitality of town centres'-recognise town centres as the heart of their communities and pursue policies to support their viability and vitality
- 7- 'requiring good design'.....good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making places better for people
- 12-'conserving and enhancing the historic environment'.....the desirability of new development making a positive contribution to local character and distinctiveness

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

The National Planning Practice Guidance- Development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, local man-made and natural heritage and culture, while not preventing or discouraging appropriate innovation. The successful integration of all forms of new development with their surrounding context is an important design objective, irrespective of whether a site lies on the urban fringe or at the heart of a town centre.

Natural features and local heritage resources can help give shape to a development and integrate it into the wider area, reinforce and sustain local distinctiveness, reduce its impact on nature and contribute to a sense of place. Views into and out of larger sites should also be carefully considered from the start of the design process. Local building forms and details contribute to the distinctive qualities of a place. These can be successfully interpreted in new development without necessarily restricting the scope of the designer. Standard solutions rarely create a distinctive identity or make best use of a particular site. The use of local materials, building methods and details can be an important factor in enhancing local distinctiveness when used in evolutionary local design, and can also be used in more contemporary design. However, innovative design should not be discouraged.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

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

RR2	Visitor Accommodation
LQ1	Lifting the Quality of Design
LQ2	Site Context
LQ3	Layout of Streets and Spaces
LQ4	Building Design
LQ7	Strategic Views
LQ8	Energy and Resource Conservation
LQ9	Listed Buildings
LQ10	Conservation Areas
LQ11	Shop Fronts
SR6	Retail/ Cafe Zone
BH3	Residential and Visitor Amenity
BH4	Public Health and Safety
BH11	Shopping and Supporting Uses- Overall Approach
BH12	Retail Development and Supporting Town Centre Uses
AS1	General Development Requirements

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 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 for development
- CS3- Economic Development and Employment
- CS4- Retail and Other Town Centre Uses
- CS5 - Connectivity

CS7 - Quality of design
CS8 - Heritage
CS10 - Sustainable Design and Low Carbon and Renewable Energy
CS17- Blackpool Town Centre
CS21- Leisure and Business Tourism

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

ASSESSMENT

Principle

The last use(s) of the site was as a public house falling within Class A4 of the Use Classes Order although there was also a lap dancing club (sui generis) and pet shop on Clifton Street, and newsagents on Talbot Road (both Class A1 retail uses) and a small shopping arcade connecting Clifton Street and Talbot Road which were all lost as a result of the fire.

The site is located within the designated Retail/Cafe Zone under Policy SR6 of the Local Plan which states that comprehensive improvement comprising major redevelopment will be supported and proposals which are detrimental to the character of the area as one that caters primarily for the pedestrian shopper/ cafe will not be permitted. It goes on to state that ground floor offices, public houses, bars and nightclubs will not be permitted.

The proposal seeks approval for a Class A3/ A4 use (restaurant/drinking establishment) which has been identified as a Beefeater restaurant and will provide further choice of eating establishments enhancing the attractiveness of the town centre for locals and visitors alike. Bearing in mind the previous long established Class A4 use a mixed Class A3/ A4 use is considered to be acceptable in principle. The inclusion of a 150 bedroom hotel within the scheme on this key town centre site close to the Promenade is also considered acceptable in increasing the town's stock of modern hotel accommodation. The inclusion of a hotel as part of the re-development of the site is therefore consistent with Policy RR2 of the Local Plan and Policy CS21 of the Core Strategy.

Design of the building and its impact on the Town Centre Conservation and adjacent Listed Buildings

The current vacant site detracts significantly from the setting and character of the Town Centre Conservation Area and would benefit considerably from a quality re-development of the site and assist the on-going regeneration of the town centre and of the resort itself. The relevant local planning policies are as follows:-

Policy LQ2 states new development will be considered in relation to the character and setting of the surrounding area, and should respond to and enhance the character where affecting the setting of a Listed Building and in Conservation Areas.

Policy LQ4 of the Local Plan states that new buildings less than 4 storeys or equivalent in height will not be permitted in the town centre and tall buildings rising above the predominant height will be acceptable creating a landmark where one is required. The proposed building is 6 storeys in scale and the proposal includes a landmark type feature which is considered to be appropriate on this site given its prominence and given what was on

the site previously.

