

Blackpool Council

27 August 2021

To: Councillors Baker, Farrell, Kirkland, O'Hara, Owen, Robertson BEM and Stansfield

The above members are requested to attend the:

PLANNING COMMITTEE

Tuesday, 7 September 2021 at 6.00 pm
Council Chamber, 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 either

- (a) personal interest
- (b) prejudicial interest
- (c) disclosable pecuniary interest (DPI)

and

(2) the nature of the interest concerned

If any member requires advice on declarations of interests, they are advised to contact the Head of Democratic Governance in advance of the meeting.

2 MINUTES OF THE MEETING HELD ON 3 AUGUST 2021 (Pages 1 - 8)

To agree the minutes of the last meeting held on 3 August 2021 as a true and correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED (Pages 9 - 14)

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

4 PLANNING ENFORCEMENT UPDATE REPORT (Pages 15 - 18)

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

5 TREE PRESERVATION ORDER 2021/48 - 88 ALL HALLOWS ROAD, BLACKPOOL, FY2 0AY
(Pages 19 - 30)

To consider the provisional Tree Preservation Order 2021/48 - 88 All Hallows Road, Blackpool, FY2 0AY.

6 TREE PRESERVATION ORDER 2021/56 - 60A STOCKYDALE ROAD, BLACKPOOL, FY4 5HR
(Pages 31 - 42)

To consider the provisional Tree Preservation Order 2021/56 - 60a Stockydale Road, Blackpool, FY4 5HR.

7 PLANNING APPLICATION 21/0486 - SITE A: LAND AT JUNCTION OF CHEPSTOW PLACE AND GATESIDE DRIVE AND SITE B: LAND OFF DINMORE AVENUE TO WEST OF THE GRANGE AND SOUTH OF BOUNDARY PRIMARY SCHOOL (Pages 43 - 74)

To consider planning application 21/0486 for:

Site A: Erection of 53 two and three-storey dwellings with vehicular access from Chepstow Road and Gateside Drive, associated parking landscaping and public open space, and creation of school green for use by Boundary Primary School.

Site B: Erection of 78 dwellings to include two and three-storey dwellings, bungalows, a two-storey block of 12 flats and a three-storey block of 18 flats with access taken from Dinmore Avenue, with associated parking, landscaping and public open space including a children's play area, formation of a shared cycle and pedestrian link from Dinmore Avenue to Dingle Avenue, and reconfiguration of existing car park to The Grange.

8 PLANNING APPLICATION 21/0537 - LAND AT THE REAR OF 17-21 MOSS HOUSE ROAD, FY4 5JF (Pages 75 - 100)

To consider planning application 21/0537 for the erection of 5 detached, two storey dwellings with associated landscaping and parking and parking with access off Moss House Road.

9 DATE OF NEXT MEETING

To note the date of the next meeting as 12 October 2021.

Venue information:

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

Other information:

For queries regarding this agenda please contact Jenni Cook, Democratic Governance Senior Adviser, [Tel:\(01253\) 477212](tel:01253477212), e-mail jennifer.cook@blackpool.gov.uk

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Public Document Pack Agenda Item 2

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 3 AUGUST 2021

Present:

Councillor Owen (in the Chair)

Councillors

| | | |
|-----------|----------|---------------|
| Baker | Kirkland | Robertson BEM |
| Critchley | O'Hara | Stansfield |

In Attendance:

Lennox Beattie, Executive and Regulatory Support Manager
Carl Carrington, Head of Planning, Quality and Control
Jenni Cook, Democratic Governance Senior Advisor
Ian Curtis, Legal Officer
Susan Parker, Head of Development Management

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE MEETING HELD ON 6 JULY 2021

The Committee considered the minutes of the last meeting held on 6 July 2021.

Resolved:

That the minutes of the Planning Committee be approved and signed by the Chair as a correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

The Planning Committee considered a report on planning and enforcement appeals lodged since the last meeting. Two appeals had been lodged and one appeal had been determined and allowed. The appeal that had been allowed had granted temporary planning permission for a children's home for two years. Miss Susan Parker, Head of Development Management, informed the Committee that this decision generally supported the Council's decision, had taken account of Covid circumstances and would allow the Council time to implement its strategy to meet local need within the borough.

Resolved:

To note the update.

4 PLANNING ENFORCEMENT UPDATE REPORT

The Planning Committee considered a report on planning enforcement activity within Blackpool between 1 June 2021 and 30 June 2021. During June 2021 56 new cases had been registered for investigation and there were 529 "live" complaints outstanding. Of

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the resolved cases, 29 had been resolved by negotiation without recourse to formal action. In respect of closed cases, 59 had been closed and these included those where there was no break of planning control found, no action was appropriate or it was not considered expedient to take action. The Planning Committee was informed of the formal enforcement notices and Section 215 notices authorised or issued during June 2021.

Resolved:

To note the update.

5 PLANNING APPLICATION AND APPEALS PERFORMANCE

The Planning Committee considered the report in relation to Government targets and performance in the first quarter of the 2021/2022 financial year. In respect of major applications, the Council had determined 100% of major applications within 13 weeks against a Government target of 60%. Similarly in respect of non-major applications, the Council had determined 93% against a Government target of 70%. The Planning Committee noted its appreciation to the Planning Team for their performance.

Resolved:

To note the update.

6 PLANNING APPLICATION 20/0784 - 84-94 CHURCH STREET AND 1-3 ABINGDON STREET, BLACKPOOL

The Planning Committee considered planning application 20/0784 for the erection of a part three, part four and part five story building, including commercial and residential basement storage, comprising ground floor retail, restaurant and betting shop (Use Classes E and sui generis) fronting Church Street and Abingdon Street with associated refuse storage accessed from Back Church Street, following the demolition of existing buildings.

Miss Susan Parker, Head of Development Management, outlined the report and reminded the Planning Committee that this application had been deferred at the last meeting to allow the application the opportunity to provide viability information to demonstrate that a housing mix compliant with policy could not be delivered. Instead of providing this information, amended plans had been submitted that now showed an acceptable housing mix.

The application related to the site on the corner of Abingdon Street and Church Street which had been formerly occupied by Next and then Pizza Express. Most recently the ground and first floor had been redeveloped as Vintro Lounge with a new frontage and themed interior. In respect of planning history a previous submission at the start of 2020 had proposed 29 apartments in a part six, part seven storey building and was considered to be over-development of the site and unacceptable in the context; the application had been withdrawn. The current application proposed 18 apartments in a part three, part four and part five storey building with retail and commercial uses to be retained at ground floor level. The application was made in full and sought to agree all details.

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The building proposed would have a flat roof and the top floor would be set back. The corner facing into St. Johns Square would be four storeys high and different materials would be used on the corner to create a visual focus. Similarly lighter materials would be used to make a focal feature of the main entrance door on Abingdon Street. The elevations proposed would have a strong grid design with vertical emphasis and recessed balconies to create depth and visual interest.

Miss Parker noted that the site was within a very sensitive location within the Town Centre Conservation Area and opposite both St. John's Church and the Winter Gardens. The scheme had been considered by Historic England, the Theatres Trust, the Council's Built Heritage Manager and the Civic Trust. The Civic Trust had objected on the basis of scale but the other consultees had supported the proposal in principle.

In terms of the scale, Miss Parker noted that long-standing Policy LQ4 and emerging Policy DM17 both require new buildings within the town centre to be at least four storeys in height. The scale proposed accorded with this and was considered to be appropriate in the immediate context.

No off-street parking would be provided with this development but this was considered to be acceptable given the town centre location. Cycle parking was proposed at basement level with refuse storage available to the rear.

Miss Parker informed the Planning Committee that no other issues relating to highways, drainage, ecology or amenity were anticipated and the necessary planning obligations relating to local health care provision and public open space could be secured through a S106 legal agreement.

Internally the scheme would deliver 18 apartments comprising 5 one-bed units and 13 two-bed units which meet the required housing mix and floor space standards. The proposal would deliver regeneration benefits and contribute towards the borough's housing land supply. The design was now considered acceptable.

Miss Parker noted that the application had received media attention and reminded the Planning Committee that the recent investment in the building to develop the current Vintro Lounge was not a material planning consideration in respect of this application and the proposal must be judged on its own merits.

In terms of relative uses, if implemented this scheme would result in the loss of commercial use at first floor only and replace it with residential accommodation. The town centre uses would be retained at ground floor level which was acceptable in planning policy terms. As such, the officer recommendation was to grant planning permission subject to appropriate conditions and the signing of a Section 106 agreement to secure health and public open space contributions.

Mr Ian White had registered to speak in objection to the application but had been unable to attend the meeting.

The Planning Committee discussed the application and concerns were raised regarding the design and scale of the proposal along with concerns regarding residential

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accommodation in a retail centre. In relation to the proposal's proximity to the Winter Gardens and Policy CS8, the proposal was considered to be unsympathetic and did not enhance the surroundings. It was noted that the application did not propose any mitigation towards climate change issues such as energy efficiency other than a potentially green roof.

Miss Parker responded to the Planning Committee's concerns and noted that current Government guidance as set out at paragraph 85(f) of the National Planning Policy Framework recognised the important role that residential accommodation could play in a town or city centre and that there was a strong policy basis to support residential use at upper floor level. Use of the apartments as holiday accommodation could be controlled by condition, however use as second homes could not be prevented. It was confirmed that all the proposed apartments met the minimum floor space standards.

The Planning Committee felt that the design was out of keeping with the location, did not contribute to or enhance the nearby heritage assets, was not in proportion and was jarring and unsympathetic to the local context and setting.

Resolved: To refuse the application, notwithstanding the officer's recommendation, for the reasons that the proposed design was out of keeping with the location, did not contribute to or enhance the nearby heritage assets, was not in proportion and was jarring and unsympathetic to the local context and setting, as outlined in the attached Decision Notice: <https://idoxpa.blackpool.gov.uk/online-applications/> (Enter 20/0784 into the search parameters)

7 PLANNING APPLICATION 21/0234 - LAND ADJACENT TO CENTRAL PIER, PROMENADE, BLACKPOOL, FY1 5BB

The Planning Committee considered application 21/0234 for the erection of a single storey building, canopy, decking and boundary treatment and use of the premises as a bar and external seating area at the land adjacent to Central Pier, Promenade.

Miss Susan Parker, Head of Development Management, outlined the report and informed the Planning Committee that planning permission had previously been granted for the use of the land for an outdoor tourist attraction, namely an 18 hole themed golf course. This application related to an outdoor bar erected on the site without planning permission and is currently in use and therefore seeking retrospective permission. The application was made in full and sought to agree all details.

The bar comprised three single-storey flat-roofed enclosed structures housing the bar, storage, and toilet facilities. The rest of the site was occupied by raised decking for external seating with a canopy over part and there was also a small covered stage at the corner of the decking.

Miss Parker drew the Planning Committee's attention to the lengthy update note that had been prepared in response to a Counsel opinion submitted by the applicant and received by the Council on 2 August 2021. In addition to the update note, additional comments had been received from the Council's Heritage Officer and these comments were provided verbatim to the Planning Committee:

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- a) “Under the terms of the National Planning Policy Framework (NPPF) Central Pier is a non-designated heritage asset. It was adopted onto the Council’s List of Buildings of Local Architectural and/or Historic Interest (Local List) in 2013. It also faces the Locally Listed Huntsman Building (former Central Beach Cinema) and the boundary of the Foxhall Conservation Area.
- b) Notwithstanding its proximity to other designated and undesignated heritage assets, the character of the pier itself was hitherto enhanced by its open setting on the Promenade and its view of the sea and beach. Historically the town’s three piers were the only structures on the Promenade (with the exception of the Locally Listed Metropole Hotel to the north of North Pier). This setting has been preserved to a large degree by Council policy to protect its ‘most precious resource’ (saved Policy RR7 paragraph 2.57) and emerging policy DM10.
- c) Paragraph 189 of the National Planning Policy Framework (NPPF) states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The Heritage Statement accompanying the application has analysed the significance of the pier, and concluded that the bar complements the modern façade of the pier and would not unduly affect its significance because the Victorian structure does not become apparent until it is traversed out to sea. Paragraph 3.5 of the Heritage Statement also states that the proposals site provides little in the way of historical value, as an open piece of land on the promenade. However, this open piece of land forms part of the setting, allowing views of the Victorian substructure and the beach and sea beyond. Indeed paragraph 3.3 of the Heritage Statement acknowledges this in saying “The evidential value of the Pier’s setting has been retained to some extent within the immediate vicinity. The promenade has long been a wide-open area, and in recent years the proposals site has been used for ancillary entertainment uses.”
- d) It is clear that the modern, and poor quality, bar area, which is clearly intended not to be temporary, undermines the setting of the pier by obscuring the view of the historic substructure and the sea. It is a visual intrusion in an otherwise open setting for the pier, and neither preserves nor enhances its significance as required by paragraph 192 of the NPPF
- e) Paragraph 197 of the NPPF states that “the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”. It is my view that the level of harm to the pier is such that the retrospective application should be refused on the grounds that the development does not preserve or enhance its significance and is harmful to the setting.”

The Planning Committee was informed that the application proposed a main town centre use in an edge-of-centre location and that the site fell the Resort Core. Officers did not accept that the bar could be considered to be a tourist attraction in its own right and it was physically separate from the pier and faced away from it. Beyond ownership and proximity, there was nothing to link or integrate the bar into the pier offer.

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Miss Parker noted that National Planning Policy Framework required the application to demonstrate compliance with the sequential test, both because it was proposing a main town centre use and because it was in a flood zone; no information to demonstrate this had been provided. In addition the applicant had not submitted any information to demonstrate that the proposal would not have an impact on designated centres and as such the proposal was considered to be contrary to Policy CS4 of the Core Strategy.

Policy CS21 of the Core Strategy was supportive of the development of new, high quality tourist attractions and the improvement and enhancement of existing tourist attractions and is also supportive of new venues and events spaces that can accommodate year-round programmes of events, festivals and conferences. Miss Parker reiterated the view that the bar in itself was not considered to be a tourist attraction and that such uses had their place in supporting the wider Resort Core offer, and could be acceptable as part of an integrated and comprehensive redevelopment of the pier head to enhance the pier as a tourist attraction.. However this proposal was merely for a stand-alone bar in close proximity to and within the same ownership as the pier.

The Planning Committee was informed that it was accepted that the bar had been trading and generating an income for the pier and it was also acknowledged that the pier had suffered fire damage. However the applicant had not submitted any information to demonstrate that the pier relied upon the bar in order to operate viably as a tourist attraction, or that the income was needed to fund essential repairs following the fire.

Miss Parker asked the Planning Committee to note that should planning permission be refused, the Council would look to work with the applicant to secure closure of the bar over a time period that would not unduly compromise the operation of the pier itself.

It was noted that the bar would constrain and potentially prejudice the comprehensive redevelopment and improvement of the pier head and preclude the development of the previously approved adventure golf attraction. In addition the small stage included within the bar was insufficient for the use to be considered as an acceptable events space and as such the proposal did not comply with Policy CS21 both in terms of its use or quality.

It was further noted that the site was in a prominent and highly visible location in close proximity to heritage assets including the locally listed Pier and was visually sensitive. A high quality solution was therefore required both to respond to this context and support the Council's strategy for resort regeneration. The structures and canopies were highly visible due to the open nature of the site and had not been designed to integrate well with the sensitive surroundings. The sense of visual clutter around the pier head was exacerbated and detracted from the setting of the pier. The materials and design were not considered appropriate or of sufficient quality for this prime location.

Miss Parker noted that the applicant had suggested the Council had failed in its duty to specify the changes that would be needed to make the bar acceptable and clarified that it was not for the officers to provide a design solution for the applicant, particularly given that the proposal was considered to be unacceptable in principle. The development compromised the open character of that area of the Promenade and obstructed views of the seaward end of the pier. The heritage and visual impact must be balanced against the public benefits of the scheme and as the bar was not accepted as a tourist attraction

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complying with Policy CS21 and in the absence of any demonstration that the bar was necessary to support the pier as a tourist attraction, insufficient public benefit is identified to justify the harm that arises.

It was accepted that the site was in an accessible location and that no insurmountable issues relating to amenity had been identified. However, on balance the scheme was considered to be contrary to planning policy as it was a main town centre use in an edge of centre location, it did not meet the expectations of Policy CS21, and was considered to be unacceptable in terms of visual and heritage impact. On that basis the Planning Committee was respectfully recommended to refuse planning permission for the reasons given.

Mr Chris Weetman, Agent for the applicant, spoke in favour of the proposal and drew the Planning Committee's attention to the Counsel's opinion submitted as part of the update note. His view was that the original officer report was flawed and referred to a verbal conversation that the application had conducted with Mr Carl Carrington, Head of Planning Quality and Control. In respect of the Planning Officer's statement that Licensing was a separate regime, Mr Weetman asserted that Section 182 of the Licensing Act meant that the Planning Department would have been notified and had the opportunity to raise any issues at that juncture. Mr Weetman referred to Supreme Court caselaw regarding the definition of a tourist attraction and stated that the Council's view that the bar was not a tourist attraction was incorrect and examples were given of similar attractions in the UK including a floating bar in Tyneside, Canal Street in Manchester and the Blackpool Illuminations.

In respect of the bar being ancillary to the Pier, it was noted that there was no legal definition of ancillary and no requirement for the bar to be physically attached to Pier as long as it held a subordinate purpose. Income from the bar had helped the Pier through the fire damage and closures due to Covid and that closure of the bar would result in job losses. Mr Weetman requested that the Planning Committee considered deferring the decision in order to allow further conversation between the Council and the applicant.

The Planning Committee discussed the lengthy Counsel Opinion and noted that the Planning Officers had not had long to formulate their response and rebuttal to this document.

Resolved:

That the application is deferred to a future Planning Committee to allow the Council to fully respond to the issues raised by the applicant.

8 DATE OF NEXT MEETING

Resolved:

To note the date of the next meeting as 7 September 2021.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 3 AUGUST 2021

Chairman

(The meeting ended at 6.51 pm)

Any queries regarding these minutes, please contact:

Jenni Cook Democratic Governance Senior Adviser

Tel: (01253) 477212

E-mail: jennifer.cook@blackpool.gov.uk

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| Report to: | PLANNING COMMITTEE |
| Relevant Officer: | Susan Parker, Head of Development Management |
| Date of Meeting: | 7 September 2021 |

PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

1.0 Purpose of the report:

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

2.0 Recommendation(s):

2.1 To note the report.

3.0 Reasons for recommendation(s):

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

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

3.3b Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

4.1 None, the report is for information only.

5.0 Council Priority:

5.1 The relevant Council priorities are both 'The Economy: maximising growth and opportunity across Blackpool' and 'Communities: creating stronger communities and increasing resilience'.

6.0 Planning Appeals Lodged

- 6.1. 20/0790 – 20 Bairstow Street, Blackpool, FY1 5BN - Use of premises as 6 self-contained holiday flats. An appeal has been lodged by Mr a Singleton against the Council's refusal of planning permission.
- 6.2 19/8316 – Unit 14, Squires Gate Industrial Estate, Squires Gate Lane, Blackpool, FY4 3RN - An appeal has been lodged by Fox Brothers (Lancashire) Limited in respect of the use of land as a contractors depot, incorporating land levelling, vehicle storage for up to 67 wagons, staff and customer parking, erection of workshop, concrete batching plant and aggregate bay against an enforcement notice.

7.0 Planning/Enforcement Appeals Determined

- 7.1 Application ref 20/0804 – Layton Methodist Church, Westcliffe Drive, Blackpool, FY3 7DZ– Display of LED signage above church front door facing Westcliffe Drive following the removal of three existing signs (resubmission of application 20/0072).

Appeal Dismissed

The Inspector agreed with the Council that the main issue in this case is the effect of the proposed digital advertisement on the amenity of the area, having regard to the locally listed status of the appeal building. Layton Methodist Church is included on the Council's local list of non-designated heritage assets. Dating from the inter-war period, the building is constructed of red brick with segmental-headed traceried windows and is dominated by a square tower to its southwest corner, resulting in a visually striking architectural composition. The Church enjoys a prominent location, fronting Westcliffe Drive and overlooking the junction with Talbot Road, Layton Road, Grange Road and Annesley Avenue. Accordingly, it forms a prominent local landmark in this part of the town.

