

Blackpool Council

1 December 2023

To: Councillors Baker, P Brookes, Farrell, Flanagan, Jackson, Roe and Sloman

The above members are requested to attend the:

PLANNING COMMITTEE

Tuesday, 12 December 2023 at 6.00 pm
Committee Room A, Town Hall, Blackpool FY1 1GB

A G E N D A

1 DECLARATIONS OF INTEREST

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

(1) the type of interest concerned either a

- (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 14 NOVEMBER 2023 (Pages 1 - 8)

To agree the minutes of the last meeting held on 14 November 2023 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 APPLICATION AND APPEALS PERFORMANCE (Pages 15 - 16)

The Committee to consider an update on the Council's performance in relation to Government targets. The report reflects performance in the second quarter of the 2023/24 financial year.

5 APPLICATION NUMBER 22/0512 - MEXFORD HOUSE, MEXFORD AVENUE, BLACKPOOL (Pages 17 - 52)

To consider planning application number 22/0512 for external alterations to include installation of new windows to various elevations, removal of existing entrance and demolition of existing out buildings and use as altered as 87 self-contained flats with associated parking, cycle store, access and landscaping at Mexford House, Mexford Avenue, Blackpool, FY2 0UY.

6 APPLICATION NUMBER 22/0479 - LAND AT HAWKING PLACE, BLACKPOOL (Pages 53 - 80)

To consider planning application number 22/0479 for the retention of an industrial building of three units, and erection of 2 industrial buildings to provide 5 units, all for use within Class E(g)(ii) and/or B8 with associated landscaping, parking, infrastructure and access from Hawking Place at Land at Hawking Place, Blackpool.

7 DATE OF NEXT MEETING

To note the date of the next meeting as 30 January 2024.

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, e-mail jennifer.cook@blackpool.gov.uk

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

Public Document Pack Agenda Item 2

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 14 NOVEMBER 2023

Present:

Councillor Humphreys (in the Chair from Item 2)

Councillors

Baker	Flanagan	Thomas
Cooper	Jackson	

In Attendance:

Keith Allen, Highways and Traffic Development and Control Officer
Jenni Cook, Democratic Governance Senior Adviser
Ian Curtis, Legal Officer
Susan Parker, Head of Development Management

1 APPOINTMENT OF CHAIRMAN

In the absence of the Chairman and Vice-Chairman the Committee considered the appointment of a Chairman for the meeting.

Resolved:

That Councillor Humphreys be appointed Chairman for the meeting.

(Councillor Humphreys took the Chair from this point of the meeting onwards.)

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 MINUTES OF THE MEETING HELD ON 5 SEPTEMBER 2023

The Committee considered the minutes of the last meeting held on 5 September 2023.

Resolved:

That the minutes of the meeting held on 5 September 2023 be approved and signed by the Chair as a correct record.

4 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

The Planning Committee considered a report on Planning/Enforcement Appeals lodged and determined since the last meeting.

Resolved:

The Committee noted the update.

5 PLANNING ENFORCEMENT UPDATE REPORT - AUGUST 2023

The Committee considered the report which provided a summary of planning

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enforcement activity within Blackpool between 1 August and 31 August 2023.

Resolved:

To note the update.

6 PLANNING ENFORCEMENT UPDATE - SEPTEMBER 2023

The Committee considered the report which provided a summary of planning enforcement activity within Blackpool between 1 September and 30 September 2023.

Resolved:

To note the update.

7 PLANNING ENFORCEMENT UPDATE - OCTOBER 2023

The Committee considered the report which provided a summary of planning enforcement activity within Blackpool between 1 October and 31 October 2023.

Resolved:

To note the update.

8 BLACKPOOL COUNCIL - DEVELOPMENT MANAGEMENT - SCHEME OF DELEGATION

The Committee considered a report in relation to the existing Scheme of Delegation for Development Management which sought the Committee's approval to update the Scheme to address an omission.

Ms S Parker, Head of Development Management, advised the Committee that the Scheme had been before the Committee for approval at the last meeting on 5 September 2023 and that since then two applications for Permissions in Principle had been submitted to the Council. The Council had only received one other application for Permission in Principle in 2019. These applications were submitted very infrequently and therefore reference to them had been omitted from the September 2023 report.

Ms Parker advised the Committee that decisions on Permission in Principle applications had to be made within 5 weeks of receipt which effectively precluded such applications from being brought before Planning Committee. The updated Scheme of Delegation included such applications within the list of application types under paragraph 3.4.2 that would always be determined under delegated authority.

The Committee discussed the report and in response to questions, Ms Parker confirmed that four Planning Officers would have the delegated authority to make such decisions, however it was not anticipated that these delegations would have to be used by the Senior Planning Officers very often and was a safeguard in case of long term senior officer absence.

Resolved:

To adopt the proposed amended scheme of delegation attached as Appendix 7a in the Committee report.

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9 APPLICATION NUMBER 21/1085 - LAND TO THE REAR OF 65 - 71 MOSS HOUSE ROAD, BLACKPOOL, FY4 5JF

The Committee considered planning application 21/1085 for the erection of 52 houses with associated public open space, landscaping, infrastructure and access from Moss House Road.

Ms S Parker, Head of Development Management, outlined the report and reminded members that this had been put before the Planning Committee in September 2023 and had been deferred in order to investigate highway access options further and to further explore potential affordable housing provision.

Ms Parker acknowledged that the Update Note contained a revised recommendation and provided the Committee with an overview of the planning history of the site. The site had been included within the originally approved Kensington Homes Development site, but had been excluded from the second reserved matters scheme in 2017 as it had been intended for use by United Utilities as part of the drainage framework for the area. However, since then two smaller permissions had been granted on parts of the site which remained extant, along with the wider Kensington permission, with phase 2 of that original permission being built by Elan Homes. Ms Parker advised that whilst it could not be said categorically that the original approval would not proceed and whilst it could continue to be implemented, officers had no substantive reason to believe that this would be likely.

The Committee was advised that the application had taken a long time to determine and that this had been largely due to discussions on matters of financial viability. The proposed development site was liable for significant amounts of planning obligations as well as the provision of 30% affordable housing. The applicant had stated that this was not financially feasible and had submitted an appraisal to demonstrate this. This information had been reviewed by an independent consultant, Continuum, and a state of disagreement had arisen. Ms Parker advised that since the September 2023 Committee meeting, at which the application had been deferred, the applicant had asserted that market conditions had worsened to the point where no affordable housing or planning obligations could be provided.

Ms Parker reminded the Committee that at the 5 September 2023 Planning Committee she had advised that she considered the application to be very finely balanced but had concluded that there had been enough positive aspects of the scheme to outweigh the negative issues and it had therefore been recommended for approval. However, the Council's viability consultants, Continuum, did not consider that the applicant's withdrawal of all affordable housing and planning obligation provision was justified and this had now tipped the scales in terms of recommendations towards refusal.

Ms Parker provided the Committee with an overview of the key issues of this application and in relation to the Core Strategy, stated that the wider area at Moss House Road had intended to deliver 600 homes. Though it was acknowledged that this would not be achieved, the scheme would still make a notable contribution to the Borough's housing supply. Notwithstanding some of the shortfalls, the design of the scheme had been considered acceptable and would safeguard the amenity of neighbours, whilst providing a good standard of amenity for occupants. However, the Committee was advised that the

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scheme would not deliver a housing mix that would accord with policy requirements, it would fail to deliver necessary affordable housing, local health provision and green infrastructure. In addition many of the parking spaces fell short of minimum size standards and the street trees required by the National Planning Policy Framework would not be provided.

In relation to the highways matters that had been discussed at the 5 September 2023 Planning Committee, Ms Parker reminded the Committee of the original access and egress arrangements identified by the Council's highway officers which was for traffic associated with the development to travel the full length of Moss House Road to the western spur of Redwood Boulevard and out onto Progress Way from there. However, at the last meeting, the Committee had requested that consideration be given to the use of Florence Street. This had been fully considered by the applicant and the Council's Highways Team, but had been discounted as a less preferable option to Moss House Road. The Moss House Road option had been publicised and had received no objections from affected residents. Works to Moss House Road were estimated to be £30,000 which the applicant was prepared to fund.

Ms Parker drew attention to the recommendation that the Committee adopted the position of the Greater Manchester Ecology Unit, even though it was contrary to the position of Natural England. This had been recommended as although the Greater Manchester Ecology Unit had requested that homeowner packs be conditioned as part of best practice, Natural England had taken this to indicate a potential significant likely effect that warranted an Appropriate Assessment. This had not been the intention of the Greater Manchester Ecology Unit and the recommendation was merely one of best practice. On this basis, no Appropriate Assessment under the Habitat Regulations was considered necessary.