Policy LQ9 states development affecting the character or appearance of a listed building, or its setting will not be permitted and Policy LQ10 states new development must preserve or enhance the character and appearance of the Conservation Area, and respect the scale, massing, proportions, materials and detailing of similar building forms within the Conservation Area.

Core Strategy Policy CS8 states developers must demonstrate how the development will complement and enhance existing features particularly where affecting Conservation Areas and Listed Buildings. The National Planning Policy Framework (NPPF) states where a proposed development will lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

The proposal has been amended and re-submitted following the refusal of 14/0827 and amended again since submission. The height of the proposal has been reduced by 2 metres from 26 to 24 metres from the refused scheme. The fascia detail has been removed and the first floor wrought iron balcony facing Talbot Square re-introduced, as requested, although the agent states that it is not possible to introduce gates to enclose the recessed sub-station on Clifton Street due to access requirements. The building has been profiled so that it doesn't appear flat which will add visual interest and help break up the massing. The architect has shown the top floor of the building within the roofspace set in from the face of the building to reduce the bulk of the building and its scale relative to those within the surrounding area. The site is considered appropriate for a large landmark building and in accordance with Policy LQ4. The application site is largely offset from the two closest Listed Buildings, namely the Town Hall and the Sacred Heart Church which will reduce its direct impact. In addition the building would have a base /middle and top as required by Policy LQ4, it would have art deco features and detailing and comprise materials which are sympathetic to those in this part of the Conservation Area. The agreement of materials will be dealt with as a condition of any approval.

The proposal is considered to accord with the NPPF, Policy LQ2 of the Local Plan, Policy CS8 of the Core Strategy in terms of responding to and enhancing the Conservation Area and there will be substantial benefits resulting from the proposal in terms of the built environment and also economically.

In terms of Policy LQ10 of the Local Plan the application represents a good opportunity to bring this disused site which has been vacant for 7 years back into beneficial use further helping to regenerate the town centre and adding quality to both the restaurant and hotel offer available within the town. It is considered that the proposed development would enhance the character and appearance of the Conservation Area. Whilst the scale is large the nature of the site the fact that this is a triangular site at the junction of two roads facing onto Talbot Square and the Promenade means that it can support a taller building than other more constrained sites in the Conservation Area. The massing, proportions, materials and detailing would be complementary to other buildings in the Conservation Area.

Access, Parking and Servicing Arrangements

Whilst the site is highly accessible by public transport a travel plan condition is considered necessary given the size of the development and likely employment levels. A condition requiring the approval and implementation of a Construction Management Plan will also be included on any approval of the development to minimise disruption during the construction works from delivery vehicles etc.

There are no off-street parking facilities associated with the proposal although historically that has always been the case. There are however public car parking facilities and pay and display facilities on street which would accommodate the traffic generated by the development. It is difficult to envisage any re-development of the site including off-street parking facilities given the relatively small size and irregular shape of the site and any requirement for off street car parking facilities may also render this (and other) development proposals for the site unviable.

A servicing arrangement is being finalised via a Section 106 Agreement which would allow deliveries and unloading in the loading bay on Clifton Street outside the application for up to one hour at a time by various the vehicles visiting the site. This loading bay will however continue to be shared between other businesses on Clifton Street who also have usage rights.

In terms of the access into the building being from Talbot Road as opposed to Clifton Street, Talbot Road is considered preferable given the connection to both Blackpool North Station and also better connecting to the Central Business District, further inland on Talbot Road and acting as a counterbalance to the regeneration of that part of Talbot Road.

Economy/ Employment

Re-development of the site will bring with it construction employment during the building works and employment within the accommodation upon completion although details as to the exact number of jobs being created is as of yet unknown. The regeneration and bringing of this site back into beneficial use will benefit the local economy and strengthen and enhance the town centre offer.

Other Issues

The recommended drainage conditions have been included on this agenda report together with other technical conditions relating to contaminated land and plant and ventilation equipment. The comments made by the Police have been passed onto the agent and a response requested (to be reported back via the up-date notes). However it would appear the requested security measures are fairly standard for a development of this type in a busy town centre location.

Whilst particular uses can be restricted by condition it is not within the remit of a local planning authority to control who takes up occupation of a property. Given that the application site is within the designated Retail/Cafe Zone a restriction on potential future retail use of the ground floor restaurant/bar cannot be justified.