The Inspector stated that the proposed sign would be of a modest scale that would not overwhelm the principal elevation of the Church. Nonetheless, its proposed digital LED method of illumination and prominent positioning over the main entrance would result in a visually discordant feature, undermining the historic character and architectural qualities of the building. In doing so, the proposed advertisement would result in clear harm to the non-designated heritage asset.

Furthermore, given the site's prominent location, the inclusion of a digital LED display screen with alternating imagery and text would be a conspicuous addition to the street. It would be particularly obvious in public views on the approach from Talbot Road and Annesley Avenue. Consequently, its prominent location would draw attention to its discordant appearance, resulting in harm to the visual amenity of the surrounding area.

The Inspector acknowledged the appellant's comments in relation to the challenges faced by churches and that many face the threat of closure. He also recognised the important social role that the Church plays in the local community and its desire to modernise its methods of advertising events and activities in order to reach a wider audience and realise financial efficiencies. However, these matters do not outweigh the harm he found, and he had no

evidence before him to suggest that the Church would cease its activities in the event that the appeal should not succeed. Nor was he convinced that the use of an LED digital sign is the only effective way of promoting the Church's activities to the public.

Drawing all these points together, The Inspector agreed that the proposed digital advertisement would appear as a prominent and discordant feature that would significantly harm the amenity of the area, having regard to the locally listed status of the appeal building.

7.2 20/0800 – 47 Calder Road, FY2 9TX – Erection of roof lift to create additional storey.

Appeal Dismissed

Application for prior approval was made under Class AA of Part 1 of the GDPO. The Inspector agreed that the proposal would not comply with the condition AA.2.(2)(c) which sets out the roof pitch of the principal part of the dwelling house following the development must be the same as the roof pitch of the existing dwelling house. This establishes that the replacement of a hipped roof with pitched roofing with a front gable does not comply with this condition. However, the Inspector does states that there is scope for uncertainty in this regard.

Notwithstanding compliance with the conditions, the Inspector assessed the impact of the scheme and found that the large area of blank brickwork created by the roof lift would appear as a dominant and incongruous feature in the front elevation of the property and the proposed windows would not line up with the existing windows. Additionally, the new roof projection to the side would give the dwelling an unbalanced appearance. The Inspector concluded that the proposed third storey would appear as an obvious later addition that jars with the balanced design and appearance of the original dwelling. However, it was found that due to the separation distances and eaves height the proposal would not have an unacceptable impact on amenity of neighbouring properties.

7.3 21/0096 – 47 Calder Road, Blackpool, FY2 9TX – Erection of roof lift to create additional storey.

Appeal Allowed

Application for prior approval was made under Class AA of Part 1 of the GDPO. This proposal met permitted development criteria but was refused because of the impact on the character and appearance of the building and the amenity of neighbours. The Inspector found that the proposed scheme would continue the design of the existing dwelling upwards in a way that would be sympathetic to the design of the existing front elevation and allow the retention of desirable key features of the frontage. The Inspector asserted that the resulting height of the building would not be out of proportion with the existing building components on the front elevation and that the design would not result in a top heavy appearance.

The Inspector concluded that the due to the separation distances between the dwelling and the principal windows at the neighbouring property at 77 Knowle Avenue the extension would not have an unacceptable overshadowing effect. It was acknowledged that it is possible that some additional shadowing to the garden might arise when the sun is directly to the south, however it would only be experienced for a limited period and the open aspect

to the east and west would ensure that the garden continues to receive a good level of sunlight for most of the day.

7.4 20/0577 – 29 Waterloo Road, Blackpool, FY4 1AD – Use of first and second floor of premises as 2 self-contained permanent flats.

Appeal Dismissed

The Inspector found that whilst the flats complied with the minimum floor space standards, the internal layout and circulation space would not provide a high standard of living accommodation for occupants due to people having to pass bedrooms to get to the main living space and having to pass through the living space to access the bathroom. The Inspector agreed that the first floor flat would have poor outlook, however concedes that outlook from the second floor flat (whilst uninspiring) would not be significantly poor.

The Inspector agreed that the access arrangement through an enclosed yard which is accessible by third parties would not be well-designed, clear and legible and would not allow for the type of natural surveillance necessary for the creation of safe and acceptable places that contribute to quality of life.

The shared yard which would also be used for access, refuse storage, and appeared to be used for the refuse storage for the commercial unit below, would not provide adequate private outdoor space to meet the basic needs of future occupiers. It was highlighted that whilst there will be other residential dwellings with limited private outdoor space, this does not justify a proposal that would fail to provide modern standards of living conditions. Furthermore, access to the sea front and public open spaces does not compensate for the absence of private outdoor space. The Inspector also noted the importance of private outdoor space for health and well-being has been emphasised by the coronavirus pandemic. The Inspector acknowledged that the scheme would not increase the proportion of 1 bed flats in the area, however would nevertheless increase the number of flats and would contribute to further imbalance in the local housing supply and would not provide a high standard of living accommodation for families.

The inspector concluded that whilst the National Planning Policy Framework supported the development of under-utilised land and buildings, it is clear that proposals for the efficient use of land should take into account matter including the importance of securing well-designed, attractive, and healthy places. As such, the re-use of an under-utilised building would, in this case, not outweigh the conflict with policy

7.5 Application number 20/0634 - Rear of 39-41 Caroline Street, Blackpool FY1 5BU. The development proposed is a conversion to a dwelling.

Appeal dismissed

The Inspector considered that the proposal would provide a small unit of accommodation with cramped living conditions for prospective occupants. The lack of outlook and limited daylight would result in a gloomy and oppressive internal environment for future occupants. The outlook from the property would be severely restricted and it would receive very little

direct sunlight. Also direct window to window overlooking with dwellings along Caroline Street would occur, which would compromise the privacy of future and existing occupants. The small outdoor amenity space would be overlooked and lack privacy and would not be particularly useful as a place for leisure, relaxation and drying clothes. For these reasons, future occupants would not be provided with the quantity nor quality of private outdoor amenity space which they could reasonably expect to enjoy. Taking all of these points together, he considered that the proposal would not provide satisfactory living conditions for future occupants in terms of internal living space, outlook, daylight, privacy and private outdoor amenity space.

With regard to the living conditions of neighbouring residents on Caroline Street the proposal would introduce two first floor bedroom windows looking towards the rear of properties along Caroline Street, which he agreed with the Local Planning Authority would give rise to direct window to window overlooking and overlooking of their rear private amenity spaces, which would result in a harmful loss of privacy for these neighbouring residents. He disagreed with the council that the proposal would increase the fear of crime for existing neighbouring residents

In terms of achieving a balanced, healthy and sustainable community within the Foxhall Inner Area, The Inspector agreed that the proposal would further skew the imbalance of one and two bedroomed housing in the area and it was clear to him that the proposal would add to an existing over-concentration of smaller homes in the area. Consequently, he considered that the proposal would undermine the Local Planning Authority's efforts to achieve balanced, healthy and sustainable communities.

The Inspector saw that part of the yard was identified for the storage of refuse bins; the distance from the yard to the street on collection days is relatively short, and such arrangements are not unusual in dense urban areas. He concluded that there was no reason why this arrangement would be problematic or how it would attract fly-tipping, and thought acceptable arrangements were in place for refuse storage.

In terms of the benefits, he found that the proposal would contribute to the supply of local housing, reuse an existing vacant building, it would likely enhance and improve the appearance of the site, which is currently in a poor state of repair, and bring about positive economic effects through construction and subsequent occupation. However, these benefits were limited by the scale of the proposal and would be outweighed by the significant harmful effects that he found i.e. the unsatisfactory living conditions for existing neighbouring residents and future occupiers and would also undermine the Local Planning Authority's efforts to achieve balanced, healthy and sustainable communities.

7.6 Does the information submitted include any exempt information? No

7.7 The Planning Inspectorate decision letters can be viewed online at <https://idoxpa.blackpool.gov.uk/online-applications/>

8.0 List of Appendices

8.1 None.

9.0 Financial considerations:

9.1 None.

10.0 Legal considerations:

10.1 None.

11.0 Risk management considerations:

11.1 None

12.0 Equalities considerations:

12.1 None.

13.0 Sustainability, climate change and environmental considerations:

13.1 None.

14.0 Internal/ External Consultation undertaken:

14.1 None.

15.0 Background papers:

15.1 None.

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|--------------------------|---|
| Report to: | Planning Committee |
| Relevant Officer: | Tim Coglan (Service Manager, Public Protection) |
| Date of Meeting: | 7 September 2021 |

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, between 1 July 2021 and 31 July 2021.

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.

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

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

4.0 Other alternative options to be considered:

4.1 Not applicable.

5.0 Council priority:

5.1 The relevant Council priority is

- "The economy: Maximising growth and opportunity across Blackpool"
- "Communities: Creating stronger communities and increasing resilience"

6.0 Background information

6.1 Cases

New Cases

In total, 63 new cases were registered for investigation in July 2021.

As at 31 July 2021, there were 514 “live” complaints outstanding.

Resolved cases

In total, 9 cases were resolved by negotiation without recourse to formal action.

Closed cases

In total, 68 cases were closed. These cases include those where there was no breach of planning control found, no action was appropriate, or where it was considered not expedient to take action.

Formal notices

- No enforcement notices were authorised in July 2021;
- One s215 notice was authorised in July 2021;
- No enforcement notices were issued in July 2021;
- No s215 notices were issued in July 2021;
- Two Community Protection Warnings issued in July 2021 (relating to poor condition of empty properties).

Notices authorised

| Ref | Address | Case | Dates |
|------------|------------------------------|--|--------------------------------------|
| 19/8243 | 21 THE CRESCENT (FY4 1EQ) | Poor external condition of property | S215 Notice authorised 23/07/2021 |

6.2 Does the information submitted include any exempt information? No

7.0 List of Appendices:

7.1 None.

8.0 Financial considerations:

8.1 None.

9.0 Legal considerations:

9.1 None.

10.0 Risk management considerations:

10.1 None.

11.0 Equalities considerations:

11.1 None.

12.0 Sustainability, climate change and environmental considerations:

12.1 None.

13.0 Internal/external consultation undertaken:

13.1 None.

14.0 Background papers:

14.1 None.

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| | |
|--------------------------|--|
| Report to: | PLANNING COMMITTEE |
| Relevant Officer: | Susan Parker, Head of Development Management |
| Date of Meeting: | 7 September 2021 |

TREE PRESERVATION ORDER 2021/48 – 88 ALL HALLOWS ROAD, BLACKPOOL

1.0 Purpose of the report:

1.1 The Committee is requested to decide whether or not to confirm the provisional Tree Preservation Order 2021/48 at 88 All Hallows Road, Blackpool.

2.0 Recommendation(s):

2.1 To confirm the provisional Tree Preservation Order/s 2021/48 at 88 All Hallows Road, Blackpool, with modification.

3.0 Reasons for recommendation(s):

3.1 To ensure the ongoing amenity value of the trees due to their visibility and contribution to the local treescape close to the grade II listed Bispham Parish Church.

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

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

4.0 Other alternative options to be considered:

4.1 The trees are not in a conservation area and are outside the boundary of the listed church. If the Tree Preservation Order (TPO) is not confirmed the trees will not be protected from pruning, lopping or felling, which will affect the setting of the church and the streetscene.

5.0 Council Priority:

5.1 The relevant Council priority is 'Communities: creating stronger communities and increasing resilience.'

6.0 Tree Preservation Order

6.1 An application for outline planning permission for two detached dwellings within the grounds of 86 All Hallows Road was granted on 15 May 2020 for the erection of two detached

dwellings within the grounds. When the Parks Development Manager carried out his site visit to evaluate the trees for the planning application, he took the opportunity to assess the trees at a number of other properties in the vicinity because of their obvious contribution to the amenity of the area

6.2 The trees at 88 All Hallows Road (the Parish Office) were assessed using the (Tree Evaluation Method for Preservation (TEMPO method), and the report states that all trees are visible from the road and by all who visit the church and cemetery. They are in a fair condition due to the regular pruning which is carried out but most remain good specimens. A recent garage build will have affected the root systems of the trees and they now need to be left to recover including no pruning works. Most of the trees are approximately half way through their life span and will provide public amenity value for another 50 plus years. T2 provides numerous habitats and has near veteran status.

6.3 It was therefore considered that the trees have significant amenity value and contribute positively towards the character and appearance of the streetscene and the setting of All Hallows Church. A provisional Order was therefore made on 9 June 2021 and served on the Blackburn Diocesan Board of Finance Ltd which owns the land.

6.4 On 28 June 2021 an objection was received from Tree Check on behalf of the Blackburn Diocesan Board of Finance which stated:

“The Diocese wish to object to the Provisional Order on the following grounds:

1. The sycamores are of moderate quality but T7 a sycamore with a habitual tendency to be infested with greenfly will make the rear garden in summer uncomfortable to use. The tree will also grow to the extent that canopy reduction away from the house will be required within 10 years. It will be a large tree in a small garden.
2. One of the apple trees has been misidentified and is a pear. The other apple has a severe cavity which will cause failure and is of a size to make it invisible from the outside garden.
3. The TPO site plan is incorrect as the recently permitted and built single garage is not shown.”

6.5 The Parks Development Manager has since commented that, although some of the Sycamores are currently not the best specimens, this is due to the standard of pruning which has been carried out in the past, and they have potential to be high amenity trees with high visibility, whilst contributing to the surrounding treescape especially as these trees link to the church grounds and nearby properties. In addition, although aphids populate Sycamores, they also populate many other species and this is not a consideration when assessing trees in comparison to the many benefits they provide. The Sycamores are located near to or next to the property boundaries and, therefore, this should not cause an issue and allow the property owners to enjoy their garden.

6.6 It is the Planning Officer’s opinion, therefore, that a Tree Preservation Order is warranted, and the Planning Committee is recommended to confirm the Order with modification. The pear tree misidentified as an apple tree will be corrected on the TEMPO form and Order.

7.0 List of Appendices:

- 7.1 Appendix 5(a): Provisional Tree Preservation Order 2021/48
- Appendix 5(b): TEMPO form

8.0 Financial Considerations

- 8.1 None.

9.0 Legal considerations:

- 9.1 None.

10.0 Risk management considerations:

- 10.1 None.

11.0 Equalities considerations:

- 11.1 None.

12.0 Sustainability, climate change and environmental considerations:

- 12.1 None.

13.0 Internal/external consultation undertaken:

- 13.1 None.

14.0 Ethical considerations:

- 14.1 None.

15.0 Background papers:

- 15.1 None.

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Blackpool Council

Town and Country Planning Act 1990 & The Town and Country Planning (Tree Preservation) (England) Regulations 2012

The Blackpool Borough Council 88 All Hallows Road, Blackpool, FY2 0AY

Tree Preservation Order 2021/48

Blackpool Borough Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990, hereby make the following Order—

Citation

1

This Order may be cited as the Blackpool Borough Council 88 All Hallows Road, Blackpool, FY2 0AY Tree Preservation Order 2021/48

Interpretation

2

(1) In this Order “the authority” means Blackpool Borough Council

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3

(1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the

Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4

In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 9th day of June 2021

Signed on behalf of Blackpool Borough Council

S. Parker.

Susan Parker – Head of Development Management

Authorised by the Council to sign in that behalf



The Common Seal of Blackpool Council was affixed to this Order in the presence of:

 Malcolm Gynn

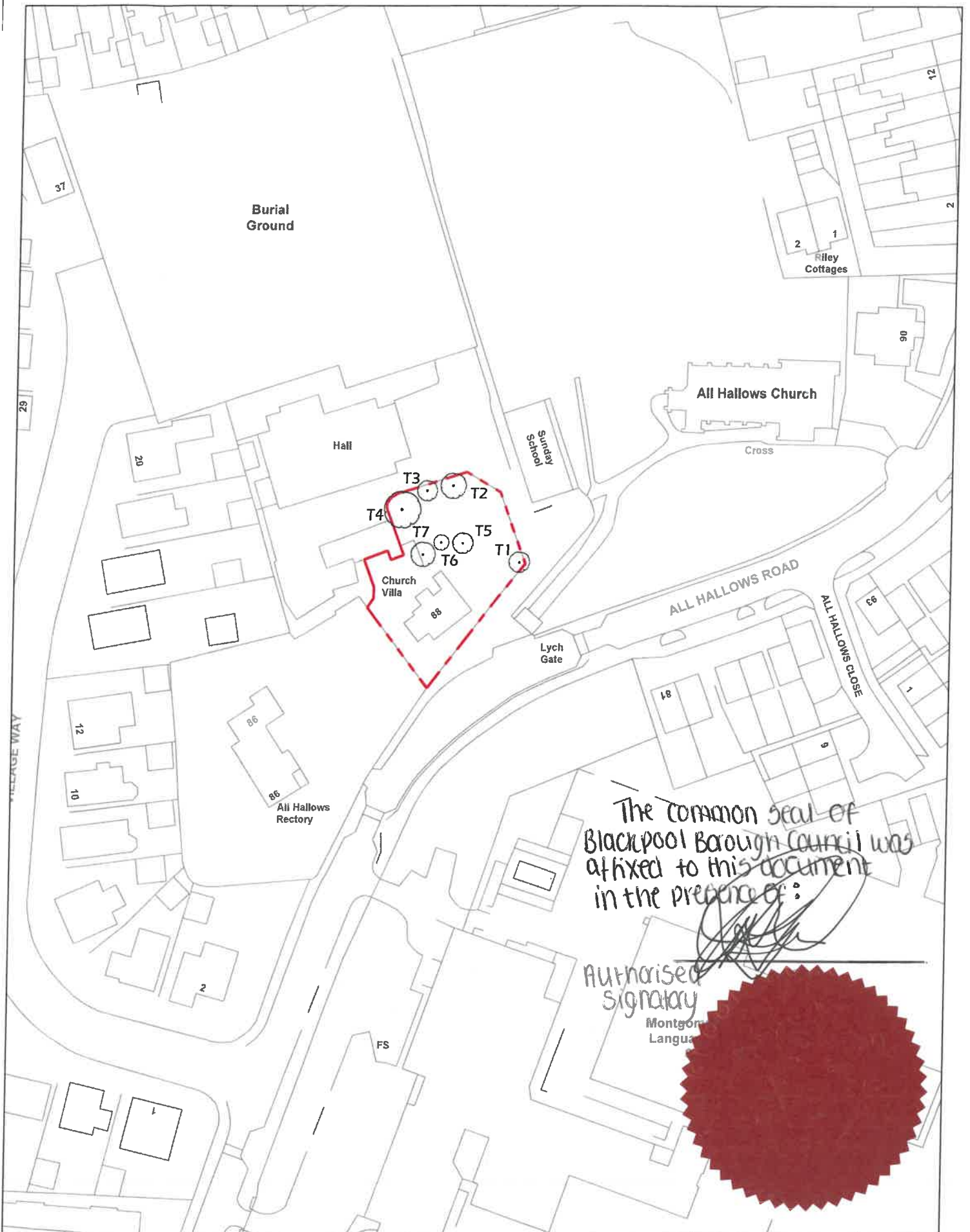
SCHEDULE

Specification of trees

Trees specified individually

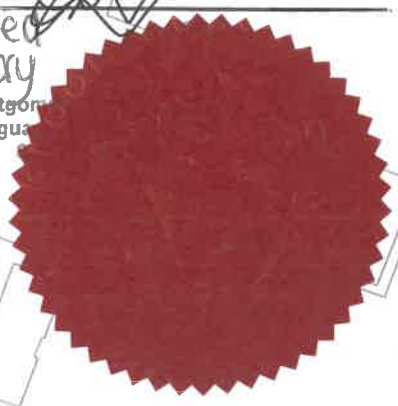
(encircled in black on the map)

| <i>Reference on map</i> | <i>Description</i> | <i>Situation</i> |
|-------------------------|--------------------|---|
| T1, T2, T3, T4, T7 | Sycamore | [complete if necessary to specify more precisely the position of the trees] |
| T5, T6 | Apple sp. | |



The common seal of Blackpool Borough Council was affixed to this document in the presence of:

Authorised Signatory
Montgomery
Langley



88 All Hallows Road
- Plan

Legend:
- - - Boundary

Drawn By: LDC V.Date: 2-Jun-21 V.1.0

Scale 1:1,000 Date:1-Jun-21

Paper Size: A4

Growth Prosperity



Tree Evaluation Method for Preservation Orders (TEMPO)
Survey Data Sheet Decision Guide

| | | | |
|--|--|-----------|--------------|
| Date: | 16/02/2021 | Surveyor: | Paul Hodgson |
| TPO Type e.g. <i>Individual, Group or Woodland</i> : | Individual | | |
| Location: | 88 All Hallows Road, Blackpool FY2 0AY | | |
| Species Observed: | T1 - Sycamore, T2 - Sycamore, T3 - Sycamore, T4 - Sycamore, T5 - Apple sp., T6 - Apple sp. & T7 - Sycamore | | |

Part 1**a) Condition & Suitability for TPO**

| | | |
|---|--------------------|-------------------------|
| 5 | Good | Highly suitable |
| 3 | Fair | Suitable |
| 1 | Poor | Unlikely to be suitable |
| 0 | Dead or Dangerous* | Unsuitable |

| Score | Notes |
|-------|---|
| 3 | The trees are in a fair condition due to the regular pruning which is carried out. However, most remain good specimens. |

* relates to existing context & is intended to apply to severe irremediable defects only.

b) Remaining longevity (in years) & suitability for TPO

| | | |
|---|--------|-----------------|
| 5 | 100+ | Highly suitable |
| 4 | 40-100 | Very suitable |
| 2 | 20-40 | Suitable |
| 1 | 10-20 | Just suitable |
| 0 | <10* | Unsuitable |

| Score | Notes |
|-------|---|
| 4 | Most of the trees are approx. half way through their life span and will provide amenity for another 50 years +. |

* includes trees which are existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality.