In relation to affordable housing, Ms Parker reminded the Committee that over the course of the application, the applicant had moved from a position of zero affordable housing, £85,000 for planning applications and £30,000 for highway works to a position of 15% affordable housing with obligation and highways costs. However, since the September 2023 Committee the applicant had now moved to a position of zero affordable housing and no planning obligations, retaining only the necessary highways works at £30,000. No agreement had been reached with the applicant in respect of viability grounds. Although the Council's consultants, Continuum had conceded that market conditions had deteriorated, the deterioration had been less than expected and Continuum had also predicted that market values would actually increase in 2025.

Ms Parker concluded by advising the Committee that Planning Officers had carefully considered the report in relation to planning balance, strategic designation of the site, the challenges presented by the applicant and the applicant's revised position in relation to affordable housing provision. Planning Officers had concluded that the issues relating to housing mix, conflict with Part 2 requirements and the removal of all affordable housing and planning obligations were considered to be sufficient to weigh sufficiently against the application to outweigh these benefits and justify refusal. The Committee was recommended to refuse the application for the reasons outlined in the Update Note.

Mr J Pickthall, Applicant, spoke in favour of the application and advised the Committee that he was disappointed that the recommendation was for refusal and that he disagreed

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with Continuum's assessment of affordable housing viability and questioned their experience in dealing with land of this nature. He stated that Rowland Homes would always want to try to provide the maximum affordable housing and planning obligation contributions, however the market conditions and the costs required to remediate this particular piece of land, in Rowland Homes' opinion, did not support the provision of any affordable homes or planning obligation contributions. Mr Pickthall noted that the £30,000 for essential highways works remained part of the application.

Mr Pickthall highlighted the benefits of the scheme, stated that in Rowland Homes' opinion, these benefits did outweigh planning balance and asked the Planning Committee to approve the application.

The Committee discussed the application and in response to questions, Mr Pickthall advised that it had been Rowland Homes' intention to provide affordable housing and planning obligations, however declining sales, rising costs and inflation and the risky site conditions had meant that these costs outweighed the costs of providing affordable housing on the grounds of viability.

The Committee discussed the report and noted the importance of affordable housing provision in Blackpool.

Resolved:

To refuse the application for the reasons outlined in the Update Note.

10 APPLICATION NUMBER 22/0670 - FORMER BISPHAM HIGH SCHOOL, BISPHAM, BLACKPOOL, FY2 0NH

The Committee considered planning application 22/0670 for the erection of 200 residential dwellings with associated landscaping, public open space and parking, with vehicular access from Bispham Road, Regency Gardens and Kylemore Avenue.

Ms S Parker, Head of Development Management, outlined the report and the Committee was advised that this was the third time this site had been before the Planning Committee, being twice under application reference 19/0421 (outline for 176 dwellings) and that it was now back before the Committee for 200 dwellings in full. The site was approximately 9 hectares and comprised of three main areas being the former school site, the former public open space area and what was formerly referred to as "white land" (meaning that had not been designated for anything specific). The site as a whole was now designated for housing development under the Local Plan Part 2.

Ms Parker outlined the details of the proposal which would comprise of 56 dwellings to the rear of Regency Gardens, accessed through Regency Gardens with 42 dwellings and the end of Lorne Road and Headford Close with 102 dwellings at the eastern end. These latter two sections would both be accessed from Bispham Road. In respect of public space, the majority would be retained to meet the needs of the development and another smaller area of open space would also be provided off Kylemore Road. A third smaller area would include an attenuation pond off Bispham Road and the existing tree lines around the perimeter and key hedgerows to be retained.

A large number of consultation responses had been received in relation to the application

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and Ms Parker advised the Committee that these had been summarised and addressed within the committee report. She also reminded the Committee that the site was already designated for housing development in the Local Plan and the development of the site could not reasonably be resisted in principle. The scheme was an effective use of land which would make a significant contribution to housing needs with public open space to be retained and upgraded along with upgraded play facilities and £442,000 would be provided towards off-site sporting provision to compensate for the loss of pitches on the development site.

In respect of affordability, the Committee was advised that 40 dwellings would be provided for affordable rent. This was less than the 30% required, however this level of provision had been justified by the viability report to the Local Plan. The proposed housing mix was considered to be acceptable and the layout of the site was acceptable, with the proposed accommodation being of a good standard. Ms Parker acknowledged that not all properties met national housing standards, however Policy DM1 required only 20% of houses to meet that standard. Boundary treatments, appropriate materials and surfacing could be agreed through condition and the Bispham Road frontage would be landscaped as part of the Section 278 highways agreement. The lack of street tree planting was acknowledged, however an adequate amount of green space stretched across the site to allow the site to appear relatively green with trees proposed in front gardens. An Appropriate Assessment was not required under the Habitats Regulations.

In relation to highways matters, Ms Parker advised the Committee that the main access from Bispham Road would be a T-junction which was a considerably safer arrangement than the roundabout originally proposed and would address many of the concerns raised by local residents. The access through Regency Gardens was considered to be acceptable and the roads were considered capable of supporting an additional 56 dwellings. A condition had been proposed in relation to speed surveys to establish if any mitigation measures were necessary. Ms Parker noted the limitations of the junction of Bispham Road and Warbreck Hill and that it was operating at over-capacity, however the impact was not considered to be severe and the developer could not reasonably be made liable for upgrades to that junction.

In relation to flood risk and drainage, no particular issues had been identified on the site and conditions were proposed to safeguard biodiversity and to enhance provision on site. Ms Parker reminded the Committee that the 10% biodiversity net gain requirement was not applicable until January 2024 and did not apply to applications already in the planning system. Although the proposal did not provide enough trees to meet the requirements of the Greening Blackpool Supplementary Planning Document, a significant amount of green infrastructure was proposed.

In respect of viability, Ms Parker advised that the Council had engaged Parkinsons to act on its behalf and it had not been possible to reach agreement with the applicant as detailed at length in the committee report. Although this weighed against the application, population projections for Blackpool indicated a declining population making it likely that many residents of the estate would relocate from elsewhere in Blackpool, with school places and health provision already in place.

In summary, the Committee was advised that the scheme would contribute towards housing supply and would provide 40 affordable rented home, off site sports provision

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and green space and play space upgrades. The Committee was recommended to agree that there was no need for an Appropriate Assessment under the Habitats Regulations, to resolve to support the application and to delegate it to the Head of Development Management to grant planning permission once a Section 106 Agreement had been entered into to secure the planning obligations. In addition, Ms Parker drew the Committee's attention to the Update Note in relation to revised conditions and asked that if the application was supported, that she also be granted the authority to alter conditions as she saw fit before a decision was issued.

In an exception to the Procedure for Public Speaking the Chairman agreed that a representation could be made by Mr Ashton who had not registered by 12Noon on Monday 13 November 2023. Mr P Ashton spoke in objection to the application as a local resident and raised concerns in relation to access signage, tree surveys and concerns in relation to traffic.

Mr Alexis De Pol spoke on behalf of the Applicant and advised the Committee that the application was already allocated as a housing site for the principle of development and would provide a high quality housing scheme with a 20% affordable rent provision. The provision of public open space was over and above what was required and would provide biodiversity enhancement along with an attenuation basin and improved footpaths. The Committee was asked to support the application.

Mr K Allen, Highways and Traffic Development and Control Officer, provided the Committee with an outline of highways development in the area historically and reminded the Committee that a condition to carry out a speed/traffic survey had been proposed. The highways access and works were considered to be acceptable.

Ms Parker provided clarification in respect of the criteria for a tree to be included within a tree survey and advised that the Parks Officer had reviewed the application and provided feedback to maximise biodiversity on the site.

The Committee discussed the report and in response to questions, Mr De Pol advised that he did not foresee any issues in implementing any of the conditions or proposed conditions at present. Ms Parker also provided clarification in respect of any authority delegated to her in relation to conditions. In relation to the development period, Mr De Pol advised that a precise timeline could not be given, however a detailed Construction Management Plan would be agreed.

Resolved:

1. To agree that no Appropriate Assessment under the Habitats Regulations was required
2. To support the proposal and delegate the application to the Head of Development Management for approval subject to the completion of a S106 legal agreement and the conditions listed in the committee report and Update Note.
3. To authorise the Head of Development Management to alter the wording of conditions as appropriate if acceptable information to meet the requirements of those conditions is provided prior to determination.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 14 NOVEMBER 2023

The date of the next meeting was noted as 12 December 2023.

Chairman

(The meeting ended at 6.53 pm)

Any queries regarding these minutes, please contact:

Jenni Cook Democratic Governance Senior Adviser

Tel: (01253) 477212

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

Report to:	PLANNING COMMITTEE
Relevant Officer:	Susan Parker, Head of Development Management
Date of Meeting:	11 December 2023

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

3.3 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;
- 'The Economy: maximising growth and opportunity across Blackpool'
 - 'Communities: creating stronger communities and increasing resilience'.

6.0 Planning Appeals Lodged

- 6.1.1 23/8124 – 309 St Annes Road, Blackpool, FY4 2EE - The material change of use of 309 St. Annes Road from a single private dwelling-house to a self-contained holiday let, without planning permission.