CONCLUSION

This amended scheme has been reduced in size and revised to address design concerns that have been previously been expressed both by the Planning Committee and by officers, and

the proposal is now considered to be acceptable in scale terms for its location for the reasons set out above and is also considered acceptable in design subject to the agreement of external materials which will be dealt with as a condition of any approval. The agents have also submitted a much more comprehensive planning application backed by a number of technical and associated submissions and including computer generated images showing the proposal in context which have helped the assessment of the application.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

A Section 106 legal agreement is being prepared relating to the use of the Clifton Street loading bay outside the application site by delivery vehicles to the application premises allowing up to one hour per delivery.

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: Approve in principle and defer for delegation to the Head of Development Management.

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. Notwithstanding the submitted plans details of materials to be used including brick, stone, mortar, glazing and window/door frames, metalwork and rain water pipes 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 Policies LQ1, LQ2, LQ4 and LQ10 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. A window display shall be maintained at all times in the ground floor windows of the premises to the Clifton Street and Talbot Road elevations as indicated on the approved plans.

Reason: In the interests of the appearance of the locality, in accordance with Policies LQ1, LQ10 and LQ11 of the Blackpool Local Plan 2001-2016.

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

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

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

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

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

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

7. Details of the appearance, technical specification and siting of any external ventilation ducting and plant shall be submitted to and agreed in writing by the Local Planning Authority before development commences. The agreed ducting

and shall then be provided prior to first use and shall thereafter be retained.

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

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

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

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

9. The building/use hereby approved shall not be occupied/first commenced until the servicing provisions, including manoeuvring areas, have been provided in accordance with details to be submitted and agreed in writing with the Local Planning Authority; such areas shall not be used thereafter for any purpose other than that indicated on the approved plan and all servicing within the site including loading and unloading shall take place from within the servicing area shown.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ4 and AS1 of the Blackpool Local Plan 2001-2016.

10. Notwithstanding the information shown on the approved plan 1:50 scale sections showing the elevational detailing of the building on each of the three elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement, and the development shall subsequently be constructed in accordance with these agreed details.

Reason: In the interests of the appearance of the premises and locality in accordance with Policies LQ1, LQ4 and LQ10 of the Blackpool Local Plan 2001-2016.

11. Details of an external lighting scheme to the building to be incorporated into the development shall be submitted to and agreed in writing by the Local Planning

Authority and such scheme shall be implemented prior to the first occupation of the development hereby approved and retained thereafter.

Reason: In the interests of the appearance of the development in accordance with Policies LQ1, LQ4 and LQ10 of the Blackpool Local Plan 2001-2016.

12. All windows and doors on the development hereby approved shall be recessed 50mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the building and the locality, in accordance with Policies LQ1, LQ2, LQ4 and LQ10 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. Prior to the commencement of any development, details of the foul drainage scheme to serve the development shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. The building shall not 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.

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

15. Prior to the commencement of any development, a surface water drainage scheme to serve the development and the 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 approved details shall be completed prior to the first occupation of the building and maintained and managed in accordance with the approved details thereafter.

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

Advice Notes to Developer

Not applicable

COMMITTEE DATE: [06/10/2015](#)

Application Reference: 15/0302

WARD: Squires Gate

DATE REGISTERED: 26/05/15

LOCAL PLAN ALLOCATION: Main local centre

APPLICATION TYPE: Full Planning Permission

APPLICANT: Mr and Mrs Gaunt

PROPOSAL: Internal and external works including the erection of 1.8m high wall to Squires Gate Lane boundary and use as altered as children's day nursery for up to 70 children.

LOCATION: 141-147 ABBEY ROAD, BLACKPOOL, FY4 2PX

Summary of Recommendation: Refuse

CASE OFFICER

Pippa Greenway

SUMMARY OF RECOMMENDATION

There would be substantial harm to the amenity of the nearest residents through excessive noise from children playing outside, as a statutory noise nuisance is likely to arise. The insufficient amount of off-street parking spaces provided for the nursery and the location of those spaces proposed would have a significant adverse impact on pedestrian and highway safety in general, and on the parents and children accessing the nursery in particular. In addition the proposal would have an adverse impact on surrounding residents in terms of increased competition for the already limited on-street parking.