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

| | | |
|---|---|---------------------|
| 5 | Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4 | Large trees, or medium trees clearly visible to the public | Suitable |
| 3 | Medium trees, or large trees with limited view only | Suitable |
| 2 | Small trees, or medium/large trees visible only with difficulty | Barely suitable |
| 1 | Trees not visible to the public, regardless of size | Probably unsuitable |

| Score |
|-------|
| 4 |

Notes

The trees are visible from the road side and all who visit the church and cemetery.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

| | |
|---|--|
| 5 | Principal components of arboricultural features or veteran trees |
| 4 | Tree groups, or members of groups important for their cohesion |
| 3 | Trees with identifiable historic, commemorative or habitat importance* |
| 2 | Trees of particularly good form, especially if rare or unusual |
| 1 | Trees with none of the above additional redeeming features |

| Score | Notes |
|-------|--|
| 3 | Benefit the surrounding area and trees with T2, providing numerous habitats and near veteran status. |

*Obligations under NERC Act 2006 & NPPF

Tree Evaluation Method for Preservation Orders (TEMPO)
Survey Data Sheet Decision Guide

Part 2

Expediency Assessment

Trees must have accrued 9 or more points to qualify

- 5 Immediate threat to tree
- 3 Foreseeable threat to tree
- 2 Perceived threat to tree
- 1 Precautionary only

| Score | Notes |
|-------|---|
| 2 | Recent garage build will have affected the root systems of the trees and they now need to be left to recover inc. no pruning works. |

Part 3

Decision

- 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

| Total Score | Decision |
|-------------|-----------------------|
| 16 | Definitely merits TPO |

Part 4

Location/Map



| | |
|--------------------------|--|
| Report to: | PLANNING COMMITTEE |
| Relevant Officer: | Susan Parker, Head of Development Management |
| Date of Meeting: | 7 September 2021 |

TREE PRESERVATION ORDER 2021/56 – 60A STOCKYDALE ROAD, BLACKPOOL

1.0 Purpose of the report:

1.1 The Committee is requested to decide whether or not to confirm the provisional Tree Preservation Order 2021/56 at 60a Stockydale Road, Blackpool.

2.0 Recommendation(s):

2.1 To confirm the provisional Tree Preservation Order 2021/48 at 60a Stockydale Road, Blackpool.

3.0 Reasons for recommendation(s):

3.1 To ensure the ongoing amenity value of the trees due to their visibility and contribution to the local streetscene

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

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

4.0 Other alternative options to be considered:

4.1 The trees are not in a conservation area. If the Tree Preservation Order (TPO) is not confirmed the trees will not be protected from pruning, lopping or felling, which will affect their public amenity and ecological value

5.0 Council Priority:

5.1 The relevant Council priority is: 'Communities: creating stronger communities and increasing resilience'.

6.0 Tree Preservation Order

- 6.1 The owners of 60a Stockydale Road, Blackpool, submitted a planning application (reference number 21/0203) for external alterations including the erection of a 2m high boundary wall. The principal planning officer was concerned that the roots of the trees on the property boundary might be damaged by the construction of a wall, and requested the Parks Development Manager to assess the condition of the trees and their amenity value in order to inform the determination of the planning application.

The assessment concluded that there are five trees which have good form and which create an amenity line along the property's boundary. They are in a fair to good condition and, as they are semi mature, they will be present for some time and will benefit the area as they mature. He advised that one or two trees may need removing in the future to benefit the dominant specimens, and this could be managed via the development management process.

On 11 June 2021 the owner submitted a letter of objection to the planning department stating that she believed the trees do not merit a Tree Preservation Order and the objection is stated in full below:

“I am writing to confirm receipt of the Tree Preservation Order referenced above dated 12th May 2021. I wish to submit my objections for all trees specified (T1-T5) for the following grounds.

There are currently 43 TPO listed on the Blackpool Council website references TP01-TPO56 (last modified 9th June 2021). The first of which was made in 1968. In just over 50 years there have only been 56 instances where Blackpool Council have felt it necessary to impose Tree Preservation Orders. Of the listed TPOs only one other is within the Stanley ward and that is a Woodland site within the Conservation area.

The Regulation 5 notice received gives the generic reason that ‘The Order has been made on the basis of the advice of the Council’s Head of Parks and Greens. It is felt that the trees are of sufficient public amenity value to warrant protection in the interest of the quality of the streetscene.’ This reason is identical to the other Regulation 5 notices available to view on your website and I do not believe this to be an adequate explanation to the reason that my trees have been protected.

I must also question the expedience for a TPO when I have reiterated countless times to the planning department that I do not intend to remove the trees, my planning application has been refused on two occasions and the five trees are sited within a predominately green environment.

I am the owner of the five trees and the land in which they are sited. The trees mentioned along with the character of the house and area were the reason I decided to purchase the property. The trees provide my property with much needed privacy from the overlooking new build properties and I am therefore the beneficiary of any amenity that they provide.

The property is set within Marton Moss, the semi-rural area of Blackpool. The local vicinity is made up of homes with large gardens and the entire road and nearby roads are lined with trees. The amenity of the new build properties directly across from the property would have been considered when approving that development.

The location plan attached is not very clear with regards the location of the trees. The trees do not form my boundary. My boundary is made up of bushes and the trees are setback behind these. Any changes I make to my current boundary will not affect the trees or root systems.

I am not aware of the tree officer entering my land to conduct a site visit but an accurate assessment of each individual tree would not be possible without gaining access. It should also be noted that of the five trees, two have been mis-labelled.

I would love to be the owner of a specimen tree but this is not the case. The two red horse chestnut T1 and T4, like many of these trees, suffer with canker and are clearly in decline. T4 is still not in full leaf, they both have cavities and dead wood, and the autumn fruits are poor. Sycamore trees are essentially classed as weeds and hold no value. T2 has deadwood. T3 has a large cavity close to the base and deadwood. T5 is also in decline possibly due to previous damage from a HGV that should not have been using the road. It has a cavity, deadwood, damaged branches and was late to leaf. All the trees are not of good form.

The member of the Arboricultural Association that came to conduct a site visit advised me of the above and that it is best to wait until the end of July to conduct a full inspection. I can therefore not give any more detail as to the condition or estimated retention span of the trees.

In planning application reference 21/0142 the officer states 'In terms of the contribution the trees make to the quality of the streetscene and Conservation Area, it must be acknowledged that there are a significant number of trees along North Park Drive and that the overall sense is of a very green environment. As such the trees are of less importance than they may be in a more typically urban setting.' Stockydale Road is not within the conservation area of Marton Moss but the area is a very green environment as in the case above. There are larger, more mature trees of the same types on my road and nearby roads which are also on private land, clearly visible from the road and not subject to a TPO. There are also larger, more mature trees of different types on my road and nearby roads which are also on private land, clearly visible from the road and not subject to a TPO. In fact, it seems every large house within Marton Moss have trees marking the edge of the boundary, clearly visible from the road which are not subject to a TPO. I would like to know why my trees merit a TPO as opposed to any of the other trees in the vicinity.

In planning application reference 21/0258 the applicant applied to remove trees of the same or similar types and with the same issues present. This applicant was granted permission to do so and informed that a TPO was not justified.

In planning application reference 19/0321 the applicant proposed to remove four trees within the conservation area of Marton Moss. The officer's findings stated that the trees were not worthy of a Tree Preservation Order based on the type and nature of the trees and the nature of the surroundings. The nature of the surroundings is the same in my situation. Two of the four trees in the application are sycamore trees therefore logic dictates that my sycamore trees would also not be worthy.

To conclude the mere fact that the five trees are publicly visible is not sufficient to warrant a TPO. The trees are not in good condition and therefore the retention span will be less than would normally be expected for these types of trees. Their poor form should also be noted. The trees will remain and be maintained appropriately to prolong the life. They are of benefit to my property, I like them, and they are my trees, on my land. A Tree Preservation Order in this instance is completely inappropriate, unnecessary and unjust.

I look forward to acknowledgement of the above and receiving details of the Council's determination upon this matter in due course."

- 6.2 The Parks Development Manager points out that there are several criteria to a TEMPO assessment and it is not solely based on the condition of a tree/trees and the defects present. Considerations are given to amenity, longevity, visibility, other factors and expediency. The trees in question are visible throughout the north section of Stockydale Road, the north section of Jubilee Lane North and visible to the surrounding properties, in addition to contributing to the surrounding tree population and providing habitats to the local wildlife. Under the Natural Environment and Rural Communities Act 2006 Councils have a responsibility to ensure the conservation of biodiversity. The species of the tree is not considered as part of the TEMPO assessment.
- 6.3 As there is a proposed development application number 21/0203, this is considered in relation to the expediency section of the TEMPO. The trees will be affected by the logistics and material storage of the site through soil compaction and by the boundary wall, as this will incur on the trees' Root Protection Area (RPA), which will be highlighted within the requested BS5837 report. Trees' root systems can spread 2-3 times the radius of the canopy with many species even further and, therefore, the longevity, visual amenity and expediency will be affected.
- 6.4 It is the Planning Officer's opinion, therefore, that a Tree Preservation Order is warranted, and the Planning Committee is recommended to confirm the Order.

7.0 List of Appendices:

- 7.1 Appendix 6(a): Provisional Tree Preservation Order 2021/56
Appendix 6(b): TEMPO form

8.0 Financial Considerations

- 8.1 None.

9.0 Legal considerations:

9.1 None.

10.0 Risk management considerations:

10.1 None.

11.0 Equalities considerations:

11.1 None.

12.0 Sustainability, climate change and environmental considerations:

12.1 None.

13.0 Internal/external consultation undertaken:

13.1 None.

14.0 Ethical considerations:

14.1 None.

15.0 Background papers:

15.1 None.

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Town and Country Planning Act 1990 & The Town and Country Planning (Tree Preservation)(England) Regulations 2012

The Blackpool Borough Council (60a Stockydale Road, Blackpool, FY4 5HR) Tree Preservation Order 2021/56

Blackpool Borough Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990, hereby make the following Order—

Citation

1

This Order may be cited as The Blackpool Borough Council (60a Stockydale Road, Blackpool, FY4 5HR) Tree Preservation Order 2021/56

Interpretation

2 Tree Preservation Order

(1) In this Order “the authority” means Blackpool Borough Council

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3

(1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in

accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4

In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated: 12 Dec 2021.

The Common Seal of Blackpool Council
was affixed in the presence of:

Authorised Signatory

A handwritten signature in black ink, appearing to be 'A. J. ...', written over a dotted line.

SCHEDULE

Specification of trees

Trees specified individually

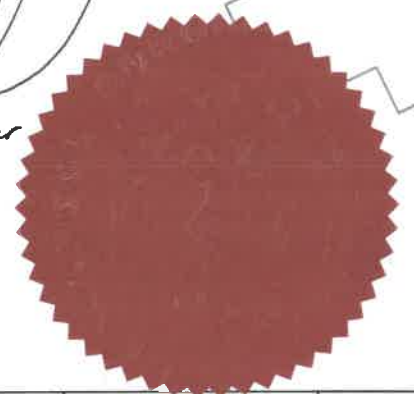
(encircled in black on the map)

| <i>Reference on map</i> | <i>Description</i> | <i>Situation</i> |
|-------------------------|--------------------|-------------------|
| T1 | Horse Chestnut | See attached Plan |
| T2, T3, T4 | Sycamore | |
| T5 | Horse Chestnut | |



The Common Seal of Blackpool Council
 was affixed with presence of:

[Handwritten Signature]
 Authorised Officer



60a Stockydale Road

- Plan

Legend:
— Boundary

| | | |
|----------------|-------------------|-------|
| Drawn By: LDC | V.Date: 10-May-21 | V.1.0 |
| Scale 1:500 | Date: 10-May-21 | |
| Paper Size: A4 | | |

| | | | |
|---|--|-----------|--------------|
| Date: | 07/05/2021 | Surveyor: | Paul Hodgson |
| TPO Type e.g. Individual, Group or Woodland : | Individual | | |
| Location: | 60A Stockydale Road, Blackpool FY4 5HR | | |
| Species Observed: | T1 - Horse Chestnut, T2 - Sycamore, T3 - Sycamore, T4 - Sycamore & T5 - Horse Chestnut | | |

Part 1

a) Condition & Suitability for TPO

| | | |
|---|--------------------|-------------------------|
| 5 | Good | Highly suitable |
| 3 | Fair | Suitable |
| 1 | Poor | Unlikely to be suitable |
| 0 | Dead or Dangerous* | Unsuitable |

| Score | Notes |
|-------|---|
| 3 | The trees are in a fair to good condition and in a semi mature state providing amenity to the surrounding area. |

* relates to existing context & is intended to apply to severe irremediable defects only.

b) Remaining longevity (in years) & suitability for TPO

| | | |
|---|--------|-----------------|
| 5 | 100+ | Highly suitable |
| 4 | 40-100 | Very suitable |
| 2 | 20-40 | Suitable |
| 1 | 10-20 | Just suitable |
| 0 | <10* | Unsuitable |

| Score | Notes |
|-------|--|
| 4 | As they are semi mature, they will be present for some time and benefit the area as they mature. 1 or 2 trees may need removing in the future to benefit the dominant specimens. |

* includes trees which are existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality.

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

| | | |
|---|---|---------------------|
| 5 | Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4 | Large trees, or medium trees clearly visible to the public | Suitable |
| 3 | Medium trees, or large trees with limited view only | Suitable |
| 2 | Small trees, or medium/large trees visible only with difficulty | Barely suitable |
| 1 | Trees not visible to the public, regardless of size | Probably unsuitable |

| Score |
|-------|
| 3 |

| Notes |
|--|
| The trees are situated within the curtilage of 60A and on the boundary to the north west. They are visible from Stockydale Road, Jubilee Lane North, passers-by and from the properties to east, west and north. |

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

| | |
|---|--|
| 5 | Principal components of arboricultural features or veteran trees |
| 4 | Tree groups, or members of groups important for their cohesion |
| 3 | Trees with identifiable historic, commemorative or habitat importance* |
| 2 | Trees of particularly good form, especially if rare or unusual |
| 1 | Trees with none of the above additional redeeming features |

| Score | Notes |
|-------|--|
| 2 | The trees have good form and create an amenity line along the property's boundary. |

*Obligations under NERC Act 2006 & NPPF

Tree Evaluation Method for Preservation Orders (TEMPO)
Survey Data Sheet Decision Guide

Part 2

Expediency Assessment

Trees must have accrued 9 or more points to qualify

- 5 Immediate threat to tree
- 3 Foreseeable threat to tree
- 2 Perceived threat to tree
- 1 Precautionary only

| Score | Notes |
|----------|---|
| 5 | The immediate threat is from the proposed development which will affect the root systems and potentially cause ill health/loss of tree cover. |

Part 3

Decision

| | |
|-------|-----------------------|
| 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

| Total Score | Decision |
|-------------|-----------------------|
| 17 | Definitely merits TPO |

Part 4

Location/Map



**Blackpool Council
Development Management**

Officer Report to Committee

Application ref: 21/0486
Ward: PARK
Application type: FULL

Location: SITE A: LAND AT JUNCTION OF CHEPSTOW PLACE AND GATESIDE DRIVE
SITE B: LAND OFF DINMORE AVENUE TO WEST OF THE GRANGE AND SOUTH OF BOUNDARY PRIMARY SCHOOL

Proposal: Site A: Erection of 53 two and three-storey dwellings with vehicular access from Chepstow Road and Gateside Drive, associated parking landscaping and public open space, and creation of school green for use by Boundary Primary School.

Site B: Erection of 78 dwellings to include two and three-storey dwellings, bungalows, a two-storey block of 12 flats and a three-storey block of 18 flats with access taken from Dinmore Avenue, with associated parking, landscaping and public open space including a children's play area, formation of a shared cycle and pedestrian link from Dinmore Avenue to Dingle Avenue, and reconfiguration of existing car park to The Grange.

Recommendation: Approve

Case officer: Susan Parker

Case officer contact: 01253 476228

1.0 BLACKPOOL COUNCIL PLAN 2019-2024

1.1 The Council Plan sets out two priorities. The first is 'the economy: maximising growth and opportunity across Blackpool', and the second is 'communities: creating stronger communities and increasing resilience.

1.2 This application would accord with the second priority by delivering quality housing to meet identified local needs, through the efficient use of land, and through the redevelopment and regeneration of vacant plots on a priority estate.

2.0 SUMMARY OF RECOMMENDATION

2.1 The scheme would make a substantial contribution towards meeting the borough's housing requirement and would provide much-needed affordable housing. The development would be well designed and landscaped and would provide a reasonable standard of residential amenity. No unacceptable impact on biodiversity, environmental quality, drainage or the highway network are anticipated. The proposal would result in the loss of some public open space and the loss of a school playing field. Neither is considered to weigh significantly against the application. Subject to the conditions listed at the end of this report, the proposal is considered to be acceptable.

3.0 INTRODUCTION

3.1 This application is before Members because it is a major-scale, Council-led scheme of general community interest.

4.0 SITE DESCRIPTION

4.1 The application relates to two distinct sites that are in close proximity to one another but are not physically or functionally linked. For ease the sites have been labelled as A and B.

4.2 Site A is a rectangular parcel of land 1.52ha in area. It sits to the south-east of the junction between Chepstow Road and Gateside Drive. Boundary Primary School lies to the east with a Grange Park Estate Office to the south. Existing housing surrounds the site to the south, west and north. At present the land is cleared, rough grassland with some small, scattered trees. This site includes a small area of designated and protected public open space. The Proposals Map to the Local Plan also shows a small local centre within the site but this was contained within a block that has now been demolished. The remainder of the site is not subject to any specific designation or allocation.

4.3 Site B is a roughly triangular plot of land 2.33ha in area. It sits to the south of Boundary Primary School and to the west of The Grange complex and car park. Existing housing abuts the site to the west with a large area of designated public open space to the south. The site itself is designated as protected playing fields and sports grounds. At present it is rough grassland that is cross-cut by pathways. There are trees along the south-western boundary.

4.4 Both sites fall within flood zone 1 and are at potential risk from landfill gas. No other specific constraints apply.

5.0 DETAILS OF PROPOSAL

5.1 The application seeks full planning permission for a 100% affordable residential development as follows:

Site A: Erection of 53 two and three-storey dwellings with vehicular access from Chepstow Road and Gateside Drive, associated parking landscaping and public open space, and creation of school green for use by Boundary Primary School.