An appeal has been lodged by Mrs L Kirkland-Smith against an Enforcement Notice served by Blackpool Council on 20 September 2023.

- 6.1.2 22/8409 – 18 Watson Road, Blackpool, FY4 1EG - The material change of use of 18 Watson Road from a single private dwelling-house to a self-contained holiday let, without planning permission.

An appeal has been lodged by S and C Housing Limited against an Enforcement Notice served by Blackpool Council on 11 October 2023.

- 6.1.3 22/0775 – 111 Holmfield Road, Blackpool, FY2 9RS -Use of premises for 4.no self-contained holiday flats.

An appeal has been lodged by Coastal Breaks Limited against the Council's refusal of Planning Permission.

- 6.1.4 23/0001 – 97 Lytham Road, Blackpool, FY1 6DT - External alterations to include new ground floor frontage and access alterations and flexible use of premises as altered as 2 self-contained permanent residential flats (C3) or holiday lets (Sui Generis)

An appeal has been lodged by Seaside Hoteliers Limited against the Council's refusal of Planning Permission.

- 6.1.5 23/0079 – 286-292 Lytham Road, Blackpool, FY1 6EY - Erection of a single storey rear extension to form ancillary store.

An appeal has been lodged by Mr S Mansoor against the Council's refusal of Planning Permission.

- 6.1.6 23/0550 – 56 Maplewood Drive, Blackpool, FY5 1PW - Erection of carport to side elevation with balcony above.

An appeal has been lodged by Ms J Lamb against the Council's refusal of Planning Permission.

7.0 Planning/Enforcement Appeals Determined

7.1 23/0320 – 8 Gregson Close, Blackpool - Erection of conservatory to rear of existing single storey rear extension. (Retrospective application)

Appeal Dismissed

The Inspector agreed that the main issues were whether the conservatory was harmful to the living conditions of the adjoining occupiers at 34 Lowfield Road and the effect of the development on the character and appearance of the host property.

The conservatory had already been erected. The Inspector thought that even though the conservatory extended behind the earlier rear extension, it was visibly distinct from it. Except for the solid base, it was entirely glazed to the roof and sides. Its reasonably lightweight appearance made it less visually dominant as a result. The matching red brickwork was also sufficiently in keeping with what had been built before so that it did not appear discordant.

The Inspector noted that as a result of the proximity of the appeal scheme to the rear boundary, there was a close and unrestricted view from the conservatory on the appeal site into the ground floor windows of the neighboring property to the rear. As a result, the effect was overbearing on the living conditions of the neighboring occupiers, concluding that the conservatory was harmful to the living conditions of the neighboring residential occupiers at 34 Lowfield Road, with particular regard to overlooking, loss of privacy and its overbearing effect.

7.2 23/0011 – Land in front of 252 Cherry Tree Road, Blackpool - Installation of 15m high monopole with 3no cabinets and associated works.

Appeal Dismissed

The Inspector agreed that the main issues were the effect of the siting and appearance of the proposed installation on (i) the character and appearance of the area; and (ii) if any harm would occur, whether this is outweighed by the need for the installation to be sited as proposed taking into account any suitable alternatives.

The Inspector noted that the proposed mast would be situated in the vicinity of other street furniture items, such as lamp posts and is a structure that is commonly found in urban areas. At 15m high, it would however be significantly taller than other items of street furniture as well as nearby buildings and twice the height of the nearest trees. The mast would be clearly visible along Cherry Tree Road and Whalley Lane. The inspector stated that despite the slim line design of the mast and the opportunity to select a colour, it would appear as a prominent, discordant addition from public vantage points as well as from a number of windows of the nearby residential

properties. Concluding that the siting and appearance of the proposed installation would result in significant harm to the character and appearance of the area.

The proposed mast would provide 5G coverage in and around Cherry Tree Road. The benefits of the proposal have been set out by the appellant, including supporting home working, businesses and socialising. Reference has also been made to a letter that sets out the importance of digital connectivity. The Inspector appreciated the need for this installation to provide new 5G mobile coverage to the local predominantly residential area. It would bring a modern, high-speed communications service and this weighs in favour of the appeal. The proposal would, however, for the reasons set out above, be harmful to the character and appearance of the area. The Inspector was not convinced that less harmful alternatives have been properly explored and they viewed that the need for the proposal does not in this case, outweigh the harm.

7.3 22/0973 – 188 Promenade, Blackpool - Display of 1 LED advertisement hoarding to the north elevation of 188 Promenade.

Appeal Dismissed

The Inspector agreed the main issue is the effect of the proposed advertisement on amenity, having regard to the settings of the Grade I listed Blackpool Tower, and the adjacent Town Centre Conservation Area.

The advertisement screen would be highly visible in this location and, therefore, would form part of the setting of the listed Tower and the Town Centre Conservation Area. Because the sign will be illuminated it would detract from the Tower's status as a landmark building and particularly when the Tower itself is illuminated, having seen the Tower in daylight and illuminated at night. The Inspector considered that the prominent illuminated sign would significantly conflict visually with the clear intended dominance of the Tower. He stated that the proposed advertisement would weaken the existing townscape created by the Tower and would detract from the significance of this nationally recognised landmark which dominates Blackpool's skyline and is the focus of the leisure industry and the historic environment in Blackpool, being seen from across the Fylde Coast.

He agreed with the Council that the introduction of a large digital advertisement with a significant presence in the street scene that would appear obtrusive and at odds with the character of the area and would have a negative impact on the setting of the Town Centre Conservation Area, the locally listed Metropole Hotel and would be harmful to visual amenity in general.

He also shared the Council's concerns about the effect that the proposed advertisement would have on residential amenity in this particular location. The

position and size of the proposed advertisement means that it would not only be highly visible from the highway and the Town Centre Conservation Area but also from these residential properties on the other side of the car park. There would only be approximately 45m between the habitable room windows and the screen. He considered that the screen would be far too close to these windows and that it would be seriously detrimental to the outlook of many residents.

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

7.5 Does the information submitted include any exempt information? No

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 and the impact of this decision for our children and young people:

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:	Susan Parker, Head of Development Management
Date of Meeting:	12 December 2023

PLANNING APPLICATIONS AND APPEALS PERFORMANCE

1.0 Purpose of the report:

1.1 To update the Committee of the Council's performance in relation to Government targets. This report reflects performance in the second quarter of the 2023/2024 financial year.

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 performance.

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 None the report is for information only.

5.0 Council Priority:

5.1 This report is relevant to both Council priorities:

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

6.0 Background Information

6.1 The Government sets targets for the speed of planning decisions.

- Major applications – 60% to be determined within 13 weeks or an agreed Extension of Time
- Non-major applications – 70% to be determined within 8 weeks or an agreed Extension of Time

6.2 The Council's performance must be reported to Government on a quarterly basis.

6.3 For the quarter of July – September 2023, the Council’s performance in terms of speed was as follows:

- Major applications – 80% determined within 13 weeks or an agreed Extension of Time
- Non-major applications – 79.9% determined within 8 weeks or an agreed Extension of Time

6.4 The Council has therefore exceeded the statutory targets in this quarter.

6.5 Does the information submitted include any exempt information? No

7.0 List of Appendices:

7.1 None.

8.0 Financial considerations:

8.1 Poor performance puts the Council at risk of designation and the potential for loss of fee income.

9.0 Legal considerations:

9.1 Performance is influenced by staffing numbers, sickness and leave.

10.0 Risk management considerations:

10.1 Performance is influenced by staffing numbers, sickness and leave. Under-resourcing of the service could lead to inability to respond to peaks in workload

11.0 Equalities considerations and the impact of this decision for our children and young people:

11.1 None.

12.0 Sustainability, climate change and environmental considerations:

12.1 None.

13.0 Internal/ External Consultation undertaken:

13.1 Not applicable.

14.0 Background Papers

14.1 None.

**Blackpool Council
Development Management**

Officer Report

Application ref:	22/0512
Ward:	Greenlands
Application type:	Full planning permission
Location:	
Mexford House, Mexford Avenue, Blackpool, FY2 0UY	
Proposal:	External alterations to include installation of new windows to various elevations, removal of existing entrance and demolition of existing out buildings and use as altered as 87 self-contained flats with associated parking, cycle store, access and landscaping.
Recommendation:	Approve
Recommendation summary:	The loss of office accommodation in this location would accord with the Council's strategies for strengthening the town centre and the employment offer and focus within the borough. It is considered that satisfactory elevation treatments, site layout and planting could be achieved. No issues relating to drainage, highway safety, biodiversity or environmental quality would result. The scheme would not provide sufficient public open space on site and planning obligations would not be met other than through a potential future overage arrangement. In addition, the flats would not meet minimum floorspace standards. These considerations weigh heavily against the proposal. However, in this case they are deemed to be outweighed by the contribution of the scheme towards meeting the borough's housing needs and by the benefits of bringing this long-vacant and increasingly derelict site and building back into beneficial use.
Meeting date:	
12 December 2023	
Reason for bringing to Committee:	Significant proposal of general public interest
Case officer:	Susan Parker
Case officer contact:	01253 476228

1.0 SITE DESCRIPTION

- 1.1 The application relates to Mexford House which is a large, purpose-built office building formerly occupied by the Department for Work and Pensions. The site is bounded to the north and east by Unity High School and its grounds. Residential

properties bound the site to the south-east, south and west. The site is accessible from Warbreck Hill Road to the north via Warley Road, or from Devonshire Road to the west via any of four side streets including Warley Road. There is an existing circulation road around the site and large areas of car park. The site boundaries are generally well-vegetated with mature trees and there are a number of mature trees within the site.

