

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 20 OCTOBER 2020

Present:

Councillor Owen (in the Chair)

Councillors

D Coleman
Farrell

Hugo
Jackson

O'Hara
Robertson BEM

D Scott
Stansfield

In Attendance:

Mr Ian Curtis, Legal Officer

Mrs Bernadette Jarvis, Senior Democratic Governance Adviser

Ms Susan Parker, Head of Development Management

1 DECLARATIONS OF INTEREST

Councillor D Coleman declared a prejudicial interest in Agenda Item 7, Publication and Use of Semi-Independent Supported Living Accommodation for Children and Young People Advice Note. The nature of the interest being that she worked within the industry sector.

Councillor Stansfield declared a prejudicial interest in Agenda Item 7, Publication and Use of Semi-Independent Supported Living Accommodation for Children and Young People Advice Note. The nature of the interest being that he worked within the industry sector.

2 MINUTES OF THE MEETING HELD ON 1 SEPTEMBER 2020

The Planning Committee considered the minutes of the last meeting held on 1 September 2020.

Resolved: that the minutes of the last meeting held on 1 September 2020 be approved and signed by the Chairman as a correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

The Planning Committee received a report on the planning appeals lodged and determined since the last meeting.

The Committee noted that three appeals had been lodged since the last meeting against the decision of the Council to refuse permission in respect of the following planning applications:

1. Application 20/0353 that sought permission for advertisement consent for the display of internally illuminated 3.2m x 6.2m LED digital advertisement on the east elevation of the building at 9-17 Bloomfield Road, Blackpool.
2. Application 20/0187 that sought permission for alterations to the front

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elevation and use of the ground floor premises as altered as an adult gaming centre at 40 Abingdon Street, Blackpool.

3. Application 20/0257 that sought permission for the erection of a single storey side/rear extension following demolition of the garage to the rear of 23 Winsford Crescent, Blackpool.

The report also stated that no planning/enforcement appeals had been determined since the last meeting.

Resolved: To note the report.

4 PLANNING ENFORCEMENT UPDATE REPORT - AUGUST 2020

The Committee considered the summary of planning enforcement activity within Blackpool between 1 August 2020 and 31 August 2020.

The report stated that 47 new cases had been registered for investigation with 576 complaints remaining outstanding by the end of the period, 18 cases had been resolved by negotiation without recourse to formal action and 64 cases had been closed as there had either been no breach of planning control found, no action was appropriate or it had not been considered expedient to take action.

The report also stated that one enforcement notice had been authorised and issued between 1 August 2020 and 31 August 2020. A Section 215 notice had also been issued during the same period.

Resolved: To note the outcome of the cases set out in the report and to support the actions of the Service Manager, Public Protection Department.

5 PLANNING ENFORCEMENT UPDATE REPORT - SEPTEMBER 2020

The Committee considered the summary of planning enforcement activity within Blackpool between 1 September 2020 and 30 September 2020.

The report stated that 46 new cases had been registered for investigation with 546 complaints remaining outstanding by the end of the period, 15 cases had been resolved by negotiation without recourse to formal action and 59 cases had been closed as there had either been no breach of planning control found, no action was appropriate or it had not been considered expedient to take action.

The report also stated that two enforcement notices had been authorised and issued between 1 September 2020 and 30 September 2020.

The Committee noted the continued significant workload involved in undertaking planning enforcement activities, particularly in view of the size of the team. The Chairman reported his view of the benefit in requesting a representative of the enforcement team to attend a future meeting to report on departmental pressures.

Resolved: To note the outcome of the cases set out in the report and to support the actions of the Service Manager, Public Protection Department.

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6 PLANNING APPLICATION AND APPEALS PERFORMANCE

The Committee considered the Planning Application and Appeals Performance Report that provided an update on the Council's performance in relation to Government targets for the second quarter of the 2020/2021 financial year.