Site B: Erection of 78 dwellings to include two and three-storey dwellings, bungalows, a two-storey block of 12 flats and a three-storey block of 18 flats with access taken from Dinmore Avenue, with associated parking, landscaping and public open space including a childrens play area, formation of a shared cycle and pedestrian link from Dinmore Avenue to Dingle Avenue, and reconfiguration of existing car park to The Grange.

5.2 The application has been supported by:

- Planning, Design and Access Statement
- Sustainability statement
- Transport Assessment
- Framework Travel Plan
- Geotechnical and ground investigation reports
- Drainage strategy and reports
- Flood risk assessment

- Preliminary ecological assessment
- Tree impact report
- Preliminary environmental assessment

6.0 RELEVANT PLANNING HISTORY

- 6.1 16/0383 – demolition of former Christ the King Church and associated hall, rex house and presbytery (site A) – prior approval not required.
- 6.2 17/0762 – demolition of block of shops and maisonettes (site A) – prior approval required and granted
- 6.3 13/0578 – demolition of the former Grange Park Primary School (site B) – prior approval not required.
- 6.4 02/0575 – erection of detached building to form City Learning Centre with associated access and parking – permission granted
- 6.5 01/0781 – erection of primary school (Boundary Primary School) on land to north of site B – permission granted

7.0 MAIN PLANNING ISSUES

- 7.1 The main planning issues are considered to be:

- The principle of residential development
- Loss of local centre
- Loss of public open space
- Loss of playing pitches
- Impact on amenity
- Visual impact
- Highway impact
- Drainage
- Environmental impact
- Sustainability balance

8.0 CONSULTATION RESPONSES

- 8.1 **Sport England:** the site forms part of a playing field but, as it has not been used for at least five years, Sport England is not a statutory consultee. Historic aerial images show that Site B has been marked out with a football pitch with playing field to the north. Notwithstanding the lack of use, Site B remains playing field. The PPS identifies it as lapsed. The views of the Football Foundation have been sought. The Council's Playing Pitch Strategy is agreed along with the proposed mitigation figure of £227,043.64. The Football Foundation should be consulted on this mitigation to ensure it meets local priorities. As this is supported by the Council's Playing Pitch Strategy and evidence base, it is acceptable to Sport England. Sport England must object to all proposals for loss of a playing pitch in the absence of formal mitigation being secured. However, subject to the completion of a S106 agreement or other mechanism to secure the agreed mitigation figure, Sport England would withdraw any objection to the loss of the playing pitch.

- 8.2 **Natural England:** a Habitat Regulations Assessment screening is required to provide proportionate assessment of recreational disturbance impacts on the coastal designated sites that would result from the development. The Local Planning Authority as 'competent authority' must determine likely significant effects. If the Local Planning Authority is satisfied that no likely significant effects would result then there is no further need to consult Natural England. Where the screening cannot rule out a likely significant effect, an appropriate assessment will be required. Natural England should be consulted again as a statutory consultee at that point. Natural England has not assessed potential impact on protected species and standing advice or your own ecological advice service should be consulted. Standing advice is also available on potential impact on ancient woodland. The Local Planning Authority must determine if the application is consistent with national and local policies on the natural environment. Specialist advice should be obtained.
- 8.3 **United Utilities:** foul and surface water should be drained separately and this should be conditioned. The submitted drainage proposals are acceptable and an appropriate condition is recommended. Wastewater assets proposed for United Utilities adoption must meet United Utilities standards and should be agreed prior to commencement. A condition requiring a strategy for drainage maintenance to be agreed is recommended. The mains water supply may need to be extended to serve the site and a developer contribution may be required. The applicant should contact United Utilities at the earliest opportunity to discuss this. All fittings must be to current standards. The applicant must comply with United Utilities standards relating to Works Adjacent to Pipelines. The applicant should ensure that landscaping proposals accord with this document and that root barriers are used. A number of sewers cross Site A. These cannot be built over or covered by private garden. Either a modification to the site layout or a diversion of the sewers at developer expense is required. Again early consultation to discuss sewer diversion is recommended.
- 8.4 **Lead Local Flood Authority:** the drainage proposals are acceptable and no further conditions are required beyond those requested by United Utilities.
- 8.5 **Blackpool, Wyre and Fylde NHS Clinical Commissioning Group:** the development proposed would be expected to generate a requirement for 333 patient places. This need in this location could only be accommodated through the reconfiguration of existing premises. A contribution of £41,718 towards the extension or reconfiguration of Grange Park Health Centre is therefore requested. Payment should be secured prior to commencement to ensure that provision is available to meet the needs as they develop.
- 8.6 **Local Education Authority:** the School Organisation Plan 2020-2028 forecasts a reduction in primary aged pupils but an increase in secondary aged pupils. A shortfall in secondary places is therefore predicted which could be further impacted by this development. As such a contribution of £631,418.17 is required based on the calculations of the Council's methodology and this should be secured through a S106 legal agreement.
- 8.7 **Local Highway Authority:** no objection.
- 8.7.1 It is accepted that there is a target number of dwellings which limits what can be achieved on site. The plans do not seem to reflect the parking listed in the design and access statement. It would be helpful to have information on current demand for parking for housing and sheltered accommodation. Where footways are truncated it is usual to have pedestrian dropped kerbs towards each end of the radius. This can be resolved at s38 stage but if this would require amendment to the drawings it would be useful for this to be done now. Carriageway and footway dimensions and radii should either be confirmed in writing or

on the drawings [these have since been confirmed; minimum adopted footway width 2m, minimum adopted road width 5m; minimum adopted road radii 6m].

- 8.7.2 Swept paths are provided for both sites in the Transport Assessment. It should be confirmed that these are based on the current vehicles used [this confirmation has now been received]. A plan is required showing what is proposed to be adopted highway, public open space, housing and private land. On Site B the proposed scooter store could be a nuisance for larger vehicles in that position. If it is for mobility scooters it should be closer to the entrance doors [amended plans have since been received to update this]. On Site B a Traffic Regulation Order would be required through condition to provide a waiting restriction at the pumping station. For the shared cycle/footway a condition would be required to agree width, markings and construction details plus detailed layout at either end.
- 8.8 **Environmental Protection (amenity):** the recommendations of the submitted noise survey are agreed.
- 8.9 **Environmental Protection (environmental quality):** No comment, the information submitted is acceptable.
- 8.10 **Parks and Greens:** in relation to trees and the planting scheme, the arboricultural impact assessment and preliminary ecological assessment provide the necessary information and have been used to highlight habitat loss and mitigations, and to inform the planting scheme.
- 8.11 **Greater Manchester Ecology Unit:** These comments relate to both sites within the red edge.
- 8.11.1 Reasonable effort has been used to survey the habitats on site and assess their suitability to support protected species. The surveys were conducted in January which is a suboptimal time but in this particular case does not invalidate the findings. A number of trees with bat roost potential were identified and a bat activity survey was undertaken to an acceptable standard. The surrounding habitats are of only local value to biodiversity. There is no risk to great crested newts arising from development on Site A but there is an amber risk at Site B. A nearby pond has good connectivity to this plot and the unmanaged grassland would be suitable for amphibians and newts. Reasonable Avoidance Measures are recommended.
- 8.11.2 There is no known reason to dispute the findings of the report and determination can be made without any further work in respect of biodiversity. A number of conditions should, however, be imposed on any permission granted. These would protect retained vegetation as per section 5.5 of the report; require an updated inspection and soft felling of trees as per sections 5.11 and 5.12; avoid clearance during bird nesting season; and require Reasonable Avoidance Measures to be taken in respect of amphibians on Site B. In terms of biodiversity enhancement, the curtilages of the properties should be made ecologically permeable with hedgehog gaps and the provision of bird and bat boxes and this should be secured through condition.
- 8.11.3 It is recommended that some amendments be made to the landscaping proposals to include locally native trees and shrubs. The specified replanting ratio of 2:1 is appropriate and the Council should ensure that it is achieved. A plan for the long-term management of the biodiversity-rich grassland should be secured through condition. There is Japanese knotweed on Site B and this must be dealt with prior to commencement. The advice at section 5.7 of the report is insufficient to control and eradicate this species and prevent its spread elsewhere. A Control and Eradication Method Statement should therefore be secured through a pre-commencement condition. The statement should include detailed

mapping, suitable signage, a treatment programme, biosecurity protocols and a monitoring and retreatment regime.

8.11.4 The site falls within the Natural England SSSI Impact Risk Zone for the Morecambe Bay and Duddon Estuary SPA/RAMSAR. The site falls within the Impact Risk Zone for recreational disturbance for the Cheshire to Lancashire Coastal SPAs/RAMSARs. Recreational impacts should be considered in Habitat Regulations Assessment screening. The Greater Manchester Ecology Unit (GMEU) are familiar with the qualifying species of the SPAs and use appropriate data sources to form opinions. In terms of Likely Significant Effects, these comments represent Greater Manchester Ecology Unit's Stage 1 Habitat Regulations Assessment Screening Opinion.

8.11.5 The proposal would not impact on any feature that could be considered part of the SPA or land that could be considered to be Functionally Linked Land. The site is within 2.5km of the coast, 10km from the Morecambe Bay SPA and 11km from the Ribble and Alt Estuary, both approximately a 20 minute drive. The proposal would increase residents in the region by approximately 0.2% which is relatively small. It is highly likely that this would not result in an increase in disturbance above the current situation. Some 25% of UK households own dogs but this is likely to be lower in the proposal given the number of flats. Dogs off leads are the biggest disturbance factor for waders followed by aerial disturbance. However, this factor can be considered nugatory and indistinguishable from background variation. Nevertheless, the Council should ensure that the proposal meet any public open space policies and consider if public awareness measures could be taken to educate residents in appropriate non-damaging behaviour to wildlife.

8.11.6 The Council as the competent authority can note that there is no need for further consideration under the Habitats Regulations as there would be no likely effect on nearby National Sites Network designated sites. There is no likely effect that is not nugatory and therefore any risk is hypothetical and/or indistinguishable from background. No further assessment under the Conservation of Habitats and Species Regulations is therefore required. The Council should record the conclusions of this Stage 1 Habitat Regulations Assessment and ensure that Natural England is aware of the decision made.

8.12 **Estates and Asset Management:** No comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note.

8.13 **Residential Waste Management:** No comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note.

9.0 **REPRESENTATIONS**

9.1 Press notice published: 18/06/21 and re-published (to notify of departure) 29/06/21

9.2 Site notice displayed: 11/06/21 and re-posted (to notify of departure) 08/07/21

9.3 Neighbours notified: 08/06/2021

9.4 No representations have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note.

10.0 RELEVANT PLANNING POLICY

10.1 National Planning Policy Framework (NPPF)

10.1.1 The NPPF was adopted in February 2019. It sets out a presumption in favour of sustainable development. The following sections are most relevant to this application:

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

10.2 National Planning Practice Guidance (NPPG)

10.2.1 The National Planning Practice Guidance expands upon and offers clarity on the points of policy set out in the National Planning Policy Framework.

10.3 Blackpool Local Plan Part 1: Core Strategy 2012-2027

10.3.1 The Core Strategy was adopted in January 2016. The following policies are most relevant to this application:

- CS1 Strategic Location of Development
- CS2 Housing Provision
- CS5 Connectivity
- CS6 Green Infrastructure
- CS7 Quality of Design
- CS9 Water Management
- CS11 Planning Obligations
- CS12 Sustainable Neighbourhoods
- CS13 Housing Mix, Density and Standards
- CS14 Affordable Housing
- CS15 Health and Education

10.4 Blackpool Local Plan 2011-2016 (saved policies)

10.4.1 The Blackpool Local Plan was adopted in June 2006. A number of policies in the Local Plan have now been superseded by policies in the Core Strategy but others have been saved until the Local Plan Part 2: Site Allocations and Development Management Policies has been produced. The following saved policies are most relevant to this application:

- LQ1: Lifting the Quality of Design
- LQ2: Site Context
- LQ3: Layout of Streets and Spaces
- LQ4: Building Design
- LQ5: Public Realm Design
- LQ6: Landscape and Biodiversity
- HN4: Windfall Sites (for housing development)

- BH3: Residential Amenity
- BH5: Protection of Public Open Space
- BH7: Playing Fields and Sports Grounds
- BH10: Open Space in New Housing Developments
- BH14: Local Centres
- AS1: General Development Requirements (accessibility)

10.5 Blackpool Local Plan Part 2: Site Allocations and Development Management Policies (emerging policies)

10.5.1 The Blackpool Local Plan Part 2 has now been submitted for Examination in Public with the proceedings expected to be held later this year. At this point in time the weight to be attached to various policies is limited and depends upon the extent to which they are subject to objection. Nevertheless, the following draft policies in Part 2 are most relevant to this application:

- HSA1: Housing Site Allocations
- DM1: Design Requirements for New-Build Housing Developments
- DM3: Supported Accommodation and Housing for Older People
- DM14: District and Local Centres
- DM17: Design Principles
- DM18: High Speed Broadband for New Developments
- DM21: Landscaping
- DM25: Public Art
- DM31: Surface Water Management
- DM35: Biodiversity
- DM41: Transport Requirements for New Development

10.5.2 Both sites the subject of this allocation are proposed for allocation as housing sites within Local Plan Part 2.

10.6 Other Relevant Policy Guidance

10.6.1 Department for Communities and Local Government (DCLG) National Technical Housing Standards – this document was published in March 2015 and sets out the national minimum standards for new homes. This standard can only be applied where a Local Planning Authority has adopted a policy requiring compliance. A policy to require a degree of compliance is proposed in Local Plan Part 2 but has not yet been adopted. Nevertheless, these standards can be used as an indicator of the quality of accommodation.

10.6.2 Supplementary Planning Guidance Note 11 (SPG11) – this document sets out the public open space requirements in new housing development.

10.6.3 Blackpool Council declared a Climate Change Emergency in June 2019 and are committed to ensuring that approaches to planning decision are in line with a shift to zero carbon by 2030.

10.6.4 Blackpool Playing Pitch Strategy – this document was updated in 2021. The strategy aims to safeguard playing fields and increase their quantity and quality where deficiencies exist. The strategy is informed by the Open Space, Sport and Recreation Audit and Position Statement.

10.6.5 Blackpool Open Space Assessment – this document was produced in 2019 and is an

assessment of the quantity, accessibility, quality and value of open space across Blackpool.

10.6.6 National Model Design Code (July 2021) provides guidance to promote successful design and expands on the ten characteristics of good design set out in the National Design Guide.

10.6.7 National Design Guide (January 2021) recognises the importance of good design and identifies the ten characteristics that make up good design to achieve high-quality places and buildings. The guide articulates that a well-designed place is made up of its character, its contribution to a sense of community, and its ability to address the environmental issues affecting climate.

11.0 ASSESSMENT

11.1 Principle of Development - Site A

11.1.1 Somewhat over half of Site A is undesignated on the Proposals Map to the Blackpool Local Plan. This means that it is not safeguarded for any particular uses and there are therefore no planning policies that would preclude residential development in principle.

11.1.2 The south-eastern corner of Site A is designated as a local centre. However, this local centre was entirely contained within a mixed use block that was demolished in 2017. Since that time The Grange to the east has developed as a community hub of shops and services along with a community garden. This is proposed for designation in Local Plan Part 2 as a Local Centre and allotments/community garden. As such, the existing local centre designation on Site A no longer fulfils a retail or community function and the loss of this designation therefore does not weigh strongly against the application.

11.1.3 The south-western corner of Site A is designated as public open space. This area amounts to some 1,604sqm. A small amount of public open space, some 767sqm would be created as part of the development, but this would still leave a shortfall of 837sqm. This could be compensated for through the payment of a financial contribution towards the provision or improvement of off-site public open space. Nevertheless, the loss of on-site provision weighs against the proposal, particularly given the increased demand that would be generated by the scheme itself.

11.1.4 Site A is proposed for allocation as a housing site under emerging Part 2 of the Local Plan which has now been submitted for examination. To date, no objections have been received in relation to this intended allocation.

11.2 Principle of Development – Site B

11.2.1 Site B comprises 18,250sqm of safeguarded playing fields and sports grounds as designated on the Proposals Map to the Local Plan. Paragraph 97 of the National Planning Policy Framework, Policy CS6 of the Core Strategy, and Policy BH7 of the Local Plan are most relevant.

11.2.2 The National Planning Policy Framework makes it clear that sports pitches and playing fields should not be built on unless:

- (i) an assessment has been undertaken that clearly shows the provision to be surplus to requirements;
- (ii) the loss would be replaced by equivalent or better provision (in terms of both quantity and quality) in a suitable location; or

(iii) the development is for alternative sports and recreational provision, the benefits of which outweigh the loss.

11.2.3 Policy CS6 of the Core Strategy defers to the National Planning Policy Framework on this issue.

11.2.4 Policy BH7 of the Local Plan is an older policy that sets out a number of criteria that must be met in order for the loss of a playing field to be permissible. None of the listed criteria would be met by the scheme proposed. However, saved Policy BH7 is considered to be out of date as it does not align with the NPPF or the more recently adopted Core Strategy Policy CS6 and the NPPF. As such little weight can be attached to it and any conflict with it carries little weight in the planning balance.

11.2.5 Sport England has been consulted as a result of this designation and has liaised with the Football Foundation. Sport England will only support the loss of provision where one of five criteria are met. In summary these are:

- (i) there is an excess supply and the loss would not be of special significance
- (ii) the development is for ancillary facilities and the quantity or quality of sports provision would not be adversely affected
- (iii) the development would only affect land that cannot form a pitch or would not compromise use of a pitch
- (iv) the playing field to be lost would be appropriately replaced by new prior to that loss
- (v) the development would be for indoor facilities of sufficient benefit to justify the loss

11.2.6 In terms of the Sport England criteria, (ii), (iii) and (v) do not apply. Criterion (i) broadly parallels the first criterion of the National Planning Policy Framework, and criterion (iv) reflects the second criterion of the National Planning Policy Framework. To satisfy both Sport England and planning policy, therefore, the existing pitches must either be surplus to requirements or appropriately replaced elsewhere for their loss to be acceptable.

11.2.7 Before Boundary Primary School was constructed to the north of Site B, that land was used as a playing field. Sport England initially objected to the proposed loss of this field and so a senior-sized playing pitch of 90m x 45m for community use was proposed on Site B in mitigation and to enable the application for Boundary Primary School to be approved. However, this pitch was never constructed and Site B continued to accommodate the former Grange Park Primary School Buildings which were used by students Devonshire Primary School following extensive fire damage to that building. They were eventually demolished in 2013 and Site B has been open grassland outside of the Boundary Primary School boundary ever since.

11.2.8 The Council's Open Space Assessment was produced in 2019 and concludes that there is a slight surplus in open space provision within Blackpool. In respect of the application Site B the assessment notes that no formal playing pitches have been marked out on the area in the last 18 years and no current community sport activity or sport teams would be displaced by development. The 2021 Playing Pitch Strategy, which has been agreed by Sport England, identifies the site as a lapsed playing pitch meaning that it is not required to contribute towards meeting the boroughs needs for such provision.

11.2.9 Sport England and the Football Foundation have considered the proposal including the proposed payment of £227,043.64 towards provision off-site to provide mitigation for the loss here. Subject to this payment being formally secured, and with the expectation that the Football Foundation will be consulted on the provision of new facilities, no objections are

raised. As such, the loss of the existing playing pitch designation is not considered to weigh significantly against the application.

11.3 Principle of Development – General

11.3.1 The scheme would deliver 131 new dwellings. Policy CS2 of the Core Strategy identifies a requirement for 4,200 new dwellings over the plan period from 2012-2027. The site is identified as part of a wider housing allocation HSA1.5 in the emerging Blackpool Local Plan Part 2: Site Allocations and Development Management Policies. There were no objections to this site allocation in principle during the Regulation 19 consultation, and the Plan has now been submitted to the Secretary of State for Examination.

11.3.2 Where a Local Planning Authority cannot identify a five-year housing land supply, paragraph 11 of the National Planning Policy Framework makes it clear that planning permission for residential development should be granted unless the National Planning Policy Framework itself provides a clear reason for refusal, or unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This ‘tilted’ planning balance reflects the very great weight the government places on the delivery of new homes. This is further stressed under section 5 of National Planning Policy Framework which sets out the importance the Government places on significantly boosting the supply of homes, and the requirement for Local Planning Authorities are required to identify a five-year housing land supply.