- 1.2 The site is not allocated under planning policy. It falls within flood zone 1 and a landfill gas consultation area. Otherwise no specific designations or constraints have been identified.

2.0 DETAILS OF PROPOSAL

- 2.1 The application seeks permission for external alterations and use of the premises as altered as 78 self-contained flats. Parking for 112 vehicles would be provided to include 13 accessibility spaces and 12 electric-vehicle charging points. Motor cycle parking for ten bikes, covered cycle parking and refuse stores are proposed. The existing circulation road along the eastern and northern boundaries of the site would be removed and this space used to provide landscaping and green infrastructure including a pedestrian walkway through the space. Access would remain as existing from Mexford Avenue.

- 2.2 The application has been supported by:

- Planning Statement
- Design and Access Statement
- Transport Statement
- Framework Drainage Strategy
- Sustainable Urban Drainage (SUDS) proforma
- Ecological Appraisal
- Arboricultural Impact Assessment
- Financial Viability Appraisal

3.0 RELEVANT PLANNING HISTORY

- 3.1 19/0105 – prior approval granted for use of premises as 92 self-contained flats. This approval has now lapsed.

4.0 RELEVANT PLANNING POLICY/GUIDANCE/LEGISLATION

4.1 National Planning Policy Framework

- 4.1.1 The National Planning Policy Framework was updated in September 2023. 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 6 – Building a Strong, Competitive Economy
- Section 8 - Promoting healthy and safe communities
- Section 9 – Promoting Sustainable Transport
- 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

4.2 National Planning Practice Guidance

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

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

4.3.1 Part 1 was adopted in 2016. It provides the strategic planning policy framework for the borough. The following policies are most relevant:

- CS2 Housing Provision
- CS5 Connectivity
- CS6 Green Infrastructure
- CS7 Quality of Design
- CS9 Water Management
- CS10 Sustainable Design and Low Carbon and Renewable Energy
- CS11 Planning Obligations
- CS13 Housing Mix, Standards, and Density
- CS14 Affordable Housing
- CS15 Health and Education

4.4 Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027

4.4.1 Part 1 was adopted in 2016. It provides more detailed and site specific policies. Those of most relevance to this proposal are:

- DM5 Residential conversions and sub-divisions
- DM17 Design principles
- DM18 High speed broadband for new developments
- DM20 Extensions and alterations
- DM21 Landscaping
- DM25 Public Art
- DM31 Surface water management
- DM35 Biodiversity
- DM36 Controlling pollution and contamination

- DM41 Transport requirements for new development

4.6 Other documents, guidance and legislation

- 4.6.1 New Homes from Old Places Supplementary Planning Document – this document was adopted in March 2011 and sets out the Council’s minimum design and amenity standards for new homes created through conversion.
- 4.6.2 DCLG National Technical Housing Standards – this document was published in March 2015 and sets out the national minimum standards for new homes. This partially supersedes some of the standards in the Council’s New Homes from Old Places SPD guidance.
- 4.6.3 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.
- 4.6.4 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.
- 4.6.5 Greening Blackpool Supplementary Planning Document - this document was adopted in May 2022 and sets out the green infrastructure and tree planting requirements for new development.
- 4.6.6 Blackpool Council declared a Climate Change Emergency in June 2019 and is committed to ensuring that approaches to planning decision-making are in line with a shift to zero carbon by 2030.
- 4.6.7 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.
- 4.6.8 Blackpool adopted the 2021-2031 Tree Strategy in July 2021. This strategy recognises the importance of trees, the benefits they afford us and the ever-important role they can play in improving our community’s mental wellbeing, socio-economic value, providing a home for wildlife and mitigating environmental issues and climate change. Given that Blackpool only has 4.4% tree cover (the lowest in the UK), the

Strategy aims to embed trees into decision making processes across the council and ensure the current stock is proactively managed.

- 4.6.9 The Environment Act 2021 makes provision for all planning permissions to be conditional on the provision of biodiversity net gain. Whilst there is, as yet, not requirement set out in statute, the Government's clear intention is a material planning consideration. The Council will therefore seek to secure biodiversity net gains where practicable in advance of this becoming a statutory requirement.

5.0 CONSULTATION RESPONSES

5.1 Greater Manchester Ecology Unit (GMEU):

- 5.1.1 Initial comments - the submitted ecological appraisal has been undertaken by an experienced consultancy. The survey considers the buildings to have moderate to low bat roosting potential. As such, further dusk/dawn surveys are recommended but do not appear to have been carried out. Bats are a protected species and so a full bat survey is required prior to determination. If bats are found on site, a licence would be required for any works. To obtain a licence it must be demonstrated that the works are in the public interest, there is no satisfactory alternative, and that the derogation would not be detrimental to the conservation status of the bats.

- 5.1.2 Final comments – the submitted survey has found no evidence of roosting bats. However, as bats are highly mobile, an appropriate advice note is recommended to be attached to any planning permission. The site has the potential to be used by nesting birds. A condition should therefore be imposed to prevent vegetation clearance or building demolition during nesting season unless the absence of birds has been confirmed. A condition to secure the biodiversity enhancement measures set out in the submitted appraisal should also be imposed.

- 5.2 **Environmental Protection (environmental quality):** the standard condition requiring geo-technical information has been requested.

- 5.3 **Head of Highways and Traffic Management Services:** traffic generation would be around 50 vehicles in one direction and 25 in the other in a peak hour. This would not have a severe effect on the highway network. In terms of residential amenity, it would be less intrusive than would have been expected from the former office use. Parking provision would accord with standards for each type of parking space requirement. Pedestrians have a large space to cross with nothing aligned in their desire line. The position of the bin stores would appear to be inappropriate in terms of residential amenity and ease of access for both residents and bin crews. The cycle store and motorcycle parking would be remote from access cores 2 and 3. The pedestrian routes across the car park should be finished in contrasting paving and aligned with the pathways between cars. The radius at the south-east corner may be inadequate for a refuse vehicle and so a tracking plan is required. A lighting scheme should be detailed either prior to determination or through condition. A Construction Management Plan would need to be agreed with regard to flood-lighting, noise, dust, working hours, routing, HGV access hours and highway

condition. The nearest bus stops are on Devonshire Road not Warley Road as stated in the Transport Statement as the latter are no longer in use. The nearest bus stops should be upgraded at the applicant's expense. This is estimated at around £33,000.

5.4 **NHS Clinical Commissioning Group:** assuming average occupancy of 1.4 persons per 1-bed dwelling and 2.0 persons per two-bed unit, the scheme would generate likely occupancy of 160 people. Existing provision lacks capacity to meet this additional demand. As such a contribution of £36,519 towards the extension of St. Paul's Surgery and reconfiguration of Moor Park Health Centre is required. The site falls within the catchment of both surgeries. The payment should be made on the commencement of development. If this contribution cannot be secured, the Clinical Commissioning Group would object to the proposal.

5.5 **Lead Local Flood Authority:** the existing structure and surface water drainage would not be affected by the proposal. There may be some alterations to the foul system that would require approval from United Utilities. The proposed rainwater harvesting referenced in the Framework Design Strategy may produce a small reduction in run-off. No objection is raised.

5.6 **Local Education Authority:** as all of the units would be small dwellings of one or two bedrooms, the Local Education Authority does not anticipate significant pupil yield from the scheme. As such, no contribution is requested. Given the length of time since the initial response, this was confirmed in November 2023.

5.7 **Head of Parks and Greens:**

5.7.1 Initial - the layout shown looks crowded. The ratio is acceptable but it is unclear in some areas if shrubs or trees are shown. Ideally a full landscaping scheme should be provided. There are case studies where a significant number of trees have been planted in a car park. Less trees planted correctly could be most beneficial. Opportunities to introduce sustainable drainage options should be exploited if possible and it is noted that an updated ecological appraisal is required if works have not commenced by June 2023. All works adjacent to root protection areas should be subject to an Arboricultural Method Statement to be agreed through condition.