SITE DESCRIPTION

The application property, 141 - 147 Abbey Road, is located at the southern end of Abbey Road, on the western corner of Abbey Road and Squires Gate Lane. It is a two storey brick built building with the main frontage and entrance on Abbey Road. The premises were last used as a furniture showroom by Paul Gaunt (Furniture) Ltd. from 2000 but ceased trading in May 2015 and are now vacant. Prior to the use as a furniture showroom, the previous occupier was a wholesale jeweller who had traded there for many years. The premises have five parking bays on the Abbey Road frontage and a number of bays on the Squires Gate Lane frontage, although these are not used and are blocked off by security posts. On street parking is restricted on the Squires Gate Lane frontage and on the area immediately outside the premises on Abbey Road. To the north and on the opposite side of Abbey Road parking is not restricted.

The property is within a Local Centre and opposite the site, in Abbey Road, is a newsagent and a Chinese Take Away, while next to the site, on Squires Gate Lane, is a Post Office. Some of

the shops have been converted to residential and the other properties in the immediate vicinity of the site are in residential use. The site is in a sustainable location with a bus stop outside (on Squires Gate Lane) and other bus stops on St Annes Road to the east and Lytham Road to the west. The Squires Gate tram stop is around 1 km to the west. The surrounding roads are both cyclist and pedestrian friendly. The nearby areas to the north are predominantly residential in nature, but to the south is the Blackpool Airport site and a number of major employers.

DETAILS OF PROPOSAL

Internal and external works including the erection of 1.8m high boundary wall to Squires Gate Lane boundary and use as altered as children's day nursery for up to 70 children. The proposals include minor internal works, (provision of toilets on ground and first floor and minor changes to walls) and the erection of a 1.8 m high wall/fence on the Squires Gate Lane frontage to form an outside play area. The yard area to the west of the main building will be used as another outdoor play area. The internal floor area is 564 sq. m and the site area 825 sq. m.

The application is accompanied by a statement in support of the proposal:

"The applicants have identified a need for additional high quality children's day care nurseries in Blackpool and believe that 141 – 147 Abbey Road is an excellent location and building to accommodate such a facility. The following factors are relevant in coming to this conclusion.

- The site is in a highly visible and sustainable location with a bus stop immediately outside and easy access on foot or cycle from the surrounding area.
- The surrounding area is mainly residential to the north with various employment uses close by. Therefore, there are likely to be residents and employees nearby with child care needs.
- The building has sufficient room to safely accommodate the number of children and staff which are proposed (see below). Due to its size and layout, the building can more easily be used as a day care nursery than traditional houses which generally are more restricted in terms of room sizes and layouts and on site car parking. The quality and size of nursery which is proposed is not available in the area at present.
- A significant proportion of the existing nurseries in the area do not take children under 2 – the proposed nursery will take children from 6 months.
- A number of major housing schemes are being built in the area around Abbey Road which will generate an additional demand for nursery places. [Moss House Road?]
- There are two primary schools near to the site which may generate demand for places from teachers and from parents with older children at those schools.

The proposal is for 70 children in the following age groups:

- Under 2: 12 with 4 staff
- 2 – 3: 20 with 5 staff
- Pre-school: 38 with 4 staff

Other staff would comprise the following:

- 2 Directors, 2 Managers, 1 Pre-school teacher, 1 Cook, 1 Cleaner, 1 Driver

There would therefore be a maximum of 70 children and 21 staff on site although it is unlikely that all of the staff would be on site all of the time. Similarly, the children will arrive and depart from the site at various times to meet the needs of parents. The ratio of children to

carers will meet the relevant national standards and regulations set by the Children Act 1989.

The nursery will operate from 0730 to 1800, Monday to Friday only, with no weekend or public holiday opening. It is expected that parents or carers will bring the children by car, bus, on foot and using the mini bus service which the nursery will operate. Staff will mainly be locally based and will therefore travel to the nursery on foot, by cycle, by bus/tram and by car (parking off-site)."

A Noise Assessment and Transport Assessment was submitted after initial concerns were expressed regarding these issues.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- The principle of the proposal
- The impact on residential amenity in terms of noise
- The impact on highway safety and parking

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

CONSULTATIONS

Head of Transportation: The proposal reduced to a single lane affecting the safe movement of traffic. An existing situation possibly made worse. site is located at the junction of Squires Gate Lane/Abbey Road both of which are subject to a 30mph speed. Speeds along Squires Gate Lane are slightly higher due to the layout and geometry of the road. The premises are adjacent to residential properties on Squires Gate Lane who do not benefit from off-street parking and rely on available space on the road, resulting in the two lane approach along Squires Gate Lane being

The proposal is likely to result in increased vehicular movements for pick-up and drop-off purposes and indiscriminate parking will occur by parents and staff members as insufficient parking is proposed. 5 spaces will not meet the demands of a nursery catering for up to 70 children and this will add to the situation that already exists and will be a nuisance to neighbours. On-street parking demand is a frequent occurrence on Abbey Road as some properties do not benefit from off-street parking provision.