11.3.3 As the emerging Plan has now been submitted for examination with no objections against the allocation of this site, and as the relevant emerging policy is judged to be consistent with the National Planning Policy Framework, it is considered that significant weight can be attached to the site allocation at the present time.

11.3.4 At present, the Council can identify a five-year supply of housing land. However, the proposed allocation of the application site for housing demonstrates that residential development of the land is considered necessary to enable the Council to identify its requisite five year housing land supply in the future. If this site does not come forward for housing, it is highly likely that alternative land will need to be identified or a tilted planning balance may be engaged. As such, and notwithstanding the Council’s latest housing land position, the quantitative contribution this scheme would make towards meeting the borough’s housing needs is considered to weigh strongly in favour of the proposal.

11.4 Planning Obligations

11.4.1 Policy CS14 of the Core Strategy requires proposals of this scale to provide affordable housing equivalent to 30% of the total development. In this case the scheme would provide 100% affordable housing provision and so would comply with this requirement. A condition would be attached to any permission granted to ensure affordability in perpetuity. Given the significant identified and unmet need for affordable housing provision in Blackpool, the fact that this scheme would provide 100% affordable accommodation weighs heavily in its favour.

11.4.2 Policy CS15 of the Core Strategy makes it clear that financial contributions will be sought towards local education and health care provision where this is required to meet the needs generated by the development. In this case the Local Education Authority has requested a total contribution of £631,418.17 towards local secondary school education provision at a site to be confirmed. The local NHS Clinical Commissioning Group has requested £41,718

towards the expansion of capacity at Grange Park Health Centre.

- 11.4.3 The proposal would result in a loss of existing public open space whilst also generating its own requirement for new public open space. At present there is some 1,604sqm on the site. This will be lost. The development as proposed would generate a requirement for 7,776sqm of public open space. In total 3,727sqm of public open space would be provided on-site. This does not include the area of land proposed for use by the school as this would not constitute public open space for general community use. This would equate to a shortfall of 5,653sqm.
- 11.4.4 To accord with Policy BH10 of the Local Plan, any shortfall in provision on-site would have to be compensated for by a financial contribution towards the provision or improvement of off-site public open space. POS is currently calculated at a rate of £14.33 per square metre. The loss of the existing 1,604sqm would equate to a financial contribution of £22,985. The shortfall generated by the development itself would equate to a contribution of £58,022. In total this would justify a payment of £81,007.49.
- 11.4.5 Whilst the loss of existing public open space, and the failure of the scheme to provide sufficient open space to meet its own needs, is unfortunate, both sites are within reasonable walking distance of both Gateside Park and Boundary Park. Investment in either of these existing areas would benefit both new and existing local residents. A financial contribution in lieu of on-site provision is therefore considered to be acceptable.
- 11.4.6 Ordinarily, financial contributions to meet planning obligations would be secured through a S106 legal agreement. In this case, however, the Council is both landowner and applicant, and there is no intention for the land to be transferred to a third party. As such there is no way that the necessary planning obligations could be secured through a land-sale agreement. It is not possible for the Council to enter into a legal agreement with itself as there would be no reasonable mechanism for enforcement available. It is therefore proposed that a Memorandum of Understanding be produced to agree the contributions to be paid and the timing of those payments. It should be noted that the planning department is required to monitor and report on all planning obligations secured and paid and so, in the fullness of time, the discharge of these obligations will be a matter of public record thereby ensuring that the process is suitably transparent. Although not a statutory consultee for the purpose of this application, the comments of Sport England are noted and that body has been consulted on this proposed approach. No comments are yet available for inclusion in this report but any response received will be reported through the update note.

11.5 Housing Mix

- 11.5.1 Policy CS13 expects all sites of more than 1ha to deliver a degree of housing mix. This requirement applies to both parts of this site. At least 20% of homes should offer two-bedrooms and 20% should be three-bedroom or more. No more than 10% should offer only one bedroom. The policy does not permit flat developments where this would exacerbate an existing over-concentration. Where flat developments are acceptable, at least 70% of units should be two-bedroom.
- 11.5.2 Site A would be an almost equal split between two-bed units and homes of three bedrooms or more. As such it would comply with the mix requirements of Policy CS13.
- 11.5.3 Site B would offer 36% two-bed units and 26% of units would have three bedrooms or more. However, one-bed flats would account for 38% of the housing stock of Site B. This in itself would conflict with Policy CS13.

- 11.5.4 Although the sites are discrete parcels of land, they are being brought forward as a joint project by the same developer. If the two areas are considered together, then the proportions of two-bed and larger properties continues to accord with the requirements of Policy CS13. The proportion of one-bed units, however, continues to surpass the allowance set out in policy, albeit now at a level of 23% of the total.
- 11.5.5 The submitted Planning, Design and Access Statement notes that many Grange Park residents have grown up in the area and wish to remain on the estate. The Council currently does not have sufficient fully accessible and adaptable sheltered housing and the proposed apartments would go some way towards addressing this deficit, both on Grange Park and within the wider stock. The provision of smaller units would also make existing, under-occupied homes available for new families. This would result in a far more efficient use of Council housing stock. The Head of Strategic Housing has been consulted on this application and has confirmed the need for the accommodation proposed, including the proportion of one-bed units. The scheme would include the provision of bungalows which would make a valuable contribution to the housing mix across the borough as a whole as there are currently very few true bungalows within the Council's stock. Emerging planning policy also recognises a need for older person housing, and this is need is identified as being predominantly for single people with some couples. Larger units therefore cannot meet this particular sub-set out identified housing need. A small number of very large houses are also proposed to meet a limited but recognised need for such accommodation. As such, given the specific intended characteristics of the one-bedroom accommodation proposed, the housing mix of the scheme is considered to be acceptable in this circumstance.

11.6 Residential Amenity

- 11.6.1 At present the Council does not have any adopted floorspace standards for new-build accommodation. Emerging Policy DM1 would require 20% of all new-build dwellings to meet the national minimum standards but, as can be seen from the table below, all of the properties proposed would meet these national standards. As such the accommodation would provide a good standard of residential amenity to occupants and this weighs in favour of the scheme.

Table 1: Floorspace breakdown of proposed accommodation

| House type | Format | Minimum requirements | Proposed floorspace |
|------------|----------------|---|--|
| 1 | 1 bed 2 person | Overall – 50sqm Bedroom – 11.5sqm | Overall – 53sqm Bedroom – 13.8sq m |
| 2 | 2 bed 4 person | Overall – 79sq m Bedrooms – 11.5sqm | Overall – 81.8sqm Bedroom 1 – 14.6sqm Bedroom 2 – 13.3sqm |
| 3 | 3 bed 5 person | Overall – 93sqm Double bedroom – 11.5sqm Single bedroom – 7.5sqm | Overall – 93.6sqm Bedroom 1 – 12.9sqm Bedroom 2 – 12.5sqm Bedroom 3 – 7.5sqm |
| 4 | 4 bed 6 person | Overall – 106sqm Double bedroom – 11.5sqm Single bedroom – 7.5sqm | Overall – 108.9sqm Bedroom 1 – 8.0sqm Bedroom 2 – 13.0sqm Bedroom 3 – 8.5sqm Bedroom 4 – 14.4sqm |
| 5 | 5 bed 7 person | Overall – 125sqm | Overall – 128.6sqm |

| | | | |
|---|------------------------------|---|---|
| | | Double bedroom – 11.5sqm Single bedroom – 7.5sqm | Bedroom 1 – 7.5sqm Bedroom 2 – 8.7sqm Bedroom 3 – 13.4sqm Bedroom 4 – 12.0sqm Bedroom 5 – 13.5sqm |
| 6 | 6 bed 8 person | Overall – 138sqm Double bedroom – 11.5sqm Single bedroom – 7.5sqm | Overall – 145.8sqm Bedroom 1 – 10.1sqm Bedroom 2 – 9sqm Bedroom 3 – 8sqm Bedroom 4 – 8sqm Bedroom 5 – 12.2sqm Bedroom 6 – 12.5sqm |
| 7 | 2 bed 4 person (bungalow) | Overall – 70sqm Bedrooms – 11.5sqm | Overall – 79.5sqm Bedroom 1 – 12.8sqm Bedroom 2 – 15.4sqm |
| 8 | 2 bed 4 person (bungalow) | Overall – 70sqm Bedrooms – 11.5sqm | Overall – 79.5sqm Bedroom 1 – 12.8sqm Bedroom 2 – 15.4sqm |

- 11.6.2 In order to ensure adequate privacy is provided in residential developments and prevent unacceptable levels of over-shadowing, the Council expects the following separation distances to be achieved; front/rear-to-front/rear 21m, front/rear-to-side 13m, side-to-side 2m. Rear gardens should be 10.5m in length. Across the development these minimum separation distances are generally not met.
- 11.6.3 On Site A the properties facing onto the estate road would be separated by 20m and those facing onto Chepstow Road would be separated from those to the rear by 18.8m. Rear-to-side separations are around 12.7m except between plots 31 and 53 where it drops to 11.6m. It should be noted, however, that the side elevations involved do not include main windows to habitable rooms. The properties backing on to the proposed school green would have rear gardens of some 10m length.
- 11.6.4 On Site B the bungalows would face a row of houses at a distance of around 18.8m with a similar separation between the other rows of houses fronting an estate road. Rear-to-rear the separation between the rows would variously be 17m and 17.3m. The two- and three-storey flat blocks would sit at an oblique angle to one another at a distance of 17m at the closest point.
- 11.6.5 This shortfall against minimum standards is unfortunate in a new-build estate. However, it must be recognised that the two sites fall within the established urban area and are therefore constrained by existing boundaries. On Site A the provision of properties along the main road frontages links the development to the existing houses and provides a continuity of streetscene. Site B is irregularly shaped which places a constraint on layout. It is unlikely that reconfiguration to meet the minimum separation distances could be achieved without a significant reduction in unit numbers which would be undesirable given the important contribution this scheme would make towards delivering affordable housing in a priority area. The shortfalls themselves are relatively limited and separation distances of 17m are regularly seen within the existing urban fabric. On balance it is considered that the layout would achieve an acceptable standard of residential amenity for occupants.
- 11.6.6 Adequate separation distances would be achieved between the proposed housing and that

existing surrounding the site.

11.6.7 Given the character of the area, no undue impacts arising from noise, activity or disturbance would be anticipated. The school could be a source of noise to the nearest properties but the submitted noise assessment concludes that standard mitigation measures would provide sufficient protection. The proposed school green could be a source of noise for the properties that would adjoin it but this is true of any school site within a residential area. Provision of acoustic fencing along the boundary of this area would help to limit any disturbance and could be secured through condition, along with close-boarded fencing between properties and the school and the use of acoustic façade ventilation to allow ventilation whilst windows remain closed. This has been agreed by the Council's Environmental Protection team. A Construction Management Plan would be secured through condition to ensure that no unacceptable impacts arise during construction.

11.7 Design and Visual Impact

11.7.1 At present both sites are clear and so it is inevitable that the development proposed would have a significant visual impact. However, the wider setting is strongly residential in character and is typified by traditional two-storey housing along with school and community buildings. As such and subject to acceptable detailed design, it is not considered that the proposal would appear unduly out-of-keeping or have an unacceptable impact on the streetscene.

11.7.2 The layout of Site A would include rows of housing facing onto the existing roads. This would replicate the traditional residential frontages in the area and be consistent with local character. Areas of landscaping would be provided at the corners of the site fronting Chepstow Road and on either side of the estate road in from Gateside Drive. This would soften the appearance of the development, as would the provision of small front gardens between driveway parking. The frontages facing south and onto the central estate road would be very much dominated by car parking which is unfortunate. However, this would not be easily visible from the wider estate. The provision of more garden areas would require tandem driveway parking which would necessarily reduce unit numbers. On balance, therefore, the layout is considered to be acceptable in design terms.

11.7.3 The housing on Site B would sit behind The Grange and the existing car park and this would reduce visual impact on Dinmore Avenue. The greatest impact would be felt from the open space to the south. Whilst some tree and hedgerow removal is proposed to facilitate the scheme, sufficient tree cover would be retained to provide an adequate screen to the development. Landscaping would also be provided around the access to Site B and near to the proposed pedestrian/cycle pathway. The buildings themselves would be reasonably set-in from the site boundaries. As such the layout is again considered to be acceptable in design terms.

11.7.4 The properties themselves are relatively traditional in design with dual-pitched roofs and gable features. Recessed doorways have been proposed to create visual depth, and various brick finishes and detailing would be used to provide interest. A condition could also be imposed on any permission granted to require fenestration to be set at least a brick width behind the face in which it's set to again provide a degree of depth. The existing housing in the vicinity is fairly simplistic in design with no defining features for the new development to reference. The designs proposed would establish an identity across the street without appearing incongruous within the setting.

11.7.5 In light of the above the design of the scheme is considered to be acceptable.

11.8 Access, highway safety and Parking

11.8.1 The scheme and the information submitted has been considered by the Council's Head of Highways and Traffic Management Services. No concerns have been raised relating to traffic generation or the impact of the proposal on the capacity and function of the nearby or wider road network. Equally no concerns relating to highway safety have been identified. During the course of the application a number of queries were raised along with requests for clarifications and minor changes to the scheme. All of these matters have been satisfactorily resolved.

11.8.2 The scheme would include the reconfiguration of the car park serving The Grange. The number of spaces would be reduced slightly from 70 to 66. This is unfortunate but the site is reasonably accessible and is intended to serve the Grange Park estate meaning that many users are likely to walk to the site. On this basis the small loss of car parking is not considered to weigh materially against the proposal. The revised car parking layout would be efficient and the Head of Highways and Traffic Management has raised no concerns relating to the configuration or means of access.

11.8.3 In terms of car parking provision for the individual houses, the Council's adopted maximum standards require provision of one space for a one-bed unit, two spaces for two and three bed units, and three spaces for larger properties.

11.8.4 Across Site A, all but four of the fifty-three homes proposed would have the requisite number of off-street parking spaces. Those falling short would be four-bed homes that would only have two spaces apiece. On Site B, seven of the seventy-eight units would have one parking space less than would usually be required by the number of bedrooms. However, eight additional parking spaces would be provided across various locations around the site. These spaces could be used by visitors or by those properties lacking off-street provision.

11.8.5 The sites are reasonably accessible by public transport and would be in close proximity to a primary school, the Grange Park Health Centre and The Grange which offers a range of community facilities including a convenience shop and a pharmacy. A children's play area would be provided within Site B. A shared cycle/pedestrian path would be created between Sites A and B to further improve connectivity and access for all residents through this area of Grange Park to the existing facilities. All of the rear gardens would be large enough to accommodate the storage of cycles if designed by the homeowner. In addition, a Framework Travel Plan has been submitted as part of the application and compliance could be secured through condition. On this basis it is not considered that future occupants would be unduly dependent upon private car use. This limits the extent to which the shortfall in car parking weighs against the scheme and, on balance, parking provision is considered to be acceptable.

11.9 Drainage and flood risk

11.9.1 The application has been supported by a flood risk assessment and drainage strategy, and these have been considered by the statutory consultees. No objections have been raised. It is noted that water mains may need to be extended to serve the site and that United Utilities infrastructure could be affected by the proposed layout which could require diversion, but these are private matters for resolution between the applicant and United Utilities. The submitted drainage proposals are acceptable and compliance to them should be secured by condition. As such, subject to this and the Council's standard conditions requiring foul and

surface water to be drained separately and a drainage management plan to be agreed, no drainage or flood risk issues are identified.

11.10 Biodiversity

11.10.1 The existing sites are of limited ecological value. In order to safeguard protected species and biodiversity a number of conditions are recommended. These would protect trees to be retained on site, avoid vegetation during the bird nesting season and require development to proceed in accordance with the submitted ecological report. Appropriate biodiversity enhancement would also be secured through condition. In order to improve the ecological value of the landscaping proposals, a number of amendments have been requested and made to the scheme. Japanese knotweed is present on site, this is an invasive species and so an appropriate management regime would be secured through condition.

11.10.2 With regard to the potential wider impact of the development, it is recognised that the site falls within the Impact Risk Zone for the Morecambe Bay and Duddon Estuary SPA/RAMSAR, and within the Impact Risk Zone for recreational disturbance for the Cheshire to Lancashire Coastal SPAs/RAMSARs. The information submitted and the potential impact of the site has been considered on behalf of the Council by the Greater Manchester Ecology Unit who are suitably qualified and experienced in this area. The proposal would not impact directly on any part of the protected land or on any land that is functionally linked. The population increase in the area that could result would have a nugatory impact that would be indistinguishable from background variation. Nevertheless, as a Competent Authority the Council should seek to improve public awareness and so a condition is proposed to require information on appropriate non-damaging behaviour to wildlife to be provided to each new homeowner.

11.10.3 In light of the above, no further ecological work or information is considered necessary. The conclusions of the stage 1 Habitats Regulations Assessment prepared by the Greater Manchester Ecology Unit are accepted and adopted. This assessment concludes that recreational disturbance would not present a Likely Significant Effect on protected sites and their conservation values in this case.

11.11 Environmental Impact

11.11.1 The site is not near to any Air Quality Management Areas. Subject to the agreement of a Construction Management Plan, there is no reason to suppose that the scheme would have an unacceptable impact on air quality during either construction or operational phases.

11.11.2 Water quality could be adequately safeguarded during construction and operation of the site through adherence to the submitted drainage strategy, and agreement of a Drainage Management Plan and a Construction Management Plan.

11.11.3 The submitted geo-technical information has been considered by the Council's Environmental Protection team and no concerns are raised with regard to potential land contamination. No further work is considered necessary.

11.11.4 A range of sustainability measures are proposed to limit the environmental footprint of the scheme. These include use of renewable heating sources, more efficient heating mechanisms, measures to reduce water consumption and energy-efficient lighting options. It is also proposed that the successful building contractor will have to demonstrate a commitment to waste minimisation.

11.12 Other Issues

11.12.1 The application has 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 (as amended).

11.12.2 Under Article 8 and Article 1 of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. This application does not raise any specific human rights issues.

11.13 Sustainability and planning balance appraisal

11.13.1 Sustainability comprises economic, environmental and social components.

11.13.2 Economically the scheme would have a relatively limited impact despite its scale although some employment would be created during construction and new residents would help to support local shops and services.

11.13.3 Environmentally, the design of the scheme is considered to be acceptable and appropriate landscaping is proposed. Subject to proposed mitigation, no undue impacts on biodiversity or environmental quality area anticipated. Drainage would be adequately managed and residents would not be unreasonably reliant upon private car use.

11.13.4 Socially the proposal would make a substantial contribution towards the borough's housing land supply and would provide much-needed affordable housing which weighs heavily in favour of the application. On balance the housing mix proposed is considered to be satisfactory. The scheme would offer a good standard of residential amenity and would not have any unacceptable impacts on existing resident amenity. No unacceptable impacts relating to flood risk or highway safety are identified. The loss of the existing playing field is not considered to weigh significantly against the application. The loss of public open space is unfortunate but could be mitigated against through a contribution in lieu. The necessary planning obligations could be secured through a S106 agreement to ensure that the scheme would not have an unacceptable impact upon existing community infrastructure.

12.0 FINANCIAL CONSIDERATIONS

12.1 The development would generate Council Tax income but this is not a material planning consideration and carries no weight in the planning balance.

13.0 CONCLUSION

13.1 In light of the above and in terms of planning balance, the development proposed is considered to constitute sustainable development in terms of the environmental and social components. No other material planning considerations have been identified that would outweigh this view.

14.0 RECOMMENDATION

- 14.1 Members are respectfully recommended to resolve to support the application and defer it to the Head of Development Management for grant of planning permission subject to the conditions listed below and the completion of a Memorandum of Understanding in relation to the necessary planning obligations.