5.7.2 Follow up – initial assessment of the submitted landscaping plan reveals that the majority of the species proposed are very small growing trees. This would appear to be a wasted opportunity. In particular, the box planting within the courtyard looks able to host large growing trees, which would benefit a communal greenspace by creating a greater sense of place and usable space for the residents than topiary within a hardstanding. The tree species they have specified overall are not long-lived varieties and may be outlived by the existing trees meaning they would not provide good succession. The tree species proposed are not diverse enough and would not follow the rule of 10% any one Genus, 20% any one species and 30% any one Family; 50% of the tree species are within the Rosaceae family, there are only seven Genera specified for a total of 107 trees which is not very heterogeneous, and >20% of *Betula pendula* and *Sorbus aucuparia*, which are dominating the plan with over half the trees on site. Aside from ecological diversity, unhealthy or dying trees raise a

visual issue as they are unattractive and, if pest or disease were to become an issue, rows of the same species would be lost.

5.8 **Head of Strategic Asset and Estate Management:** no comments received in time for inclusion in this report.

5.9 **Residential Waste:** no comments received in time for inclusion in this report.

5.10 **Lancashire Fire and Rescue Service:** fire safety requirements are covered by the Building Regulations. There are minimum requirements relating to vehicular access and water provision. In this case, because the existing loop road along the northern and eastern boundaries has been removed at officer request, specific fire service comments have been sought. Access must be available to all points within each flat from within 45m of the pumping appliance. For buildings fitted within wet or dry fire mains, the pumping appliance must be able to get to within 18m of the main.

6.0 **REPRESENTATIONS**

6.1 Press notice published: 27/07/22

6.2 Site notice published: 21/07/22

6.3 Neighbours notified: 14/07/22

6.4 Although the scheme has been reduced from 87 to 78 flats, and the former ring-road around the building has been removed and replaced with landscaping, it has not been considered necessary to re-publicise the application. This is because these changes reduce the intensity of the development and would not have any greater impact on the surrounding area or neighbouring properties.

6.5 One representation has been received from 67 Raymond Avenue raising the following issues:

- Increased noise
- Increased traffic
- Loss of access/access being blocked
- Disruption during construction
- The flats would overlook the property
- Unknown who would live in the flats

6.5 The identity or personal circumstances of future occupants of residential accommodation is not a planning consideration unless a material change of use occurs.

7.0 ASSESSMENT

7.1 Principle

- 7.1.1 The site is not identified on the Policies Map to the Local Plan as being safeguarded for any specific purpose, including as employment land. Mexford House has been vacant for some time and no longer offers the kind of high-quality, modern office space that businesses look for. In addition and in accordance with the Council's strategy, new office development on this kind of scale would be directed to the town centre or the Enterprise Zone.
- 7.1.2 The conversion of the building to residential accommodation would be an efficient use of land that would deliver environmental benefits in terms of minimising resource use in construction. This weighs notably in favour of the proposal.
- 7.1.3 Housing would be the most appropriate use in the context and would also deliver a more dispersed pattern of vehicle movements in comparison to an office use. This would reduce traffic and inconvenience to residents in the immediate area. This weighs notably in favour of the application.
- 7.1.4 The scheme would make a substantial contribution towards meeting the Council's identified housing needs and the site is identified as part of the current calculation of five-year housing land supply. This weighs strongly in favour of the proposal.
- 7.1.5 In light of the above, the loss of the office floorspace and the provision of residential accommodation is considered to be acceptable in principle.

7.2 Planning Obligations

- 7.2.1 Policy CS14 of the Core Strategy sets out a requirement for 30% affordable provision on housing developments of 15 dwellings or more. However, the National Planning Policy Framework and National Planning Practice Guidance detail a vacant building credit that should be applied to all proposals for residential development include either reuse or demolition and redevelopment of existing buildings. This credit is calculated on the basis of floorspace. As the existing building in its entirety would be re-used for residential accommodation, a 100% discount on affordable housing provision would apply. On this basis, no provision of or contributions towards affordable housing will be sought.
- 7.2.2 Policy CS15 of the Core Strategy makes provision for financial contributions to be secured towards local health care and education provision where necessary. The Council as Local Education Authority has confirmed that there is sufficient existing capacity in the area to meet the needs that would be generated by the development and so no contribution is sought towards local education provision.
- 7.2.3 The Blackpool, Fylde and Wyre NHS Clinical Commissioning Group has applied their standard methodology to conclude that the development would generate a requirement for 160 patient places. As these could not be accommodated at existing

facilities within a reasonable travel time, a financial contribution to enable two local medical centres, St. Paul's Surgery and Moor Park Health Centre, to be reconfigured and expanded is needed. A contribution of £36,519 has been requested. Since this response was received, the scheme has changed in terms of unit number and housing mix. The scheme as now proposed would accommodate 152 people based on the Clinical Commissioning Group's figures. This is 95% of the original calculation. Reducing the previously requested commuted sum in proportion would give a figure of £34,693. Ordinarily this would be secured through a legal agreement but, in this case, the applicant has submitted a financial viability appraisal to demonstrate that this would make the scheme undeliverable. This will be discussed towards the end of this report.

7.2.4 Policies CS6 of Part 1 and DM21 of Part 2 require new housing developments to include provision of sufficient public open space to meet the needs of their residents. This should be provided on site wherever possible unless precluded by site constraints. The Greening Blackpool SPD sets out the requirements in terms of public open space. The development as proposed would generate a requirement of 5,472sqm of public open space or an equivalent financial contribution of £134,773.20 as set out below:

- 1-bed = average occupancy 1.2 persons = 48sqm / £1,182.24 = 288sqm or £7,093.44 for 6 units
- 2-bed = average occupancy 1.8 persons = 72sqm / £1,773.36 = 5,184sqm or £127,679.76 for 72 units

7.2.5 The submitted site layout plan shows that the existing vehicle access road along the eastern and northern boundaries of the site would be removed and this area converted into green space with a footpath running through it. This would arguably not constitute true public open space as it would be more akin to garden space or a landscaped setting for the development. However, the proposed pathway could encourage some use by the wider community, for example as a loop route for dog-walkers. This greenspace would amount to some 1,945sqm. This would fall short of the necessary provision by 3,527sqm. This would equate to a commuted sum contribution of £86,870. Such a sum in lieu of on-site provision would ordinarily be secured through a legal agreement but, in this case, the applicant has submitted a financial viability appraisal to demonstrate that this would make the scheme undeliverable. Again, this will be discussed towards the end of this report.

7.2.6 The Greening Blackpool Supplementary Planning Document also requires the provision of two trees per unit, and two trees for every one lost. Where this cannot be provided on site, a financial contribution towards off-site planting is required. The development of 78 units as proposed would generate a requirement for 156 trees. To facilitate development, 16 trees would be lost generating a requirement for 32 replacement trees. This would give an overall requirement of 188 new trees. The submitted layout plan states that 210 trees would be provided to meet this requirement. However, these are very tightly clustered and the majority are small-growing in order to maximise number. Following the reduction in unit numbers there is no requirement for this many trees to be provided. In terms of both visual and

biodiversity benefit, it would be preferable if a lesser number of viable trees were planted. In the absence of a finalised and agreed planting specification, it is not possible to calculate the level of financial contribution that might be required. Nevertheless, this would ordinarily be secured through a S106 legal agreement and, as above, the viability issues relating to this will be discussed later in this report.

7.3 Housing Mix

- 7.3.1 The site is just over 1 hectare in area. Policy CS13 expects sites of this size to provide a housing mix of at least 20% two-bed, 20% three-bed or larger, and no more than 10% one bed. The policy precludes flat development where this would further intensify an existing over-concentration of such accommodation.
- 7.3.2 Mexford House falls within a very traditional residential area that is dominated by family housing. Just 7.6% of accommodation takes the form of flats compared to national, regional and local averages of 22.2%, 15.8% and 21.2%. The site presents a large, existing building which would not lend itself to subdivision as anything other than flats. On this basis, the provision of entirely flat accommodation is acceptable.
- 7.3.3 The proposal does not accord with the housing mix requirements of Policy CS13. However, this is not a typical large housing site where a developer might have the benefit of a blank canvas on which to design a policy-compliant scheme, and where the Council would usually expect provision of family homes in the form of a traditional estate.
- 7.3.4 The applicant has provided information to demonstrate that the provision of three-bedroom units would not be commercially viable. To support this they have cited the relatively modest cost of traditional, three-bedroom houses in the wider area and the relatively low demand for three-bedroom flats. In short they argue that any person seeking three-bed accommodation would be more likely to opt for the greater amount of indoor and outdoor space and privacy that would be offered by a house. This point is generally accepted.
- 7.3.5 The scheme originally submitted proposed 63 or 72% two-bed, no three-bed or larger units, and 24 or 28% one-bed flats. The one-bed flats proposed were intended for occupation by a single person as the units would not meet the minimum standards for two people co-habiting. This would have been contrary to the New Homes from Old Places SPD which has long sought to preclude the provision of single-person accommodation.
- 7.3.6 As a result and at officer request, the scheme has been amended to reduce overall unit numbers and improve housing mix. The proposal would now provide 78 units of which only 6 or 8% would be one-beds, and all of these would be intended for two-person occupation.
- 7.3.7 Whilst the housing mix now proposed is a significant improvement over the original submission, the majority of flats fail to meet the Council's floorspace standards and this will be discussed below. Nevertheless, given the constraints of the site and the

particular site context outlined above, the lack of three-bed + provision is not considered to weigh significantly against the proposal.