Abbey Road links Squires Gate Lane with Highfield Road as whilst there is a legitimate use and access requirements, the road is used for rat running purposes. The proposed fencing on the Squires Gate Lane frontage together with the on-street parking on Squires Gate Lane will impede visibility compromising highway safety.

On this basis I am not willing to support this proposal.

In response to a subsequent transport assessment submitted by the agent, the Head of Transportation further commented: Nurseries typically generate a high number of vehicles in the periods before and during the morning peak hour and during the following evening peak hour, due to parents dropping off/collecting children by car possibly on the journey to and from work. It is likely that there will be an increase in movements along Abbey Road and

Squires Gate Lane as the property has been vacant and the trips will be more frequent at certain times and the use of the forecourt will increase. The concern here is that parents will stop for short periods on the public highway as 5 spaces are insufficient for this use. Sudden stopping movements can be anticipated which will lead additional conflict between users of the highway.

Frequent reversing manoeuvring from the 5 off-street spaces will lead to conflict with pedestrians and other parents using the site. I appreciate these spaces have been in existence for some time but the use will be intensified over certain periods.

The proposal as it stands cannot be supported due to insufficient parking nor does it adequately cater for parent pick-up/drop-off spaces leading to overspill parking onto the nearby roads with parents stopping for short periods in and around the proposal site. Parents may look to see if a space is available on the forecourt which could also potentially lead to sudden stop/start manoeuvres, this will be detrimental to highway safety. It is unwise to rely on the availability of on-street parking in the vicinity even if space is available. I do not expect parents with small children to park in a street a short walk away. They are more likely to look for space either on Abbey Road or Squires Gate Lane. This will also be a nuisance to neighbours. With regards to the fencing on Squires Gate Lane, currently visibility is good as users can look across and beyond the open forecourt. The fence will compromise this as only a small gap will be retained between the bus shelter and proposed fence. With regards to the nursery approved at 502 Lytham Road, it was acknowledged that the parking proposed falls short of the maximum standard (12 spaces) but it was recognised that Lytham Road is a main arterial route and a very wide road. Due to this, kerb side parking and manoeuvring was not considered to have a significant detrimental impact on traffic flow.

I am not satisfied that the additional information provided has adequately addressed the concerns and due to this, my objection remains and I am not prepared to support this proposal.

Head of Environmental Services: The main concern is excessive noise from children during outdoor play. There are several residences in extremely close proximity which will be adversely affected. The noise from children playing will adversely affect properties adjacent at 139/137/135 Abbey Road and at 185/187/189 Squires Gate Lane. Normal average conversation between adults is roughly 65 decibels, children playing is considerably more than this – more like 65 - 70db. We have no reason to believe that pre-school children will be quieter than usual, nor do we expect that the numbers playing out would be so low as to not make a lot of noise. The decibel level will be well in excess of 55 db. Amenity space of particularly 139 Abbey Road and 189 Squires Gate Lane will be affected as there will be scant attenuation of the source noise due to their closeness – separated only by a few metres.

In response to a subsequent noise assessment submitted by the agent, the Head of Environmental Services further commented: We carried out noise monitoring today. The average background noise levels in both monitoring locations (adjacent to rear garden of 139 Abbey Road and at the rear of 189 Squires Gate Lane) came out at 46 and 45.7 decibels respectively. The noise from children playing would be substantially above this level as normal conversation is 60/65dB. There is a strong likelihood of statutory nuisance and complaints. We therefore stand by our objection to the development.