The report outlined the performance from July 2020 to September 2020 as 100% for major development decisions determined within 13 weeks or an agreed extension of time against a target of 60% and 86.5% for non-major development decisions determined within eight weeks or an agreed extension of time against a target of 70%. The good performance in exceeding the statutory targets for the period was noted.

Resolved: To note the report.

7 PUBLICATION AND USE OF RESIDENTIAL CARE AND SEMI-INDEPENDENT SUPPORTED LIVING ACCOMMODATION FOR CHILDREN AND YOUNG PEOPLE ADVICE NOTE

Ms Parker, Head of Development Management, reminded the Committee that its previous approval of an advice note for publication on the Council's website and use as a material consideration in the determination of planning applications related exclusively to children's residential care homes. Recent planning applications for children's residential care homes had highlighted the need for similar arrangements to be considered for semi-independent supported living accommodation for young people to provide consistency and control the placement of young people within this type of accommodation.

Ms Parker advised on her view of the benefits of extending the advice note to include semi-independent supported living accommodation for young people in terms of ensuring priority was given to the placement of young people and preventing an over concentration of this type of use in a particular area. Ms Parker referred to current restrictions preventing children's residential care homes to be located within a 400 metre radius of a similar facility and that if approved, the same control would be extended to semi-independent supported living accommodation for young people. However, it was noted that as the two uses were considered materially different in planning terms, it would not prevent a children's residential care home and a semi-independent supported living accommodation for young people being located within a 400 metre radius of each other. Ms Parker reported on a map that had been developed that detailed the location of existing premises for children's residential care homes and semi independent supported living accommodation for young people and advised that new uses for these facilities would not be permitted within the defined inner area.

Ms Parker concluded her report by advising on the intention to publish the advice note on the Council's website and advised on its main aims which were to provide local accommodation for local children and young people, and direct applicants to appropriate areas to avoid the impact on the character and amenity of an area from an overconcentration of children and young people's care homes and supported living accommodation.

The Committee acknowledged the aims of the advice note in terms of seeking the placement of local children and young people in care in acceptable areas of the town and the guidance provided to applicants.

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Resolved: To approve the advice note for publication and use.

NOTE: Councillor D Coleman and Councillor Stansfield, having declared a prejudicial interest, left the meeting and took no part in the discussion or voting on this item.

8 PLANNING APPLICATION 20/0021 - LAND EAST OF MARPLES DRIVE (PART OF FORMER NS&I SITE) OFF PRESTON NEW ROAD, BLACKPOOL

The Committee considered planning application 20/0021 that sought permission for the erection of 90 x two storey detached, semi-detached and terraced dwellings with associated car parking, garages, boundary treatment, landscaping, including attenuation basin, and highway works.

Ms Parker, Head of Development Management, provided an overview of the application and presented the site location, layout plans and aerial view of the site. She referred to a previous hybrid application that had been granted full planning permission for a housing development on part of the site and an outline planning permission for employment use on the southern area of the site, which was the location of the current application. Ms Parker referred to a number of representations received in objection to the proposal that had been addressed in the officer's report and update note. Ms Parker referred to the recommendation for the Committee to support the proposal in principle, subject to conditions and a Section 106 agreement and deferral from the Secretary of State as it represented a departure from the Local Plan. She advised that the Secretary of State had the option to call the application in for his own determination or refer it back to the Council for determination. The Committee was advised that the applicant, following an unsuccessful period of marketing, had demonstrated that there was currently no appetite for employment use on the land.

Ms Parker acknowledged that there was no unmet need for housing within Blackpool, however, she advised on the benefits of a large scale development in terms of meeting future requirements for housing supply. Ms Parker also acknowledged that whilst the proposed development's housing mix conflicted with policy, a viability appraisal had demonstrated that the required housing mix could not be met if the scheme was to remain viable. This also demonstrated that the necessary planning obligations could not be met in full. A contribution of £125,000 had been agreed and would be secured through a Section 106 agreement if approval was granted. Ms Parker reported her view of the benefit of directing this contribution towards local health care provision and public open space requirements, particularly given the existing affordable housing provision in the area.