7.4 Amenity Impact

7.4.1 The site falls within a residential area and so housing is considered to be the most appropriate land use for the site. There is no reason to suppose that occupation on a residential basis would lead to an unacceptable level of noise or disturbance. The existing building footprint would not change and, given the separation distances to the nearest existing properties, no unacceptable impacts on privacy would result. Equally there would be no increase in over-shadowing.

7.4.2 A Construction Management Plan would be required through condition and this would adequately safeguard against unreasonable impact on residential amenity during the construction phase.

7.4.3 The relevant floorspace standards for residential conversions are set out under the Nationally Described Space Standards in terms of overall space and bedroom sizes, and the Council's New Homes from Old Places Supplementary Planning Document in terms of communal living spaces. A plan has been provided showing typical flat layouts for the development but, measuring the individual flats on the submitted floor plans, this is not particularly representative.

7.4.4 The following floorspace standards should be achieved (figures in sqm):

Flat type	Overall	Communal	Main bedroom	Second bedroom
One bed, two person	50.0	25.0	11.5	-
Two bed, three person	61.0	27.0	11.5	7.5

7.4.5 The measured floorspace areas are as follows (figures in sqm):

Flat nos	Overall	Communal	Main bedroom	Second bedroom
01 / 27 / 53	62.0	29.0	13.0	8.8
02 / 28 / 54	61.5	20.3	15.7	9.2
03 / 29 / 55	61.5	20.0	16.7	8.6
04 / 30 / 56	61.4	19.4	16.9	8.7
05 / 31 / 57	61.4	19.7	16.3	9.5
06 / 32 / 28	62.6	20.4	16.9	9.1
07 / 33 / 59	67.3	25.0	13.2	10.8
08 / 24 / 60	63.7	23.2	15.6	8.7
09 / 35 / 61	63.7	23.3	15.9	8.2
10 / 36 / 62	64.8	25.8	13.9	9.5
11 / 37 / 63	64.0	25.0	14.1	9.7
12 / 38 / 64	64.3	24.9	14.3	9.5

Flat nos	Overall	Communal	Main bedroom	Second bedroom
13 / 39 / 65	65.1	25.5	14.0	9.3
14 / 40 / 66	62.6	20.3	16.8	9.0
15 / 41 / 67	65.5	20.5	18.4	9.0
16 / 42 / 68	64.3	19.6	18.5	9.1
17 / 43 / 69	64.1	19.6	18.6	9.0
18 / 44 / 70	65.0	20.4	18.9	9.0
19 / 45 / 71	62.5	20.3	16.2	9.3
20 / 46 / 72	66.1	23.3	16.9	8.6
21 / 47 / 73	66.2	23.3	16.7	8.6
22 / 48 / 74	54.5	22.7	19.0	-
23 / 49 / 75	54.8	22.0	20.0	-
24 / 50 / 76	67.6	25.0	16.6	9.3
25 / 51 / 77	67.5	24.4	16.9	9.0
26 / 52 / 78	67.6	22.0	19.6	9.5

7.4.6 As can be seen from the table under 7.4.5, all but one of the 78 flats would fall short of the Council's minimum expected standards for conversion. All would adequately meet the national minimum standards, because these do not specify minimum room standards for lounge/kitchen/dining spaces. This does weigh significantly against the application. However, it should equally be noted that there is a parallel between the extent to which a main living area is below the Council's standard, and the extent to which the main bedroom is above the national standard.

7.4.7 The internal layout is governed to a significant extent by the existing form and design of the building. To minimise external alterations, the applicant has sought to retain the existing bands of glazing to avoid cutting into the blockwork and creating voids to be filled and matched. The existing rhythm of glazing bars dictates where internal walls can be positioned, hence some flats currently having main bedrooms nearly as large as the living spaces. A further constraint also comes from the need internally to provide a doorway to the bedroom from the hallway without unduly compromising the size or layout of the bathroom. Such constraints are inherent in conversion schemes. It would be possible for 21 of the flats, those highlighted in bold in the table under 7.4.5, to be reconfigured to either meet or get much closer to the Council's standards. This has been raised with the applicant's agent and amended plans will hopefully be submitted. A further report will be provided through the update note.

7.4.8 Otherwise, all habitable rooms would benefit from appropriate levels of daylight and outlook. The bathrooms would all lack natural light and ventilation. This is far from ideal but would appear to be unavoidable given the size and shape of the building. The building takes the form of a reversed F meaning that some windows to different flats would be set at a right-angle to one another at relatively short distance. This would affect six flats through some loss of privacy although any views would be at an angle. Planting would be used to keep residents away from the windows of the ground floor flats with the exception of flat 26 by entrance 3. A footpath would run past the windows to this flat and three accessibility parking spaces would face the

windows meaning that occupants could be negatively affected by headlight glare. Whilst this is unfortunate it is again unclear how it could be remedied without loss of parking. Overall these amenity impacts weigh somewhat against the application but must be judged against the inevitable constraints presented through conversion.

- 7.4.9 Three refuse stores would be provided to serve the development. The positioning of the stores to the north and south would not have an unacceptable impact on residential amenity, but the central one would have an undesirable impact on the outlook from flat 17 and should therefore be reconfigured. This could be agreed through condition. The stores would not fully comply with Building Control carry distances but, from a planning perspective, are considered to be sited in broadly the most practical locations and be sufficiently accessible for residents and the collection wagons.
- 7.4.10 The scheme proposes a courtyard area featuring planting and a water feature between the two arms of the 'F'. This would provide residents with an area of shared amenity space. Since first submission, the scheme has been amended to replace the vehicular access road around the eastern and northern sides of the building with a pathway and additional planting. This would provide further outdoor amenity space for residents.
- 7.4.11 Policy DM18 of Part 2 requires new developments to demonstrate provision of high-speed broadband. However, it is understood that this expectation now forms part of the Building Regulations, and so it is not considered appropriate to duplicate the requirements of other legislation through this application.

7.5 Visual Impact

- 7.5.1 The existing building is a purpose-built office block which offers no residential character. The Council's design policies would expect appropriate external alterations to be made to establish appropriate character and visual interest.
- 7.5.2 As stated, the applicant is seeking to make minimal external alterations. The properties in the surrounding area are predominantly two-storey with traditional pitched and hipped roofs and wide, two-storey canted bays. To recreate features like this as part of the application would require significant rebuilding work which would undermine the environmental benefits of reusing the existing envelope. Were a new-flat block to be approved on this site, it is highly unlikely that it would reflect the appearance of the surrounding built form.
- 7.5.3 As existing, the building elevations have an entirely horizontal emphasis. Each main elevation is much longer than it is high, and the fenestration is set in three relatively narrow horizontal strips. To introduce some verticality and reference the architecture of the surrounding area, new cladding would be applied to create some vertical panels at intervals across the elevations. Some of these vertical cladding sections would punch up through the roof to create a feature and again break up the roofline. Overall these elements are considered to be sufficient to break up the horizontal massing of the building and introduce some visual interest.

- 7.5.4 At present the building as proposed would not be particularly legible with regard to access points. Two entrance points would benefit from curtain wall glazing above and would be well framed by vertical strips of cladding. However, these would open onto the internal courtyard and the public open space to the rear. Very little has been done to highlight the main access points into the building. Amended plans have been requested and further report on this matter will be provided through the update note. Materials could be adequately agreed through condition.
- 7.5.5 Since first submission, additional planting has been proposed within the car park to soften and break up its appearance. This is welcomed. A significant amount of new planting is proposed and this would serve to improve the overall appearance of the site. A more detailed assessment of green infrastructure matters is provided below. Details of boundary treatments and surfacing could be adequately secured through condition.
- 7.5.6 Policy DM25 of Part 2 expects new developments to support the cultural well-being of Blackpool through provision of public art. The supporting text to this policy states that a Supplementary Planning Document will be produced to provide additional advice. To date, no such Supplementary Planning Document is in place and so no public art provision or contribution has been sought.