Director of Children's Services (Early Years and Childcare Team): There is a variety of existing nursery provision in the surrounding area, including provision for under-tuos. Within a one mile radius, there are 8 nurseries, 9 childminders and one school nursery class currently operating, all the childminders offer care for under 2s, along with 5 of the nurseries. 0-5 vacancy rates for full-time places in the nurseries currently range from 0 - 68% with the highest vacancy rates being in some of the settings offering full day, all year round care for 0-5s. Vacancies for under 2s range from 0-66%. The additional 15 hours of free child care for 3 and 4 year olds, will be for working parents only, who may already be accessing childcare, so it is not possible to say at this stage that there will definitely be increased demand for places as a result of this. Concerns exist around the safe ingress and egress of parents and young children. The main entrance is located between parking spaces which cars will be pulling across the pavement to access, and reversing out of. There are likely to be peak times at the start and end of the morning and the afternoon when parents will be arriving and leaving as they drop-off and collect their children, so further consideration needs to be given to ensuring the safety of people accessing the nursery. There is limited parking given the numbers of staff and children who will be accessing the nursery, the residential nature of part of the surrounding area and nearby parking restrictions. If, as is suggested in the application, some of the target market will be parents working at the major employers located on sites to the south of the proposed site, they may be likely to be accessing the nursery by car on their way to and from work. There is also mention of a mini-bus service, but there is no indication in the application where this will be parked, and further consideration will need to be given to ensuring safe transfer of children between the minibus and the nursery. Further consideration needs to be given to internal movement around the nursery, and arrangements in case of emergency requiring evacuation of the premises. The layout of the building requires movement through a number of spaces to travel between some areas of nursery. Access from the main entrance to the baby room appears to be either through the kitchen, or by going through 5 other play spaces and through a small space into which the staff toilet door opens, both of these routes would be inappropriate for parents and babies, and could impact adversely on the other children in the setting. Whilst the plans indicate that there will be two staircases and several external doors which could be designated as emergency exits, consideration also needs to be given to where the children will be evacuated to, as this will need to be a safe space with sufficient clearance from the building which will not conflict with emergency service access. Staff toilets on the first floor appear to open directly into a children's play area, and the plans do not indicate the presence of the necessary handwashing facilities.

There is no requirement for unlimited access to outdoors. The EYFS requirement is that:

3.58. Providers must provide access to an outdoor play area or, if that is not possible, ensure that outdoor activities are planned and taken on a daily basis (unless circumstances make this inappropriate, for example unsafe weather conditions).

Best practice is for children to be able to make choices about where they undertake their learning, and we would always advocate free-flow access to outdoors where possible. For the numbers of children proposed, and the layout of the nursery, with some children being upstairs, it will be necessary for consideration to be given as to how children can have sufficient access to outdoors. Limiting numbers who can be outside at any one time could limit possibilities for outdoor learning. If numbers permitted outside at any one time are to be limited, it would be important not to limit the times this is permitted by too much, as this may mean it would not be possible to ensure every child has access to sufficient outdoor

learning opportunities. However it is unlikely that children would be accessing outdoor opportunities at the earliest part of the day, as they may be settling into nursery, having breakfast, and staff would need time to set up the outdoor area etc.

Outdoor learning in the early years is very different to a school playtime arrangement, whilst some of the play will be linked to physical development and physical activity, other learning will be of a quieter, more exploratory nature, although this of course can still generate excitement and therefore laughter, shouting etc.

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 10 June 2015

Neighbours notified: 08 June 2015

No objections received.

Letter of support from ward Councillor Christian Cox: As ward councillor for Squires Gate I wish to support this proposal. Having visited the premises and discussed the plans with the applicant I was most impressed. The building is currently utilised as a furniture store which has been in situ for many years and never caused any problems. A children's nursery which I am reassured will be of high quality is something as a local resident myself I would welcome to the area and I feel it would be a very positive addition to the local community. I am also reassured there will be parking places provided for staff on the Blackpool Airport site and the Abbey Road site will be used purely by visitors to the nursery such as parents. I cannot personally see any problems with these premises being used as a nursery and would not like to see the premises simply being left empty as an alternative. I wish to formally support this application.

NATIONAL PLANNING POLICY FRAMEWORK

In March 2012, the National Planning Policy Framework (NPPF) was published. Core planning principles include: to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; proactively drive and support sustainable economic development; encourage conversions of existing buildings. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision making. 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.

At the heart of the NPPF 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 a whole; or
- specific policies in this Framework indicate development should be restricted.