Ms Parker concluded by referring to the lack of objections from statutory consultees and the conditions suggested that would be attached to the planning permission, if approved.

Mr Daley, a resident of Phase 1 of the development, spoke in objection to the application and referred to the concerns raised by residents of the same development as detailed in the update note. He reported on unresolved issues with Phase 1 of the development and disputed the developer's and planning officer's view on the relevance of many of the concerns raised. He highlighted crime and anti-social behaviour issues that in his view could have been prevented through the imposition of appropriate security conditions. Other questions and concerns raised related to drainage, highways, the local play area,

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lack of available green space and the historic nature of the Supplementary Planning Guidance 11. He also questioned the amount and distribution of the financial contribution and the community value of Phase 1 of the development.

Ms Beardsley, the Applicant's Agent spoke in support of the application and responded to some of the concerns raised by the objector. She advised that the local play area met current minimum standards and that some open space would be provided within the site, and referred to the financial contribution towards the provision of off site open space that would be subject to a Section 106 agreement. She also referred to drainage information that was publicly available and the marketing report that had demonstrated a lack of interest from prospective employment operators which was also available to the public. She concluded by reporting on her view of the benefit of the development to the local economy.

Ms Parker, referred to the condition regarding security lighting that would be attached to the planning permission if granted and explained the standard procedure for agreeing the details of conditions as part of a separate application. She also confirmed that insurance liability for the play area was not a valid planning consideration. Ms Parker also advised that the Supplementary Planning Guidance 11 was currently being updated through the local plan process. She advised on the annual publication of a schedule of spend from financial contributions and the procedure for determining the allocation of funds.

The Committee considered the application at length and raised concerns relating to the absence of certain statutory consultee responses, the density of the development and failure to meet the national standards in terms of floor and bed space, the housing mix and lack of affordable housing, the designation of the land for employment uses and lack of green space and the allocation of the financial contribution. Concern was also raised over restrictive covenants imposed by the developer at point of sale relating to the installation of renewable energy equipment, particularly solar panels.

Ms Parker responded by acknowledging that the full requirement for open space had not been met, however, the standard requirement for separation distances including garden length had been met. With regards to the national floor space standards, Ms Parker advised that there was no policy currently that required minimum standards for new build housing developments. Whilst she acknowledged that not all consultees had responded, she emphasised that they had all been consulted and given the opportunity to respond. In terms of meeting all the requirements for housing mix, affordable housing and open space, Ms Parker referred to the viability of the development. She also reported on lack of interest for industrial development on the site despite the long term designation of the site for employment use, and the proposal to allocate the land for housing use in emerging policy. With regards to solar panels and other energy saving initiatives, Ms Parker reported that there were no planning restrictions to prevent their installation, but that the covenants to be required by the developer were not a material planning consideration. In response to further questions, Ms Parker referred to the viability appraisal submitted by the applicant and verified by an independent consultant that demonstrated that it was unviable to meet all the required obligations in terms of housing mix and affordable housing and reported her view that on balance, given the town's housing needs, the proposed development was considered acceptable. Ms Parker reminded the Committee that where there was more than one phase of a development each application had to be determined on its own merits.

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Following further discussion, the Committee continued to express concern regarding the density of the development and lack of green space.

Resolved: To defer a decision on the application to the next meeting to provide the opportunity for the Head of Development Management to agree a reduction in the number of units with the developer and in the event that this was unsuccessful the report to Committee to include suggested reasons for refusal based on the Committee's concerns regarding the availability of green space.

9 DATE OF NEXT MEETING

The Committee noted the date of the next meeting as Tuesday 17 November 2020 at 6.00pm.

Chairman

(The meeting ended 7.18 pm)

Any queries regarding these minutes, please contact:
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