7.6 Access, highway safety and parking (inc. active travel provision)

- 7.6.1 The scheme has been considered by the Council's Head of Highways and Traffic Management Services. It is anticipated that the proposal would generate around 50 vehicle movements in one direction in the peak hour and 25 in the other. This would not have a severe impact on the highway network. As such, no concerns relating to highway capacity or function are raised.
- 7.6.2 With regard to the access, tracking plans are required to demonstrate that the geometry works. It may be that this area of the site needs to be reconfigured somewhat. Nevertheless, it is considered that safe and suitable access to the site could be achieved.
- 7.6.3 No objection is raised to the removal of the former vehicle circulation route around the building on highway grounds. Lancashire Fire and Rescue Service have been consulted on the proposal. It is understood that a fire appliance would have to be able to get within either 45m of every point within every flat or within 18m of a wet or dry fire main. The latter would be the easiest and most obvious solution. The applicant has confirmed that the existing building is served by wet risers and fire hoses. Further confirmation has been sought as to where these are positioned within the building to ensure the 18m limit can be met. However, it must be noted that safe and appropriate fire access is a requirement of the Building Regulations and therefore would not constitute a reason for refusal of planning permission.

- 7.6.4 The scheme would provide 78 flats comprising 6 one-bed units, and 72 two-bed units. The Council's parking provision requirements are set out under Appendix G1 of Part 2. These standards require average provision of 1.5 spaces per unit for flats with communal parking. In this case this would amount to 117 spaces. Accessibility and electric vehicle charging spaces should be provided at 10% apiece of the total (12 of each), and motorcycle parking should be provided at a rate of 1 per 25 parking spaces (5). As proposed, the scheme would provide 112 spaces although this may have to be reduced to 109 spaces to accommodation layout amendments as discussed below. This would represent a maximum shortfall of 7%. It must be noted that the standards are intended to be applied flexibly. Adequate levels of accessibility, motorcycle parking and electric vehicle charging would be provided.
- 7.6.5 The site is in a fairly accessible location within reasonable walking distance of a sizeable local centre, two primary schools and a secondary school. At present pedestrian access around the site is limited and there are large areas of car park that residents would need to cross to reach an access core. It has been requested that pedestrian routes across the car park are finished in a different surface to mark them out and that they align with desire points. This would require the removal of two spaces. A further space would need to be removed to improve access to the central bin store for the convenience of residents and bin crews and to enable the store to be moved further away from habitable room windows. Amended plans have been requested to show these changes. There do not appear to be any options to increase parking elsewhere on the site without losing landscaping or amenity space. It is recognised that the motorcycle parking would be some distance from the main entrance points, but this would be difficult to address without again losing landscaping. As such and on balance, the parking provision is considered to be acceptable.
- 7.6.6 In terms of sustainable travel, a Framework Travel Plan should have been submitted with the application. No plan has been provided but this could be secured through condition. As part of the scheme, the two nearest bus stops on Devonshire Road should be upgraded at the developer's expense. However, in this case, the applicant has submitted a financial viability appraisal to demonstrate that this would make the scheme undeliverable. As above, this will be discussed towards the end of this report. A cycle store is proposed. The number of spaces has yet to be clarified but it appears to be of substantial size sufficient to meet the needs of the development. Again it is some distance from the main entrance points but, again, this could not be rectified without loss of parking spaces, landscaping or amenity space. As such and on balance it is considered to be acceptable.

7.7 Drainage and flood risk

- 7.7.1 The site falls within flood zone 1 but is over 1ha in area and so a site-specific flood risk assessment and framework drainage strategy has been submitted. This has been considered by the Council's drainage officer as Lead Local Flood Authority. As the site is previously developed, no change to the existing drainage systems is proposed. This is accepted. It is noted that there may be some requirement for existing foul

drainage arrangements to be reviewed, but this would be a matter for the developer to pursue with United Utilities.

7.7.2 Rainwater harvesting is recommended and this may produce a small reduction in run-off. Since first submission, the removal of the existing vehicle ring-road has been proposed and this would provide betterment through reduced surface run-off. It is considered that some water butts could be utilised to collect rainwater that could be used for site maintenance. This could be secured through condition.

7.7.3 Subject to the above, no flood risk or drainage issues are identified.

7.8 Landscape and Ecology

7.8.1 The proposal and the information submitted has been considered by Greater Manchester Ecology Unit (GMEU). With regard to protected species, since first submission a survey has found no evidence of roosting bats. This has been carried out by a suitably qualified and experienced practitioner and is accepted. Nevertheless, as bats are highly mobile, an advice note is recommended to be attached to any permission granted. Similarly a condition would be required to prevent any demolition or vegetation clearance during the main bird nesting season unless the absence of nesting birds is demonstrated.

7.8.2 Policy DM35 of Part 2 expects developments to contribute to biodiversity net gain where opportunities exist, but there is no requirement for the scheme to achieve a 10% improvement. In this case the site will have a relatively low existing biodiversity value as it is dominated by the building and hard-surfacing with relatively little planting. Although some trees would be lost, a significant amount of new planting is proposed. This would significantly improve the biodiversity value of the site. Further ecological enhancement in the form of bat and bird boxes, bug habitat and small mammal/amphibian transit features could be secured through condition.

7.8.3 Policies CS6 and DM21 and the Council's Greening Blackpool Supplementary Planning Document stipulate the number of trees required by a development and give general guidance on landscaping. A detailed landscape plan has been submitted. The Council's Parks officer has raised a number of concerns with the planting proposed but it is nevertheless considered that an appropriate landscaping scheme could be agreed. It is noted that 188 trees would be required on site to accord with policy. However, it may be more appropriate for a lesser number of trees to be provided if this results in a better overall planting scheme in terms of aesthetics and biodiversity. On this basis, and given the known viability issues that will be discussed below, it is considered that any shortfall in tree numbers resulting from an otherwise acceptable landscaping scheme would not weigh notably against the application.

7.9 Environmental impact and Sustainability

7.9.1 The application proposes redevelopment of an existing building through conversion. The area is not identified as having air quality issues and any difference in traffic generation would be unlikely to impact unacceptably on air quality.

- 7.9.2 Water quality would normally be safeguarded through agreement of a drainage strategy and Construction Management Plan. As the existing drainage systems would be used, no new drainage strategy is needed. A basic Construction Management Plan would be required through condition. On balance, given the nature of the development, no impacts on water quality are anticipated.
- 7.9.3 The Council's Environmental Protection team has requested that the standard condition for desktop and potential site investigation and remediation be applied as the external works proposed would break ground. This condition would adequately address any land contamination issues.
- 7.9.4 Policy DM1 of Part 2 expects new housing schemes to incorporate sustainability measures. However, this policy relates to new-build developments and there is no such expectation for conversions. Nevertheless, there is a general expectation within both national and local policy that consideration be given to more sustainable forms of design. In this case the applicant has been asked to give consideration to the use of photovoltaic energy generation on the sizeable flat roof of the building. A sustainability statement has also been requested. Further report on these matters will be provided through the update note.

7.10 Financial Viability

- 7.10.1 Section 7.2 of this report sets out the planning obligations required in respect of this scheme. The applicant has submitted a financial viability appraisal in support of their application to demonstrate that it would not be financially viable for them to deliver the proposal and provide the full suite of planning obligations. This has been independently assessed on behalf of the Council by Continuum.
- 7.10.2 A financial viability assessment essentially considers the costs (including profit margin) of delivering a development against the anticipated value of the development based on returns from sales. This outputs a Residual Land Value which is then compared against a policy compliant Benchmark Land Value (minimum aspirational return to landowner). Costs are split into standard build costs, abnormal costs, finance costs, fees, aspirational profit margin and planning costs. The anticipated values are derived from comparable sales data. A viability appraisal should not be applicant-specific and so the costs applied must reflect what the market would reasonably incur for the scale of development on the site regardless of who would implement it. There is extensive and specific guidance within the National Planning Practice Guidance which explains how viability appraisals should be undertaken and assessed in respect of development proposals for the purposes of planning decision-making. Continuum has also taken account of numerous relevant planning appeal decisions where viability has been a central consideration.
- 7.10.3 Extensive discussions have taken place between the viability consultants on both sides.