Chapter 1 is concerned with building a strong, competitive economy:

Chapter 4 Promoting sustainable transport:

para 35 - Developments should be located and designed where practical to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; and create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

Chapter 11 Conserving and enhancing the natural environment:

para 123 - Planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

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
- LQ14 Extensions and Alterations
- BH3 Residential and Visitor Amenity
- BH4 Public Health and Safety
- BH14 Local Shopping Centres
- BH19 Neighbourhood Community Facilities
- AS1 Access and Parking

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. 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: Proposed Submission that are most relevant to this application are:

- CS3 Economic Development and Employment
- CS7 Quality of Design
- CS15 Health and Education

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

ASSESSMENT

The principle of the proposal

The site is located within a local centre and saved policy B14 states that “local centres provide for the day-to-day convenience shopping needs and other supportive uses readily accessible by a walk-in local catchment.” Part (C) of the policy states that proposals for new development or changes of use from shopping to other uses (including residential) will be permitted where they would not undermine the retail function, role and character of the centre. The policy identifies criteria used to determine the impact of a proposal on the retail function of a centre. In this case, the premises have not been in a convenience retail use for over twenty years.

A day nursery for children is the type of use/service which is needed in all residential areas to serve the needs of the local catchment and there is therefore no conflict with this policy. In any event, given the proximity of the Morrisons store (which satisfies much of the food shopping requirements for local residents), and the prospect of an Aldi within 300m of the site, it is difficult to see how a convenience store on the application site could compete and be viable. The premises directly opposite the application site were formerly in retail use but closed in the past ten years and converted to residential use, presumably due to competition from the Morrison store.

Policy BH19 (Neighbourhood Community Facilities) promotes NCF’s in areas where there is an identified shortfall of provision i.e. a need. It requires new facilities to be located sequentially; firstly within or adjacent to defined district and main local centres, then in other centres, then on sites well served by a range of transport modes. Paragraph 6.84 of the supporting text confirms that “smaller community facilities should be located in district or local centres or otherwise on sites which have good public transport and are easily accessible by cycling and walking”. The reuse of vacant sites is promoted. As Squires Gate Lane is a main distributor route linking the south areas of the town, and as the premises are currently vacant, the second and third part of the criteria of Policy BH19 is met. On this basis, the use of the site as a children’s day nursery is considered to be acceptable in principle if there has been an analysis of need for this size of nursery and a sequential test relating to the first parts.

The applicant has undertaken their own analysis of local provision in the South Blackpool area. The nursery is intended to serve parents who either live or work in the area and who require child care facilities at a high standard, within a building which can more readily accommodate child care needs than a traditional house. As set out in the supporting

statement, the nursery would cater for children under the age of two, an age group which is suggested is not well provided for in the area at present, and children up to pre-school age. The nursery is intended to serve parents living and working in Blackpool and in the adjacent Fylde Borough.

Although the latest Childcare Sufficiency Assessment 2014 does not identify any gaps in provision at the present time, there are a number of large housing developments currently under construction. These include approximately 580 dwellings at Moss House Road/Progress Way, 250 dwellings at the Pontins site on Clifton Drive and permission is currently being sought for 1,400 dwellings at Whyndyke Farm/Preston New Road. These developments, together with the designation of part of Blackpool Airport as an Enterprise Zone (effective January 2016) which will support as many as 3,000 new jobs in the next 20 years, will generate a significant demand for nursery places.

In terms of the sequential test, the closest district centre is Highfield Road, where the applicant considers there are no comparable buildings in terms of size, layout or external (play) areas. The nearest large local centre is St. Annes Road (to the east) and again there are no comparable buildings as all the retail and other commercial uses are either in former houses or are unsuitable (Halfway House PH). The only other local centre in the area is at Starr Gate and the properties are converted houses, none of which are considered suitable for a nursery use.

None of the district or local centres in the vicinity contains any premises which are suitable as a nursery of the size proposed at the Abbey Road site. The principle of locating a nursery here is therefore accepted.

The impact on residential amenity in terms of noise

As stated by the Head of Environmental Services, there are several residence in very close proximity which would be adversely affected by excessive noise from children during outdoor play, particularly at 139/137/135 Abbey Road and at 185/187/189 Squires Gate Lane. As a result, the applicant commissioned their own noise assessment, which concluded that if numbers of children playing outside were restricted to no more than 25 at any time, the impact would be minimal. In response to the noise assessment, the Head of Environmental Services carried out a noise monitoring exercise of their own and concluded that there is a strong likelihood of statutory noise nuisance and complaints and again objected to the proposal. Even if the number of children outside was restricted, it wouldn't solve the noise issue; and in any event, council officers would find it extremely difficult to monitor the number of children playing outside and imposing a condition to that end would be difficult to enforce. Also, as pointed out by the Director of Children's Services, restricting the numbers might not allow all the children sufficient time out of doors each day as there would be no opportunity to access the spaces early or late in the day.