15.0 CONDITIONS

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

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

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

Location plan ref. 10657 L01
Block plan ref. 10657 P01 Rev A
Proposed site layout plan (Site A) ref. 10657 P17
Proposed site layout plan (Site B) ref. 10657 P03 Rev A
Ownership plan (Site A) ref. 10657 P19
Ownership plan (Site B) ref. 10657 P20

Proposed site levels (Site A) ref. 10657 P09
Proposed site levels (Site B) ref. 10657 P10
Site sections drawing (Site A) ref. 10657 P011
Site sections drawing (Site B) ref. 10657 P12

Block Type 1 layout and elevation drawing ref. 10657 BT01
Block Type 2 layout and elevation drawing ref. 10657 BT02
Block Type 3 layout and elevation drawing ref. 10657 BT03
Block Type 4 layout and elevation drawing ref. 10657 BT04
Block Type 5 layout and elevation drawing ref. 10657 BT05
Block Type 7 elevation drawing ref. 10657 BT06
Block Type 7 layout drawing ref. 10657 BT07
Block Type 8 layout drawing ref. 10657 BHT09
Block Type 8 elevation drawing ref. 10657 BT10

House Type 1 layout and elevation drawing ref. 10657 DT01
House Type 2 layout and elevation drawing ref. 10657 DT02
House Type 3 layout and elevation drawing ref. 10657 DT03
House Type 4 layout and elevation drawing ref. 10657 DT04
House Type 5 layout and elevation drawing ref. 10657 DT05
House Type 6 layout and elevation drawing ref. 10657 DT06
House Type 7 layout and elevation drawing ref. 10657 DT07
House Type 8 layout and elevation drawing ref. 10657 DT08

Boundary treatments plan (Site A) ref. 10657 P04 Rev A
Boundary treatments plan (Site B) ref. 10657 P05 Rev A
Fencing drawing ref. 10657 P06 Rev A
Proposed hard landscaping plan (Site A) ref. 10657 P07
Proposed hard landscaping plan (Site B) ref. 10657 P08

The development shall thereafter be retained and maintained in accordance with these approved details.

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

- 3 Prior to any above ground construction on either site, the external materials to be used on the development hereby approved on that site shall be submitted to and agreed in writing by the Local Planning Authority, and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and LQ4 of the Blackpool Local Plan 2001-2016.

- 4 Prior to the layout down of any final surfacing on either site, the surfacing materials to be used on that site shall be submitted to and agreed in writing by the Local Planning Authority, and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and LQ4 of the Blackpool Local Plan 2001-2016.

- 5 The windows and doors hereby approved shall be recessed behind the front face of the elevation in which they are set by at least one brick width.

Reason: In order to secure appropriate visual articulation and interest in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and LQ14 of the Blackpool Local Plan 2001-2016.

- 6 The boundary treatments detailed on the following plans shall be provided in full and in full accordance with the approved details before the proposal hereby approved is first brought into use and shall thereafter be retained and maintained as such:
Boundary treatments plan (Site A) ref. 10657 P04
Boundary treatments plan (Site B) ref. 10657 P05
Fencing drawing ref. 10657 P06

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ1 of the Blackpool Local Plan 2001-2016.

- 7 The development shall be completed in full accordance with the recommendations of the Noise Assessment prepared by Hydrock dated 27 May 2021 and ref. 17786_HYD-XX-XX-RP-Y-002_Noise Assessment.

Reason: In order to safeguard the amenities of residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy BH3 of the Blackpool Local Plan 2001-2016.

- 8 Notwithstanding the information shown on the approved plans, prior to the first occupation of any of the properties adjoining the school green hereby approved;

(a) details of acoustic fencing to be provided around the school green shall be submitted to and agreed in writing by the Local Planning Authority and

(b) the acoustic fencing agreed pursuant to part (a) shall be provided in full and in full accordance with the approved details.

Reason: In order to safeguard the amenities of residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy BH3 of the Blackpool Local Plan 2001-2016.

- 9 (a) Prior to any property on Site A being first brought into use, the lighting shown on plan ref. 1076 63-001 Rev D2 shall be provided in full and in full accordance with the submitted details and shall thereafter be retained and maintained as such.
(b) Prior to any property on Site B being first brought into use, the lighting shown on plan ref. 1076 63-002 Rev D1 shall be provided in full and in full accordance with the submitted details and shall thereafter be retained and maintained as such.

Reason: In the interest of the appearance of the site and locality and to safeguard the amenities of residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

- 10 (a) in respect of the houses and bungalows, no bins or refuse shall be stored forward of the front elevation of the building other than on the day of presentation for collection; and
(b) in respect of the flats, prior to any flat being first occupied the refuse storage shown on plan ref. 10657 P16 shall be provided and shall thereafter be retained and maintained as such.

Reason: In the interest of the appearance of the site and locality and to safeguard the amenities of nearby residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

- 11 No development shall take place until a Demolition/Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Demolition/Construction Management Plan shall include and specify the provision to be made for the following:
- dust mitigation measures during the demolition/construction period
 - control of noise emanating from the site during the demolition/construction period
 - hours and days of demolition/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 demolition/construction period
 - arrangements during the demolition/construction period to minimise the deposit of mud and other similar debris on the adjacent highways

- measures to prevent contamination of surface and sub-surface water bodies during the demolition/construction period
- routing of construction traffic

The demolition/construction of the development shall then proceed in full accordance with the approved Demolition/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 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

- 12 The development hereby approved shall proceed in full accordance with the recommendations of the Arboricultural Impact Assessment prepared by Bowland Tree Consultancy Ltd dated May 2021 and ref. BTC2133 and the Preliminary Ecological Appraisal prepared by Bowland Ecology dated May 2021 and referenced BOW17/1221 (sections 5.5, 5.11 and 5.12 of which specifically refer to trees).

Reason: To secure the protection, throughout the time that the development is being carried out, of trees and/or hedgerows growing within or adjacent to the site which are of amenity value to the area, in accordance with Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ6 of the Blackpool Local Plan 2001-2016.

- 13 The development hereby approved shall proceed in full accordance with the recommendations set out in the Preliminary Ecological Appraisal prepared by Bowland Ecology dated May 2021 and referenced BOW17/1221, including the recommended Reasonable Avoidance Measures in respect of amphibians on Site B.

Reason: In order to safeguard and enhance biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ6 of the Blackpool Local Plan 2001-2016.

- 14 No trees or hedgerows shall be felled or cleared during the main bird nesting season (March to September inclusive) unless written confirmation of the absence of nesting birds by a suitably qualified and experienced ecologist has been submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to safeguard biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ6 of the Blackpool Local Plan 2001-2016.

- 15 Prior to the commencement of any above ground construction, a scheme of ecological enhancement shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with this approved scheme. For the purpose of this condition, the scheme of ecological enhancement shall include:

- Provision of bird and bat boxes
- Features to facilitate roaming of small mammals
- a plan for the long-term management of the approved biodiversity-rich grassland
- public awareness measures to be undertaken to educate residents in appropriate non-damaging behaviour to wildlife

Reason: In order to safeguard and enhance biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ6 of the Blackpool Local Plan 2001-2016.

- 16 Prior to the commencement of development, a Control and Eradication Method Statement to deal with the presence of Japanese knotweed on site shall be submitted to and agreed in writing by the Local Planning Authority. This Statement should include detailed mapping, suitable signage, a treatment programme, biosecurity protocols and a monitoring and retreatment regime. The development shall then proceed in full accordance with this approved Statement.

Reason: In order to safeguard biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ6 of the Blackpool Local Plan 2001-2016. This information is required prior to commencement to ensure that development on site does not facilitate the spread of this invasive species.

- 17 Prior to any property hereby approved being first occupied, the parking provision relating to that property shall be provided in full accordance with the approved details and shall thereafter be retained as such.

Reason: In order to ensure that adequate parking provision is available to meet the needs of the development in the interests of the appearance of the area and highway safety in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

- 18 Notwithstanding the information shown on the approved plans and prior to any of the houses on either site hereby approved being first occupied;

- (a) full technical details of the access into that site shall be submitted to and agreed in writing by the Local Planning Authority; and
- (b) this agreed access shall be provided in full and in full accordance with the approved details.

Reason: In order to ensure safe access to and egress from the sites is available in the interests of highway safety in accordance with the provisions of Policies CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

- 19 (a) Prior to the commencement of development, details of the shared pedestrian/cycle way to include with, markings, construction details and layout at either end shall be submitted to and agreed in writing by the Local Planning Authority.
(b) Prior to any of the properties hereby approved being first brought into use, the shared pedestrian/cycle way shown on the approved plans shall be provided in full and in full accordance with the details approved pursuant to part (a) of this condition and shall thereafter be retained and maintained as such.

Reason: In order to encourage travel to and from the site by sustainable transport modes in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016. This scheme must be agreed prior to the commencement of works on site in order to ensure that appropriate access is available once the scheme is operational.

- 20 (a) Prior to the commencement of development on Site B, a scheme for the provision of a Traffic Regulation Order on Site B to provide a waiting restriction at the pumping station shall be submitted to and agreed in writing by the Local Planning Authority.
(b) No property on Site B shall be occupied until the Traffic Regulation Order referred to in part (a) of this condition has been provided in full and in full accordance with the approved details.

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

- 21 (a) Prior to the commencement of development a Management Plan for those areas of the site identified on the approved ownership plans to be managed and maintained by third parties shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall:
- Identify the third parties responsible for management (e.g. Site Management Company)
 - Set out a regime/timetable for inspections and regular repair or maintenance works
 - Explain how issues can be reported, assessed and resolved
- (b) The Management Plan hereby approved shall be implemented in full at all times when any part of the area to which it relates is occupied or in use.

Reason: In the interests of the appearance of the site and in order to ensure that safe and convenient access is available to the development by a range of transport modes in accordance with the provisions of Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and saved Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

- 22 No flat hereby approved shall be occupied before the cycle/mobility scooter stores shown on the approved plans have been provided in full accordance with the approved details. These stores shall thereafter be retained and maintained as such.

Reason: In order to encourage travel to and from the site by a sustainable transport mode and in the interests of convenient accessibility in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

- 23 (a) No part of the development hereby approved shall be occupied until a travel plan has been submitted to and agreed in writing by the Local Planning Authority.
The travel Plan shall include:
- appointment of a travel co-ordinator
 - proposals for surveying
 - production of travel audits
 - establishment of a working group
 - an action plan
 - timescales for implementation
 - targets for implementation
- (b) The development hereby approved shall then proceed and be operated in full accordance with the approved Travel Plan.

Reason: In order to encourage travel to and from the site by sustainable transport modes in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

- 24 Foul and surface water shall be drained on separate systems.

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

- 25 Prior to the commencement of any above ground construction, the drainage scheme set out in the submitted DRAINAGE STRATEGY STATEMENTS for Sites A and B Dated 17 March 2021 which was prepared by HERMOLLE ASSOCIATES shall be provided in full and in full accordance with the submitted details.

For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, surface water from Site A must drain at the restricted rate of 5 l/s into the existing 1050mm combined sewer on Fulwood Avenue and surface water from Site B must drain at the restricted rate of 5 l/s into the existing 375mm culverted watercourse running along the southern boundary of the site. No surface water from Site B will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage of surface water and to manage the risk of flooding and pollution in accordance with the provisions of the NPPF and NPPG and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027. This information must be agreed prior to the commencement of development in order to ensure appropriate drainage of the site as the development proceeds.

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

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Site Management Company;
- b) Evidence of arrangements to transfer responsibility to other parties in the event of the demise of any management company, for example by means of covenants;
- c) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) to include elements such as:
 - (i) on-going inspections relating to performance and asset condition assessments
 - (ii) operational costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- d) Means of access for maintenance and easements where applicable.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan. The developer shall provide to the Planning Authority, if requested, certification of the condition of the drainage system by a competent person.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the

lifetime of the development in accordance with Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

- 27 The development hereby approved shall not commence until a Statement of Affordability has been submitted to and approved in writing by the local planning authority.

This Statement of Affordability shall:

- (i) confirm that 100% of the housing on site would meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it;
- (ii) detail type and tenure of the affordable housing provision to be made;
- (iii) detail the arrangements for the transfer of the affordable housing to an affordable housing provider (if no RSL involved);
- (iv) detail the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- (v) detail the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

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

- 28 The accommodation shall be used for permanent residential occupation within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) only and for no other purpose.

Reason: In order to safeguard the living conditions of the occupants of nearby residential properties and the character of the area in accordance with Policies CS7, CS12 and CS23 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies BH3 of the Blackpool Local Plan 2001-2016.

- 29 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no change of use from Use Class C3 to Use Class C4 shall take place without the written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and to prevent the further establishment of Houses in Multiple Occupation which would further increase the stock of poor quality accommodation in the town and further undermine the aim of creating balanced and healthy communities, in accordance with Policies CS7, CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies BH3 and HN5 of the Blackpool Local Plan 2001-2016.

- 30 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), no enlargement of the dwelling/s the subject of this permission shall be carried out without the written approval of the Local Planning Authority.

Reason: In order to safeguard the amenities of nearby residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy BH3 of the Blackpool Local Plan 2001-2016.

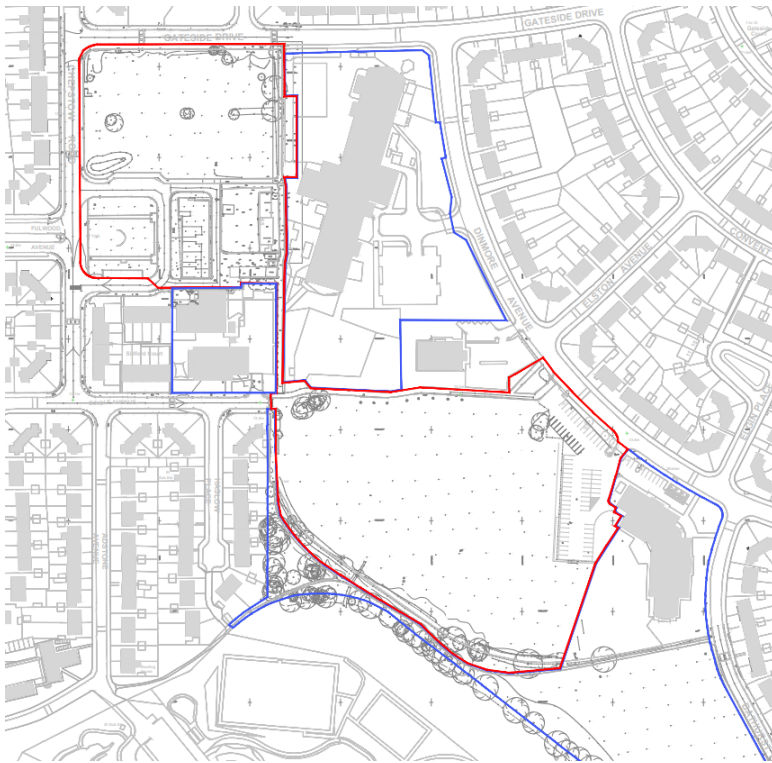
- 31 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no hardstanding shall be installed within curtilage of the dwelling-house forward of the front elevation of the dwelling-house.

Reason: In order to maintain soft landscaping in the interests of the appearance of the site and streetscene and in the interests of sustainable surface-water drainage in accordance with the provisions of Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and LQ2 of the Blackpool Local Plan 2001-2016.

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Grange Park – plans

Location Plan



Area plans:



Site A:



Site B:



Indicative visuals:



View from Chepstow Road



View from Gateside Drive



Pocket Park at the end of Eulwood Avenue



Proposed new road



View across the Community Green from @The Grange



View of the Community Green and Retirement Flats



Indicative over-view images (sites A and B):



**Blackpool Council
Development Management**

Officer Report to Committee

Application ref: 21/0537
Ward: STANLEY
Application type: FULL

Location: LAND AT THE REAR OF 17-21 MOSS HOUSE ROAD, FY4 5JF
Proposal: ERECTION OF 5 DETACHED, TWO-STOREY DWELLINGS WITH ASSOCIATED LANDSCAPING AND PARKING WITH ACCESS OFF MOSS HOUSE ROAD.

Recommendation: Approve subject to conditions

Case officer: Clare Johnson

Case officer contact 01253 476224

1.0 BLACKPOOL COUNCIL PLAN 2019-2024

1.1 The Council Plan sets out two priorities. The first is ‘the economy: maximising growth and opportunity across Blackpool’, and the second is ‘communities: creating stronger communities and increasing resilience.

1.2 This application accords with both priorities.

2.0 SUMMARY OF RECOMMENDATION

2.1 The scheme is considered to represent sustainable development and the housing proposed would make a contribution towards meeting the borough’s housing needs. The recommendation is therefore that the Committee resolves to support the application and grant planning permission subject to the signing of a Section 106 legal agreement relating to a financial contribution of £5,848.00 towards off site public open space.

3.0 INTRODUCTION

3.1 This application is before Members because of the previous level of public interest and given the planning history of the site and the surrounding land at Moss House Road.

4.0 SITE DESCRIPTION

4.1 The application site is a field of approximately 0.32 hectares (3193 square metre) located to the rear/north of Moss House Road, with a field gate access from between 17 and 21 Moss House Road (both residential properties). The frontage to Moss House Road is approximately 15.7 metres wide, extending back for a distance of approximately 38 metres, where it widens out into a larger rectangular field approximately 60 metres wide by 40 metres deep. The field has the appearance of scrub land, including some trees, which has been fenced off and was not accessible at the time of the officers site visit. Work has commenced on a residential development to the north and south of the site and there is a ribbon development of older residential properties fronting both sides of Moss House Road.

4.2 Moss House Road is a 'no through' road for vehicles and the application site can only be accessed by vehicle from Common Edge Road to the west. There is no direct vehicle access to Moss House Road to the east, which is accessed off Midgeland Road.

4.3 A drainage ditch runs along the northern boundary of the site. The site is within flood zone 1 and is identified for housing growth under Policy CS25. The site is within the Blackpool Airport consultation area but is not subject to any specific designations or constraints.

5.0 DETAILS OF PROPOSAL

5.1 The application is for full planning permission for the erection of five, two-storey houses on the site, two of which would have four bedrooms and three would have three bedrooms. The three bedroom dwellings would have three off street parking spaces and the four bedroom dwellings would have four parking spaces. The houses would be arranged at the end of a cul-de-sac and would be accessed of an access road between 17 and 21 Moss House Road, which would measure approximately 44 metres long and 5 metres wide and would include a turning head. The proposal would include a surface water storage/attenuation pond to the rear of 17 Moss House Road,

5.2 The application is accompanied by the following documents:

- Ecology Survey and Assessment dated March 2021
- Tree Survey dated July 2021 along with tree constraints and protection plans
- Indicative drainage details

6.0 RELEVANT PLANNING HISTORY

6.1 18/0420 – Outline application for the erection of seven detached dwellings. Refused

6.2 19/0349 – Outline permission for residential development for five houses (access only with all other matters reserved). Granted by Planning Committee at their meeting 29/11/2017

6.3 21/0220 – Full application for the erection of six detached bungalows. Withdrawn following officer concerns with the proposal.

6.4 Although not covering this site, application 17/0095 for the erection of residential development comprising 422 dwellings (2 and 3 storey apartments and houses), with associated parking, village green/play area, water features and shop and formation of vehicular access to Progress Way, is relevant as part of the wider housing development in the Moss House Road area.

7.0 MAIN PLANNING ISSUES

7.1 The main planning issues are considered to be:

- the principle of residential development
- residential amenity impact
- design and visual impact
- access and highway impact
- drainage and flood risk
- ecological and Arboricultural impact
- environmental impact

8.0 **CONSULTATION RESPONSES**

8.1 **Blackpool International Airport** – no comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note. Nonetheless, the standard airport safeguarding advice notes are considered appropriate.

8.2 **Police Architectural Liaison Officer** – no comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note.

8.3 **United Utilities** – In accordance with the National Planning Policy Framework and the National Planning Practice Guidance, 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. Following our review of the submitted Flood Risk Assessment / Drainage Strategy (Ref: SD02.12, dated June 21) we can confirm the proposals are unacceptable in principle to United Utilities. This is because we do not believe the surface water hierarchy has been fully investigated. According to our records (indicative only) it would appear there is a drainage ditch to the North of the site, we would expect this discharge option to be explored.

United Utilities have requested that the standard three drainage conditions relating to the submission and agreement of a surface water drainage strategy, the management and maintenance of the drainage system and ensuring foul and surface water are drained separately.

8.4 **Local Lead Flood Authority** – The use of under carriageway storage or attenuation pond and a hydrobrake are the most suitable solution for surface water management and the proposed discharge rate of 5L/s would probably be acceptable to United Utilities (that would be part of United Utilities agreements).

Usually we would advise on using the watercourse system but due to recent and incomplete developments in that area, we would find it difficult to prove that they currently function correctly.

New development on Progress Way is where many of the previous watercourse systems were and are now housing, as such we would advise avoiding adding more surface water to the watercourses to prevent possible issues.

8.5 **Environmental Protection** – From the 1930s until the 1990s the site was used as a nursery, therefore there is a likelihood of chemicals being used within the process and within the ground conditions. The consultee has requested that a prior to commencement condition which requires investigations into potential land contamination (condition 7).

8.6 **Head of Highways and Traffic Management Services** - We have met with the applicant and explained what is required in terms of drainage, subject to the agreement of drainage arrangements with United Utilities.

Any approval should be conditioned to require evidence of construction of the road to accommodate the weight of fire service vehicles.

Since the boundary of the site is probably somewhere within the dyke, which currently appears to take surface water from the road, we would require, by condition if necessary, details of the construction in the vicinity of the dyke, the highway and access road drainage and remedial works to the highway as necessary. It would be logical to take adoption standard construction 10 metres into the site.

Depending on the extent of works a highways minor agreement may be necessary. If this is the case any works to the dyke can be covered by that - avoiding the need for additional consents.

- 8.7 Head of Parks and Greens** - The tree survey covers the BS5837 requirements. I would like to see more trees along the back of the properties adjacent to the drainage ditch, as they will have the room to grow and help remove any excess water. At least 10 trees along the back with species to include alder and field maple as well as the species stated on the plan. A planting scheme for the proposed layout specifying heavy standards at a minimum for the trees, species list, planting spec and aftercare plan will be required by condition along with the spec for the storage pond and for it to be specified to create a habitat area with a species mix to increase biodiversity.

9.0 REPRESENTATIONS

9.1 Site notice published: 02/07/2021

9.2 Neighbours notified: 15/06/2021

9.3 One representation has been received from 21 Moss House Road.

9.4 This representations raise the following issues:

- vehicle visibility around the access point on Moss House Road due to the presence of a large hedge within the curtilage of 17 Moss House Road
- The carriage width would not be the required 6m wide
- The application form states there would be 20 parking spaces but there is not
- The development would be detrimental to highway safety
- There is a street lamp in the middle of the access and its repositioning is unknown
- No details of street lighting for the access have been provided
- The front elevation of No 21 faces west i.e. the lounge, kitchen, front door (ground floor) and main bedroom (first floor) all face onto the proposed access road with the front door being 2.9 meters from the boundary and the main bedroom less than 5 meters away
- No details of the height of fencing or vegetation along the access road have been provided which may result in significant loss of light from the front elevation of No 21
- Without further details the proposed development may result in an over bearing impact.
- There are no details on the application of the proposed site level which may lead to flooding of the adjacent properties nor of the proposed surface water drainage scheme.

10.0 RELEVANT PLANNING POLICY

10.1 National Planning Policy Framework (NPPF)

10.1.1 The National Planning Policy Framework was adopted in February 2019. It sets out a presumption in favour of sustainable development. The following sections are most relevant

to this application:

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

10.2 National Planning Practice Guidance (NPPG)

10.2.1 The National Planning Practice Guidance expands upon and offers clarity on the points of policy set out in the NPPF.

10.3 Blackpool Local Plan Part 1: Core Strategy 2012-2027

10.3.1 The Core Strategy was adopted in January 2016. The following policies are most relevant to this application:

- CS2 Housing Provision
- CS6 Green Infrastructure
- CS7 Quality of Design
- CS9 Water Management
- CS12 Sustainable Neighbourhoods
- CS13 Housing Mix, Density and Standards

10.4 Blackpool Local Plan 2011-2016 (saved policies)

10.4.1 The Blackpool Local Plan was adopted in June 2006. A number of policies in the Local Plan have now been superseded by policies in the Core Strategy but others have been saved for continued use in the absence of an adopted part 2. The following policies are most relevant:

- LQ1 Lifting the Quality of Design
- LQ2 Site Context
- LQ3 Layout of Streets and Spaces
- LQ4 Building Design
- LQ6 Landscape Design and Biodiversity
- HN4 Windfall Sites
- BH3 Residential and Visitor Amenity
- BH4 Public Health and Safety
- BH10 Open Space in New Housing Developments
- NE6 Protected Spaces
- NE7 Sites and Features of Landscape/Nature/Conservation and Environmental Value
- AS1 General Development Requirements (Access and Transport)

10.5 Blackpool Local Plan Part 2: Site Allocations and Development Management Policies (emerging policies)

10.5.1 The Blackpool Local Plan Part 2 has been subject to an informal consultation exercise and will be subject to formal consultation later this year. At this point in time limited weight can

be attached to the policies proposed. Nevertheless, the following draft policies in Part 2 are most relevant to this application:

- DM1 Design Requirements for New Build Housing Development
- DM17 Design Principles
- DM21 Landscaping
- DM31 Surface Water Management
- DM35 Biodiversity
- DM36 Controlling Pollution and Contamination
- DM41 Transport requirements for new development

10.6 Other Relevant Policy and Guidance

10.6.1 Supplementary Planning Document Note 11 (SPG11): Open Space: New Residential Development and the Funding System was adopted in 1999 and sets out open space requirements in residential development.

10.6.2 Blackpool Council declared a Climate Change Emergency in June 2019 and are committed to ensuring that approaches to planning decision are in line with a shift to zero carbon by 2030.

10.6.3 Blackpool Council adopted the Blackpool Green and Blue Infrastructure (GBI) Strategy in 2019. The GBI Strategy sets out six objectives for Blackpool in terms of green infrastructure:

- Protect and Enhance GBI i.e. protecting the best and enhancing the rest
- Create and Restore GBI i.e. greening the grey and creating new GBI in areas where it is most needed
- Connect and Link GBI i.e. making the links, improving connectivity and accessibility of GBI
- Promote GBI i.e. changing behaviour, promoting the benefits of GBI and encouraging greater uptake of outdoor activity and volunteering.

10.6.4 National Design Guide (January 2021) recognises the importance of good design and identifies the ten characteristics that make up good design to achieve high-quality places and buildings. The guide articulates that a well-designed place is made up of its character, its contribution to a sense of community, and its ability to address the environmental issues affecting climate.

10.6.5 National Model Design Code (July 2021) provides guidance to promote successful design and expands on the ten characteristics of good design set out in the National Design Guide.

10.6.6 Department for Communities and Local Government Technical Housing Standards – Nationally Described Space Standards – this document was published in March 2015 and sets out the national minimum standards for new homes, although these standards have yet to be adopted for new build dwellings in Blackpool. However, they are a useful tool to assess the quality of housing development coming forward.

11.0 ASSESSMENT

11.1 Principle

11.1.1 The site is within the South Blackpool Housing Growth area under Core Strategy Policy CS25, which identifies this site and the wider area for the delivery of around 600 dwellings on land around Moss House Road. Furthermore, the principle of residential development on the site

was accepted by the granting of outline planning permission (reference 19/0349) in November 2019, for the erection of five dwellings.

- 11.1.2 There has been an update to the National Planning Policy Framework (July 2021), but there has been no material shift in local or national policy or changes to the site circumstances which would suggest that residential development is no longer acceptable in terms of land use. However, the Council has since adopted a Green and Blue Infrastructure (GBI) Strategy and Action Plan and declared a Climate Emergency (2019) and these are material considerations. The GBI Strategy gives greater emphasis on the need to protect and enhance green infrastructure and trees.
- 11.1.3 Policy CS13 requires new residential development to provide an appropriate mix of quality homes which would help to rebalance Blackpool's housing supply, having regard to the specific character, location and viability of the site and making the most efficient use of land. The development would deliver five detached dwellings, three of the dwellings would have three bedrooms and two, would have four bedrooms. This is considered to be an appropriate housing mix in this area and so there would be no conflict with CS13.
- 11.1.4 Policy CS14 relates to affordable housing and for developments of between 3 and 14 houses, outside of the Inner Area, the policy requires a contribution towards off-site provision of affordable housing in accordance with the calculations in an Affordable Housing SPD. However, at this point the Affordable Housing SPD has yet to be finalised or published for consultation. On that basis, no contribution towards affordable housing provision for smaller sites can currently be justified.
- 11.1.5 Policy CS6 requires development to incorporate new or enhance existing green infrastructure and confirms that financial contributions will be sought from development for open space and green infrastructure. Saved Policy BH10 requires developments of three or more residential units to make a financial contribution towards the provision or improvement of off-site public open space. The Supplementary Planning Guidance 11: Open Space (SPG11) sets out the public open space requirements in new housing development, until it is replaced by the draft Greening Blackpool Supplementary Planning Document. Given the small and constrained nature of the site, no on-site open space could be provided. As such, a commuted sum of £5,848.00 would be required in order to upgrade public open space off site. This would be secured through a S106 agreement.
- 11.1.6 Given the small scale of the development, no contributions towards health or education have been requested.

11.2 Residential amenity impact

- 11.2.1 The proposed dwellings would face towards the rear elevation of 17 Moss House Road and the side elevation of 21 Moss House Road (the front door to number 21 faces west towards the proposed access road rather than Moss House Road). However, the properties would have a separation distance of between 25 metres and 35 metres and the minimum separation distance to safeguard privacy is 21 metres. As such, it is not anticipated that the development would result in overlooking or loss of privacy for the occupants of 17 and 21 Moss House Road.
- 11.2.2 To the rear/north of the site is the remaining, undeveloped but cleared housing site for the wider Moss House Road development. The approved plans for that development show an access road to the north of the watercourse adjacent to the application site, with a drainage

pond and a single house to the north of that access road and so similarly, no overlooking or loss of privacy is anticipated for future occupiers of the development to the north.

- 11.2.3 Currently, to the west of the site is undeveloped but cleared land and to the east is scrubland and trees to the rear of 23 Moss House Road. The approved plans for the wider Moss House Road housing scheme indicate there will be four detached dwellings facing away from the site on the land to the west, and a terrace of three dwellings facing away from the site on the land to the east. Standard separation distances between a rear elevation and a side gable with no habitable room windows (as would be the case in this instance) is 13 metres and the separation distances are considered to be acceptable. As such, no overlooking or loss of privacy is anticipated for future occupiers of the development to the east or west of this site.
- 11.2.4 The site would be accessible for refuse vehicles and there would be access to the rear of each property for the storage of refuse. A condition stating that refuse bins are not to be stored at the front of the properties other than on collection day is considered necessary, in the interests of visual amenity.
- 11.2.5 The occupier of 21 Moss House Road is concerned that no street lighting details have been included in the plans. It is commonplace for lighting details to be agreed by condition and there is no reason to assume that street lighting could not be sensitively incorporated into the development without unacceptably impacting on neighbour amenity.
- 11.2.6 The occupier of 21 Moss House Road is also concerned about the height of any fencing and vegetation along the access road, adjacent to their boundary and potential impacts on loss of light and having an over-bearing impact. However, from the proposed layout, it does not appear that additional fencing along the access would be necessary and none is shown on the indicative landscaping plan which shows that the access would be screened by green infrastructure. The site access adjacent 21 Moss House Road is currently very overgrown and approving this scheme would result in landscaping which is managed. The final boundary details would be agreed by condition and the height and proximity of any fencing along this boundary would be carefully considered in terms of neighbour amenity at that point. However, it should be noted that the developer could erect a 2 metres high solid fence on the developer's side of the boundary without the need for planning permission. Through a discharge of conditions application, there would be the opportunity to agree a softer and more neighbourly solution to the boundary treatments. Final landscaping details would also be agreed by condition and species selection along the access would also be carefully considered in terms of maximum growth heights adjacent neighbouring windows.
- 11.2.7 There will be an increase in noise and disturbance for the occupiers of 17 and 21 Moss House Road in terms of vehicles accessing the site, where currently they do not. However, the access would not be hard up against the shared boundaries and there would be space for green infrastructure on either side of the access road. Given the modest size of the site and the provision of just five houses, any noise and disturbance would not be significant enough to suggest that the application should be resisted on amenity grounds.
- 11.2.8 Conditions are proposed which prevent the houses from being used as anything other than C3 dwellings for permanent occupation and these conditions would further safeguard neighbour amenity. The development could proceed without unacceptable impacts on neighbour amenity and this weighs in favour of the scheme in the planning balance.

- 11.2.9 There is no current policy requirement for new homes to meet the Nationally Described Space Standards (NDSS). Nonetheless, the four bed properties would provide two double bedrooms and two single bedrooms, and the total floorspace provided would exceed the minimum required for a six person, two storey dwelling. The three bedroom properties would provide one double bedroom and a single bedroom, with the third bedroom falling slightly below the minimum 7.5 square metres of floor space required to be classed as a single bedroom under the NDSS. However, the total floorspace of the three bedroom properties would still exceed the minimum required for a four person, two storey dwelling. Assessing the scheme against the NDSS, the houses would provide a good standard of accommodation in terms of floorspace.
- 11.2.10 Windows in the side elevations of the proposed houses at first floor would only serve bathrooms or stairwells, so no unacceptable levels of overlooking or loss of privacy are anticipated for the future occupiers of the development.
- 11.2.11 Each property would have a rear garden of at least 10.5m long and would have a front garden area of sufficient size to provide green infrastructure to act as an amenity, to soften the appearance of the development, to act as a soakaway and to provide benefits to biodiversity. A condition which removes permitted development rights would safeguard the amenity spaces.
- 11.2.11 As such, the proposed development would provide good quality houses with a good standard of amenity for future occupiers and no adverse impacts on residential amenity are anticipated and this too weighs in favour of the scheme in the planning balance.

11.3 Design and visual impact

- 11.3.1 The proposed houses would not have a road frontage given their location behind existing properties on Moss House Road. With sufficient landscaping around the access and within the site, the development would assimilate into its surroundings with little visual impact on the streetscene.
- 11.3.2 However, the proposed dwellings would face away from the planned estate road to the north and to ensure the privacy of rear gardens, a suitable boundary treatment would be required. The landscaping scheme indicates that a 1.8 metre close boarded timber fence is proposed for the rear boundary and this would result in a dead frontage and poor quality streetscene from the estate to the north. Details of final fence positions, design, materials and heights along with green infrastructure including tree planting along the watercourse would be agreed by condition, to protect privacy whilst not detracting from the future streetscene to the north.
- 11.3.3 The scheme includes two house types which are standard detached houses of a similar design and style to those in the wider Moss House Road housing development. Roofing on both house types would be dual pitched with side gables and decorative gabled features over windows on the front elevation. The four bed houses would also have a two-storey projecting gable and single storey porch. The three bedroom houses would have a decorative canopy over the front doors.
- 11.3.4 A materials schedule has been submitted which indicates that the dwellings would have a buff facing brick with brick soldier courses and either brick or stone cills and headers and grey concrete tiled roofs. Driveways would be block pavers and the access road would be black asphalt with red chippings. Again, the materials are very similar to those used on the

wider housing development. The materials schedule is incomplete so the final details of materials would be agreed by condition.

- 11.3.5 It is considered that, subject to conditions, the development in terms of design would be in keeping with the wider area and no undue visual impacts are anticipated.

11.4 Access and highway impact

11.4.1 The Head of Highways and Traffic Management has raised no concerns regarding the design of the access as submitted and has not raised any issues around visibility into or from the site. He has however, asked for a condition which requires the submission of details of the road construction to ensure that the road can carry the weight of fire service vehicles. A highway agreement is likely to be required as there is a street light in the middle of the access which will need to be re-located and this would also be required by condition.

11.4.2 In terms of car parking, the parking standards require that a three bedroom dwelling has two parking spaces and a four bedroom dwelling has three spaces. In this case, the four bedroom properties would have a four spaces (a double garage and two parking spaces in front of the garages) and the three bedroom properties would have four parking spaces (a single garage and two spaces behind the building line and a further space in front of the building line). There would also be two visitor spaces in a layby off the access road. There is also ample room for cycle storage either in a garage or in the rear gardens.

11.4.3 As such, there would be sufficient car parking spaces to serve the development. A condition which removes permitted development rights would safeguard the parking provision on the driveways and the garages.

11.4.4 A condition requiring that each property is served by an electronic vehicle charging point of at least 7kW is considered necessary to enable and encourage the uptake of zero emission vehicles, and to ensure that the development is accessible by sustainable transport modes, in accordance with paragraph 112 of the National Planning Policy Framework.

11.5 Drainage and flood risk

11.5.1 The site falls within flood zone 1 and so has a low risk of tidal or river flooding. The site is less than 1 hectare in area and as such, there is no requirement for a site-specific Flood Risk Assessment and the applicant does not need to demonstrate compliance with the sequential or exception tests. As the development is not at risk of flooding, the main issue is ensuring that the proposed development does not cause flooding elsewhere.

11.5.2 United Utilities have stated that consideration should be given to discharging surface water from the application site into the watercourse to the north and that in the absence of evidence that this has been considered, they consider that the surface water hierarchy has not been fully investigated. On this basis, United Utilities suggest that the drainage proposed is unacceptable in principle, but suggest that this could be considered at a later date through the imposition of the standard drainage conditions.

11.5.3 The watercourse to the north is part of the drainage scheme for the wider Moss House Road development and should eventually be connected to various swales and drainage ponds around that site.

- 11.5.4 The application site is not part of the wider Moss House Road housing development and the drainage strategy for the wider site would not have taken surface water run-off from this site into consideration. In any case, the wider housing scheme has yet to be completed and the build out rate has slowed considerably recently. The drainage system for that site is not complete and it is difficult to assess at what point the different elements of that drainage system will be fully functioning and connected.
- 11.5.5 The applicant has discussed the options with the Council's Drainage Officer, who has confirmed that normally surface water should be directed to a watercourse if one is available. However, in this case, given the issues outlined above, he has recommended that the drainage of this land is managed separately and surface water run-off is not directed to the watercourse to the north. The Drainage Officer has recommended that surface water is stored under carriageway or in an attenuation pond with a hydrobrake and a discharge rate of 5L/s, although the final rate of discharge would be part of an agreement with United Utilities.
- 11.5.6 The drainage scheme indicates that surface water runoff would be directed into a storage pond/basin before being discharged into the combined sewer at an attenuated rate and this would be in accordance with Policy CS9 which requires development to incorporate SuDS (sustainable urban drainage systems) and which will enhance the quality and functionality of green infrastructure in accordance with CS6. Foul and surface water would be drained on separate systems, but would ultimately join the combined system until such time a separate surface water sewer is installed on Moss House Road. The drainage scheme is indicative and so the standard drainage conditions are considered necessary to agree the finer drainage details.
- 11.5.7 Details of the finished site levels would also be agreed by condition to ensure that the development does not result in flooding at neighbouring properties.
- 11.5.8 The rear boundaries of the proposed dwellings appear to abut the side of a watercourse to the north. A native hedgerow and trees would be the preferred boundary treatment along that watercourse as this would help shore up and retain the banks of the watercourse, would assist in drainage and would allow wildlife to pass through into gardens. However, final details of boundary treatments including any fencing positions would be agreed by condition to ensure that the hard boundaries do not interfere with or impede the function of any watercourses. Details of any construction within the vicinity of a watercourse would also need to be agreed by condition to ensure that the watercourse can continue to function as such. Details of hard and soft landscaping would also be agreed by condition.
- 11.5.9 Subject to the standard drainage conditions and conditions agreeing the boundary treatment along the watercourse to the north and finished site levels, no unacceptable drainage or flood risk issues are anticipated.

11.6 Ecological and Arboricultural impact

- 11.6.1 The application is supported by a Tree Survey, a tree constraints plan and a tree protection plan, indicating that the site could be developed without harming more mature trees or hedgerow around the site. Two category C trees would be removed to deliver the development, each with a height of around 4 metres. The other trees and hedgerows around the site and their roots would be protected and would be unaffected by the development.