The impact on highway safety and parking

There are only 5 car parking spaces available on the Abbey Road frontage of the building and the Head of Transportation considers that this would not meet the demands of the nursery and would significantly compromise highway safety. As a result, the applicant commissioned their own traffic assessment; however this has not changed the Head of

Transportations opinions. The nursery would have 21 full time equivalent staff and the potential for 70 parents dropping children off and collecting them from 0730 to 1800 on weekdays. A non-residential accessibility questionnaire puts the property within the low side of medium accessibility level. The Council's parking standards for nurseries of medium accessibility requires at least 13 spaces for staff (1.5 spaces per 2 staff less 10% for medium accessibility) plus a drop-off zone of 6 spaces for parents (70 children at 1 space per 10 less 10%) either on-site or in the immediate vicinity. The applicant has also indicated that he would operate a minibus, for which there is no parking provision shown on the submitted drawings. Abbey Road is not particularly wide and as there would be insufficient parking spaces on site, congestion would be likely to arise as parents use the on-street parking across the road and further down Abbey Road. This will also be a nuisance to neighbours as demand for on-street parking is already high on Abbey Road due to some residents not having their own off-street parking provision.

In addition, parents with small children would be unlikely to park in a street a short walk away; it is more likely that they would park on the double yellow lines directly outside the nursery as it is outside the main door to the premises and the most convenient place to stop. The frequent use of the forecourt parking would lead to conflict with pedestrians as parents reverse off the forecourt onto the road; and parents looking for a space on the forecourt could lead to sudden stop/start manoeuvres on Abbey Road, which would also be detrimental to highway safety.

The Director of Children's Services has also expressed concerns regarding the safety of parents and young children accessing the nursery as the main entrance is located between parking spaces and, particularly at peak times, many vehicles would be pulling back and forth across the pavement to access the nursery. Also, parents working at major employers to the south (part of the target market mentioned in the application) would be likely to access the nursery by car on their way to and from work. There is no indication where a mini-bus would be parked and there would be implications for the safe transfer of children between the minibus and the nursery.

Other Issues

The interior of the property has been redesigned and an amended plan submitted in order to overcome the Director of Children's Services concerns regarding the internal layout. The amendments also include a redesigned boundary wall to Squires Gate Lane consisting of a low brick wall and piers, with railings in between. This overcomes officers concerns regarding a residential appearance and the impact on visibility for vehicles emerging from Abbey Road (the proposal previously included a solid 1.8 metre high boundary wall).

CONCLUSION

A day nursery for children is the type of use/service which is needed in all residential areas to serve the needs of the local catchment, however the benefits of providing a nursery facility here are outweighed by the adverse impact on the amenities of neighbours through increased noise levels within their private rear gardens, the increased competition for on-street parking, and the detrimental impact on highway safety both for pedestrian, other road users and particularly parents/children accessing the nursery.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

N/A

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 considered that the application could significantly affect those human rights due to the anticipated noise levels which would constitute a statutory nuisance.

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: Refuse

Conditions and Reasons

1. The proposed use as a day nursery for up to 70 children would have a significantly detrimental impact on the residential amenities of the neighbours, particularly at 139/137/135 Abbey Road and at 185/187/189 Squires Gate Lane, by reason of excessive noise levels generated in the outdoor play area in close proximity to their private rear gardens; in addition the inadequate parking arrangements would result in on-street congestion where there is already significant competition for on-street facilities due to the lack of off street parking at a number of nearby dwellings; and would therefore be contrary to Policies BH3 and BH4 of the Blackpool Local Plan 2001-2016 and paragraphs 53 & 123 of the NPPF.
2. The parking facilities would be significantly detrimental to highway and pedestrian safety by virtue of the inadequate number of spaces, their forecourt location, and peak periods of use, and would therefore be contrary to Policy AS1 of the Blackpool Local Plan 2001 - 2016 and paragraph 35 of the NPPF.

ARTICLE 35 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)

The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors: the impact on the amenities of nearby residents, highway safety, conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan 2001-2016, which justifies refusal.

Advice Notes to Developer
Not applicable