11.6.2 The indicative landscaping plan indicates the provision of ten new trees within the development. Five trees are indicated along the northern boundary in back garden areas and four trees in front garden areas with another between the access and the pond. However, the Head of Parks and Greens is requiring the planting of ten trees along the northern boundary as trees will have room to grow in that location and they will help remove excess water. The planting specification for the storage pond to ensure that the opportunities are taken to create habitat to benefit biodiversity are also required. The exact location, species and maturity of the trees and the planting specification for the storage pond would be agreed by condition along with the rest of the landscaping details.

11.6.3 The application is also supported by an Ecological Assessment which concludes that there is very limited potential on the site for nesting birds and negligible potential for roosting bats. That assessment recommends mitigation measures including:

- biodiversity enhancing measures such as bird and bat box provision;
- vegetation clearance to take place between September and February to protect nesting birds;
- care to be taken so as not to disturb hibernating hedgehogs between November and mid-March. If clearance works must be undertaken during this time, a suitably qualified ecologist must be present to oversee vegetation removal;
- any new perimeter fences installed along the boundaries are not to be sealed at their bases. Where possible, hedgerows are to be used instead, with timber post and wire fencing also serving to enforce boundary lines, without prohibiting wildlife movements. If any boarded fences are required, it is recommended that there is a 3–5 centimetre gap between the wood and the ground (greater in some locations and less in others is not a problem) so that wildlife such as hedgehog and amphibians can pass into and out of the garden.
- future outdoor lighting should be screened, hooded, or positioned low at bollard level, so that it does not illuminate the roof or eaves, or nearby trees and shrubs.

11.6.4 The standard environmental safeguarding and ecological enhancement conditions would be imposed along with conditions that requires the submission boundary treatments and landscaping. On this basis, the development would have ecological benefits which would weigh in favour of the proposal.

11.7 Environmental impact

11.7.1 There is no reason to suppose that the proposed development would have an unacceptable impact on air quality and a Construction Management Plan (to include dust management) could be secured by condition to ensure that the construction phase of the development would not have an unacceptable impact on air or water quality.

11.7.2 Given the historic land uses on site, a condition is considered necessary which requires investigations into potential land contamination and if necessary, the carrying out of any remediation work prior to the commencement of development, to ensure that the land does not pose a threat to health or the environment.

11.7.3 These conditions along with the standard drainage conditions would ensure that the development could take place without unacceptable risks to environmental quality.

11.8 Other issues

- 11.8.1 The application has 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 (as amended).
- 11.8.2 Under Article 8 and Article 1 of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. This application does not raise any specific human rights issues.

11.9 Sustainability and planning balance appraisal

- 11.9.1 Sustainability comprises economic, environmental and social components.
- 11.9.2 Economically, the scheme would have a very limited impact but the creation of new residential units would help to support local shops and services and some employment would be generated during construction.
- 11.9.3 Environmentally, conditions could be imposed to prevent any unacceptable impacts on air, land or water quality. In terms of biodiversity, this could be safeguarded and enhanced through landscaping and other ecological enhancements such as bird and bat boxes and limiting solid boundary fencing. Subject to landscaping and tree planting, the development would not have an unacceptable visual impact and the design of the properties is in keeping with recent and on-going housing development in the wider area. The development would not be at risk of flooding and would not exacerbate flood risk elsewhere.
- 11.9.4 Socially, the scheme would provide good quality accommodation that would make a contribution towards the housing stock in the local area. The scheme would contribute towards the borough's housing provision albeit to a negligible extent. No unacceptable amenity impacts are anticipated and no undue impacts on highway safety are expected.
- 11.9.5 In terms of planning balance, the development proposed is considered to constitute sustainable development in terms of the environmental and social components. No other material planning considerations have been identified that would outweigh this view.

12.0 FINANCIAL CONSIDERATIONS

- 12.1 The Council would benefit financially from the development through the receipt of Council Tax payments. However, this has no weight in the planning balance and does not influence the recommendation to Members.

13.0 CONCLUSION

- 13.1 As set out above, the scheme is judged to represent sustainable development and no other material planning considerations have been identified that would outweigh this assessment. On this basis, planning permission should be granted.

14.0 **RECOMMENDATION**

14.1 Grant planning permission subject to the following conditions and the signing of a S106 agreement for a commuted sum towards off site public open space provision:

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

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

Location plan recorded as received by the Council on 11th June 2021 ref SD02/LOC

Proposed site layout plan ref. SD02/10

Proposed Streetscene plan ref. SD02.11

Proposed floorplans and elevations ref. SD02.13/1

Proposed floorplans and elevations ref. SD02.14/10

Proposed floorplans and elevations ref. SD02.15

Proposed floorplans and elevations ref. SD02.16

The development shall thereafter be retained and maintained in accordance with these approved details.

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

3 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
- measures to prevent contamination of surface and sub-surface water bodies during the construction period
- routing of construction traffic

The construction of the development shall then proceed in full 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 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

- 4 (a) Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance and in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards shall be submitted to and approved in writing by the Local Planning Authority.
- This scheme shall include:
- (i) Measures to achieve a reduced rate of discharge of surface water agreed with the Local Planning Authority and a timetable for its implementation.
 - (ii) Evidence of an assessment of the site conditions to include site investigation and test results to discount infiltration or to confirm infiltrations rates;
 - (iii) Surveys and appropriate evidence to establish the position, capacity and interconnection of all watercourses and surface-water sewers within the application site and those outside of the site into which a direct or indirect connection is proposed;
- (b) Unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.
- (c) The scheme agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details before the development hereby approved is first brought into use.

Reason: To promote sustainable development, secure proper drainage of surface water and to manage the risk of flooding and pollution in accordance with the provisions of the NPPF and NPPG and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027. This information must be agreed prior to the commencement of development in order to ensure appropriate drainage of the site as the development proceeds.

- 5 Prior to commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
- a) The arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Site Management Company;
 - b) Evidence of arrangements to transfer responsibility to other parties in the event of the demise of any management company, for example by means of covenants;
 - c) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) to include elements such as:
 - (i) on-going inspections relating to performance and asset condition assessments
 - (ii) operational costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
 - d) Means of access for maintenance and easements where applicable.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan. The developer shall provide to the Planning Authority, if requested, certification of the condition of the drainage system by a competent person.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development in accordance with Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

- 6 Foul and surface water shall be drained on separate systems.

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

- 7 Prior to the commencement of development;

(a) a phase 1 geo-technical study into potential land contamination shall be submitted to and agreed in writing by the Local Planning Authority; and

(b) should the phase 1 report required by part (a) of this condition indicate a need for site investigation, a methodology for a phase 2 geo-technical site investigation into potential land contamination shall be submitted to and agreed in writing by the Local Planning Authority; and

(c) the phase 2 investigation approved pursuant to part (b) of this condition shall be carried out in full and the results of this investigation shall be submitted to and agreed in writing by the Local Planning Authority; and

(d) any scheme of remediation shown to be required by the investigation undertaken pursuant to part (c) shall be submitted to and agreed in writing by the Local Planning Authority; and

(e) the remediation agreed pursuant to part (d) of this condition shall be carried out in full and a validation report confirming the works shall be submitted to and agreed in writing by 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 and Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027. This information is required to be submitted and agreed prior to commencement in order to ensure that the development hereby approved proceeds safely.

- 8 Prior to any above ground development, details of the proposed ground levels and finished floor levels shall be submitted to and agreed in writing by the Local Planning Authority and the development shall proceed in full accordance with these agreed details.

Reason: In the interests of the appearance of the site, the amenities of neighbours and appropriate drainage in accordance with the provisions of Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

- 9 Prior to the first occupation of the development hereby approved:

(a) a landscaping scheme shall be submitted to and agreed in writing by the Local Planning Authority. This scheme shall include a full planting schedule detailing plant species and initial plant sizes, numbers and densities;

(b) the landscaping scheme agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details; and
(c) Any trees or plants planted in accordance with this condition that are removed, uprooted, destroyed, die or become severely damaged or seriously diseased within 7 years of planting shall be replaced within the next planting season with trees or plants of similar size and species to those originally required unless otherwise first submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is satisfactorily landscaped and screened in the interests of visual amenity, to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall and to safeguard and provide gains for biodiversity in accordance with Policies CS6, CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, LQ6, BH3 and NE6 of the Blackpool Local Plan 2001-2016.

- 10 The following measures shall be adhered to throughout the demolition/construction period of the development hereby approved:
- all materials will be covered and stored on raised pallets only
 - means of escape for amphibians and small mammals shall be provided from any excavation (i.e. solid plank providing access from the base of the excavation to ground level)
 - construction and storage areas to be inspected at the start of each working day for amphibians and small mammals
 - in the event that a protected species is found on site, works should immediately cease and a suitably qualified and experienced ecologist consulted
 - any non-protected species found on site should be carefully removed and placed under cover on the other side of the site boundary.

Reason: In order to safeguard biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ6 and NE6 of the Blackpool Local Plan 2001-2016.

- 11 Notwithstanding the indicative fencing placements and details on the plans hereby approved, prior to the commencement of any above ground construction, details of boundary treatments including fencing shall be submitted to and agreed in writing with the Local Planning Authority. These agreed boundary treatments shall then be provided in full and in full accordance with the approved details before the dwellings hereby approved are first occupied and shall thereafter be retained.

Reason: In the interests of the appearance and quality of the development in the streetscene and to safeguard and provide gains for biodiversity in accordance with Policies CS6, CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, LQ6, BH3 and NE6 of the Blackpool Local Plan 2001-2016.

- 12 The external materials to be used on the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any above ground construction and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and LQ4 of the Blackpool Local Plan 2001-2016.

- 13 Prior to the commencement of any above ground construction, the profile details of the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with these agreed details. For the purpose of this condition, the profile details shall show to the extent of recession or projection of windows, doors and other architectural features of the building.

Reason: In order to secure appropriate visual articulation and interest in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and LQ4 of the Blackpool Local Plan 2001-2016.

- 14 The surfacing materials to be used in the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the laying down of any final surfacing and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ1 of the Blackpool Local Plan 2001-2016.

- 15 Prior to the commencement of any development on site, the tree protection measures indicated in the Tree Survey and Arboricultural Impact Assessment and Tree Protection Plan by Richard Eaves dated July 2021 shall be put in place and shall be retained for the duration of the site preparation and construction period.

Reason: To secure the protection, throughout the time that the development is being carried out, of trees growing within or adjacent to the site which are of amenity and biodiversity value to the area, in accordance with Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ6 and NE7 of the Blackpool Local Plan 2001-2016.

- 16 Prior to the commencement of any above ground construction, a scheme of ecological enhancement shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with this approved scheme. For the purpose of this condition, the scheme of ecological enhancement shall include:
- Provision to bolster existing hedgerows with native species
 - Native tree planting
 - Provision of bird and bat boxes
 - Features to facilitate the roaming of small mammals

Reason: In order to safeguard and enhance biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ6 and NE6 of the Blackpool Local Plan 2001-2016.

- 17 No trees or hedgerows shall be felled or cleared during the main bird nesting season (March to September inclusive) and no site clearance shall be undertaken between November and March inclusive, unless written confirmation of the absence of nesting birds and hibernating

mammals by a suitably qualified and experienced ecologist has been submitted to and agreed in writing by the Local Planning Authority.

Reason: In accordance with the mitigation recommendations in the submitted Ecological Assessment by Mike Fisher (dated 5th March 2021) in order to safeguard biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ6 and NE7 of the Blackpool Local Plan 2001-2016.

- 18 Notwithstanding the information shown on the approved plans and prior to any above ground construction, the following highway and highway drainage details shall be submitted to and agreed by the Local Planning Authority:

- (a) full technical details of the access road including evidence that the access road could accommodate the weight of a fire service vehicle shall be submitted to and agreed in writing by the Local Planning Authority; and
- (b) details of construction in the vicinity of the watercourse to the north; and
- (c) highway and access road drainage; and
- (d) any remedial works to the highway as necessary
- (e) this agreed access shall be provided in full and the development shall proceed in full accordance with the approved details.

Reason: In order to ensure safe access to and egress from the site is available in the interests of highway safety in accordance with the provisions of Policies CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

- 19 Prior to the development hereby approved being first brought into use, the parking provision shown on the approved plans shall be provided and shall thereafter be retained as such.

Reason: In order to ensure that adequate parking provision is available to meet the needs of the development in the interests of the appearance of the area and highway safety in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

- 20 No dwelling with a garage shall be occupied in advance of the installation of a 7kV or faster electric vehicle charging point in that garage.

Reason: To facilitate sustainable transport by ensuring there is adequate infrastructure to enable the charging of plug-in and other ultra-low emission vehicles in accordance with paragraph 112 part e) of the National Planning Policy Framework.

- 21 Prior to the commencement of any above ground development, details of street lighting and any other external lighting, shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with these approved details. For the purpose of this condition, the details shall include the form, design, materials and technical specification of the lighting and a lux plan to show the resulting area of light-spill.

Reason: In the interest of the appearance of the site and locality, to safeguard the amenities of nearby residents and to safeguard biodiversity in accordance with Policies CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, BH3 and NE6 of the Blackpool Local Plan 2001-2016.

- 22 No bins or refuse shall be stored forward of the front elevation of the building other than on the day of presentation for collection.

Reason: In the interest of the appearance of the site and locality and to safeguard the amenities of nearby residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

- 23 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no change of use from Use Class C3 to Use Class C4 shall take place without the written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and to prevent the further establishment of Houses in Multiple Occupation which would further increase the stock of poor quality accommodation in the town and further undermine the aim of creating balanced and healthy communities, in accordance with Policies CS7, CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies BH3 and HN5 of the Blackpool Local Plan 2001-2016.

- 24 The accommodation shall be used for permanent residential occupation within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) only and for no other purpose.

Reason: In order to safeguard the living conditions of the occupants of nearby residential properties and the character of the area in accordance with Policies CS7, CS12 and CS23 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies BH3 of the Blackpool Local Plan 2001-2016.

- 25 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), no enlargement of the dwelling/s the subject of this permission shall be carried out without the written approval of the Local Planning Authority.

Reason: In order to safeguard the amenities of nearby residents, to ensure that appropriate car parking provision is available to meet the needs of the development and to safeguard sufficient private amenity space for the needs of the occupiers of the properties, in the interests of public amenity, highway safety and the appearance of the streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, BH3 and AS1 of the Blackpool Local Plan 2001-2016.

- 26 Notwithstanding the definition of development as set out under section 55 of the Town and Country Planning Act 1990 or the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), the garages shall not be used for any purpose that would preclude their use for the parking of a vehicle.

Reason: In order to ensure that appropriate car parking provision is available to meet the needs of the development in the interests of public amenity, highway safety and the appearance of the streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, BH3 and AS1 of the Blackpool Local Plan 2001-2016.

ADVICE NOTES TO DEVELOPERS

1. This site falls within the identified safeguarding area for Blackpool Airport. As such, your attention is drawn to the following advice notes:

<http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-1-Aerodrome-Safeguarding-An-Overview-2016.pdf>

- <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-2-Lighting-2016.pdf>
- <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-3-Wildlife-Hazards-2016.pdf>
- <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-4-Cranes-2016.pdf>
- <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-5-Renewable-Energy-2016.pdf>

For further information and advice, please contact safeguarding@blackpoolairport.com

2. The grant of planning permission will require the developer to enter into an appropriate Legal Agreement with Blackpool Borough Council acting as Highway Authority. The Highway Authority may also wish to implement their right to design all works within the highway relating to this proposal. The applicant is advised to contact the Council's Highways and Traffic team via email to highwaysandtraffic@blackpool.gov.uk or by telephone on 01253 477477 in the first instance to ascertain the details of such an agreement and the information provided.
 3. Please note that any address changes or new addresses needed as a result of this development must be agreed by the Council. Please contact the Council on 01253 477477 for further information.
 4. Blackpool Council operates a refuse collection and recycling service through the use of wheeled bins. Developers of new residential properties, including conversions, will be required to provide these bins. Contact should be made with the Council's Waste Services team via email to waste@blackpool.gov.uk or by telephone to 01253 477477 for further advice and to purchase the bins required.
 5. Condition 9
- For the purposes of condition 9, at least 10 trees along the northern boundary will be required with species to include alder and field maple as well as the species stated on the indicative landscaping plan. The storage pond should be planted with mix of appropriate native species to create a habitat area, in order to maximise the benefits to biodiversity.
6. Condition 11

For the purposes of condition 11, the submitted ecological assessment by Mike Foster, dated 5th March 2021, recommends that any new perimeter fences installed along the boundaries are not to be sealed at their bases. Where possible, hedgerows are to be used instead, with timber post and wire fencing also serving to enforce boundary lines, without

prohibiting wildlife movements. If any boarded fences are required, it is recommended that there is a 3 – 5cm gap between the wood and the ground (greater in some locations and less in others is not a problem) so that wildlife such as hedgehog and amphibians can pass into and out of the garden.

21/0537 Land to the rear of 17-21 Moss House Road



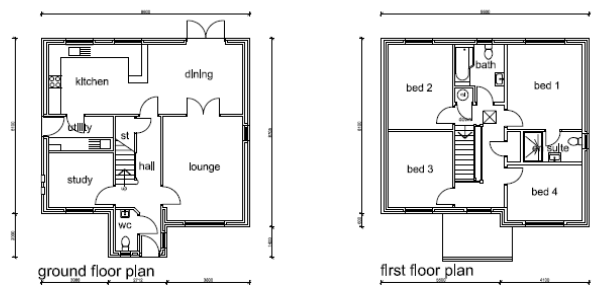
Location plan



Site layout plan



Indicative landscaping plan

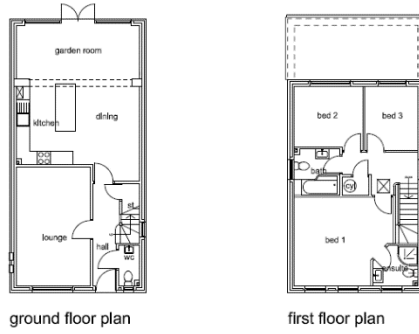


| | |
|-------------------------------|------------|
| revisions | |
| title | |
| STRATHDALE | |
| 4 BED DETACHED | |
| 143.6 sq.m 1546 sq.ft | |
| PLANS & ELEVATIONS | |
| Scale | 1:100 @ A2 |
| Date | JUNE 2021 |
| Drawn | GA |
| Drawing No. SD 02 . 13 / 1 | |

STAVELY
DEVELOPMENTS

Ashton Lodge
Division Lane
Blackpool
FY4 5EA
Mob : 07738 544791

Four bedroom house elevations and floor layouts



revisions

title

WERNETH
3 BED DETACHED
112.92 sq.m / 1215 sq.ft

OPPOSITE HAND

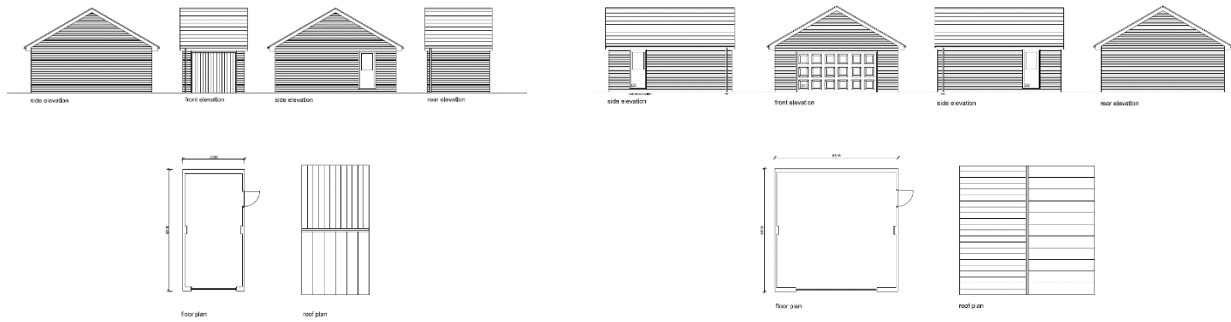
PLANS & ELEVATIONS

Scale 1:100 @ A2
Date JUNE 2021
Drawn GA

Drawing No. SD 02 . 14 / 10

STAVELY
DEVELOPMENTS
Ashton Lodge

Three bedroom house elevations and floor layouts



Single and double garages



Streetscene

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