- 7.10.4 The applicant's initial financial viability assessment only considered build-to-rent delivery and did not provide cash flow information. Under their financial viability assessment a fixed land value of zero was input and this generated a profit margin that would ordinarily preclude development. No assessment of benchmark land value was provided. Overall Continuum advised that the financial viability assessment submitted was not compliant with National Planning Practice Guidance and Royal Institute of Chartered Surveyors guidance. Continuum undertook two assessments for build to rent and build for sale, and established a benchmark land value. Both the rental values and the build costs provided by the applicant were considered to be appropriate. Disagreement persisted over OPEX allowance, net initial yield levels and fees. Continuum concluded that full planning obligations of £350,000 (at the time of assessment) could be viable under either build to rent or build for sale scenarios.
- 7.10.5 Following the initial exchange, the applicant submitted a second report which was again assessed by Continuum. The applicant's rationale for not undertaking a fully National Planning Practice Guidance/Royal Institute of Chartered Surveyors compliant financial viability assessment was noted but not accepted as justification. With regard to potential sales values, Continuum identified that the second-hand-market acts differently to the new-build-market, particularly in Blackpool given the nature of the housing stock. Disagreement over potential sale values therefore continued. The disagreements over OPEX charges and net yields were not resolved but those relating to fees and benchmark land value were. If a 10% gross development value profit margin were applied, the applicant maintained that planning obligations could not be paid. Assessment was also made of the actual purchase price of the land which Continuum concluded could represent over-payment, and further information was requested. Overall, Continuum maintained that a build for sale scheme could support planning obligations.
- 7.10.6 In order to progress matters and seek a resolution, a meeting was held between all relevant parties. It was agreed that the applicant would provide a build for sale analysis and that an overage mechanism would be pursued through a S106 legal agreement.
- 7.10.7 An overage mechanism would enable the Council to recover planning obligations after development in the event that a scheme is more profitable than first anticipated. The appraisal would be based on an agreed sale or rental rate, and agreed build costs. If the scheme is sold to a build to rent or build for sale investor, or if three years elapse post completion, overage would be triggered. For build for sale, a cost inflation mechanism would be calculated based on the appraisal build cost rate plus an increase based on the BCIS All Tender Price Index. Overage would then be any value over the sale rate hurdle. For a build to rent scheme we would need to know operating costs, occupancy levels and rental rates, all evidenced by signed accounts. The only potential area of disagreement would be yield.
- 7.10.8 The discussions above were based on the original proposals for 87 flats of which 63 would be two-bedroom and 24 one-bedroom. Since then the scheme has changed notably to provide a lesser number of 78 units comprising 72 two-bedroom and only

6 one-bedroom flats. The applicant has obviously considered this amendment to be financially viable, presumably because the quality of the flats proposed has increased meaning they would achieve higher values/rentals.

7.10.9 Planning obligations now stand at £119,870. This comprises £86,870 for public open space provision and £33,000 for bus stop upgrades. Given the potential to accommodate all necessary trees on site, no obligation for off-site tree planting has been included. This is a significant reduction from the £350,000 originally identified which reflected the different housing mix and lack of tree-provision proposed on site. An updated financial viability assessment is expected from the applicant. It is assumed that this will demonstrate that a scheme fully compliant with the Council's floorspace standards would not be viable as this would require a further reduction in unit numbers. Continuum will review any submission on behalf of the Council.

7.11 Other considerations

7.11.1 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).

7.11.2 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.

7.11.3 Through the assessment of this application, Blackpool Council as a public authority has had due regard to the Public Sector Equality Duty ("PSED") under s.149 of the Equality Act and the need to eliminate unlawful discrimination, advance equality of opportunity between people who share a protected characteristic and those who do not, and to foster or encourage good relations between people who share a protected characteristic and those who do not. The application is not considered to raise any inequality issues.

7.12 Sustainability and planning balance appraisal

7.12.1 Sustainability comprises economic, environmental and social components.

7.12.2 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. The loss of office accommodation in this location would not conflict with the Council's strategies for strengthening the town centre and the employment offer and focus within the borough.

7.12.3 Environmentally, although the external works proposed to the building are relatively limited, it is considered that acceptable elevation treatments could be achieved. The scheme would not impact unacceptably on environmental quality or biodiversity and

there is no requirement for 10% biodiversity net gain to be achieved. A significant amount of new planting would be provided on site and this weighs positively in the planning balance. There is no requirement under planning policy for green-building measures to be incorporated but the scheme would have to comply with relevant Building Regulations. No issues relating to drainage are anticipated and there is no reason to suppose that residents would be unduly reliant upon private car use.

7.12.4 Socially, the scheme make a notably contribution towards meeting the borough's housing needs and would bring a long vacant and increasingly derelict building and site back into beneficial use. This weighs very strongly in favour of the application. No unacceptable impacts upon flood risk or highway safety are anticipated, and parking provision would be broadly adequate. The housing mix, whilst not fully policy compliant, is considered to be justified in this case. The flats proposed would not meet minimum size standards and this weighs notably against the application. However it is anticipated that the applicant will be able to demonstrate that a fully compliant scheme would not be financially viable. In addition, the scheme would not make any contribution towards planning obligations prior to development or first occupation. This also weighs strongly against the application but is mitigated to an extent by the applicant's agreement to enter into an overage arrangement. This would enable planning obligations to be paid in the longer-term if they prove to be financially viable.

7.12.5 Overall and on balance, whilst there are notable issues with the scheme, the benefits of bringing the site back into beneficial use are considered to be over-riding given the length of time it has stood vacant. This is conditional on the awaited financial viability assessment demonstrating that a fully policy compliant scheme would not be viable. Subject to this the development proposed would be considered to constitute sustainable development. No other material planning considerations have been identified that would outweigh this view.

8.0 FINANCIAL CONSIDERATIONS

8.1 The scheme would generate Council Tax revenue for the Council but this is not a material planning consideration and so no weight should be afforded to it.

9.0 BLACKPOOL COUNCIL PLAN 2019-2024

9.1 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.

9.2 This application would sufficiently support priority two by providing new housing on an appropriate site to an acceptable standard.

10.0 CONCLUSION AND RECOMMENDATION

10.1 The development proposed is considered to constitute sustainable development. No other material planning considerations have been identified that would outweigh

this view. As such, Members are respectfully recommended to resolve to support the proposal and delegate the application for approval by the Head of Development Management subject to the following:

- The conditions listed below albeit with flexibility for the Head of Development Management to amend these conditions as appropriate if the relevant information to meet the requirements of the condition is submitted prior to determination. If any conditions need to be added or deleted as a result of the submission of additional information, this would be agreed by the Chair of Planning Committee
- Flexibility for the Head of Development Management to agree further improvements to the elevation treatments, internal layouts, positions of bin and bike stores and other equivalent details as appropriate.
- Signing of a S106 agreement to provide an overage mechanism to secure necessary planning obligations insofar as this is possible in the future.

10.2 If the awaited financial viability assessment does not satisfactorily demonstrate that a fully policy compliant scheme would not be financially unviable, the application will be referred to the Chair of Planning Committee to either be refused under delegated powers or brought back before Members.

10.3 List of 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:

FINAL PLAN LIST TO BE CONFIRMED

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 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 Policy DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 4 Notwithstanding the definition of development as set out under Section 55 of the Town and Country Planning Act 1990 (as amended), no subdivision or amalgamation of the flat hereby units shall take place unless first submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to ensure no further deterioration in floorspace and amenity standards, parking provision and public open space provision, in accordance with the provisions of Policies CS7 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM5, DM36 and DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 5 The external materials to be used on the development hereby approved shall be as specified on drawing refs. 22/036 2004 Rev B and 22/036 2005 Rev B. Where external materials are not expressly specified on these plans, the materials to be used in any external alterations shall match those of the existing building in colour, size, texture and design. These requirements shall apply unless otherwise first submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any above ground construction

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 DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 6 Notwithstanding the information submitted, details of 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 DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 7 Prior to the commencement of any external alterations to the building, 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 Policy DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 8 Prior to the development hereby approved being first brought into use;
- (a) a scheme for the provision of boundary treatments to include their position, height, materials and design, shall be submitted to and agreed in writing by the Local Planning Authority, and
 - (b) the boundary treatments agreed pursuant to part (a) shall be provided in full and in full accordance with the 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 DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 9
- (a) No flat hereby approved shall be occupied until all of the internal and external alterations shown on the approved plans have been carried out in full and in full accordance with the approved details, and
 - (b) The layout of the accommodation shall thereafter be retained as approved unless otherwise first submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the accommodation provides an adequate standard of residential amenity, and to improve the external appearance of the property and ensure that it has appropriate residential character in accordance with Policies CS7, CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, Policies DM5 and DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027, and the Council's New Homes from Old Places Supplementary Planning Document 2011.

- 10
- (a) Prior to the commencement of any works to the building hereby approved, and notwithstanding the information submitted, details of the refuse stores to include their position, height, materials and design shall be submitted to and agreed in writing by the Local Planning Authority.
 - (b) The refuse stores agreed pursuant to part (a) of this condition shall be provided in full accordance with the approved details before any of the flats hereby approved are first occupied, and shall thereafter be retained and maintained as such.
 - (c) No bins or refuse shall be stored outside of the refuse stores agreed through this condition.

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 The roof of the building shall not be used for any purpose other than for maintenance or as a means of escape in the event of an emergency.

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 DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 12 Prior to the installation of any external lighting, details of the 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, to ensure highway safety, and to safeguard biodiversity in accordance with Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17, DM21, DM36 and DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 13 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 the provisions of Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 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.

- 14 No removal of or works to any hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation and structures for active birds' nests immediately before the vegetation is cleared or works commenced and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to 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 (a) Prior to the commencement of any development on site, an Arboricultural Method Statement and tree and hedgerow protection plan 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 protection plan shall include but not be limited to the following:

- (i) identify the trees and hedgerows to be retained on or adjacent to the site;
- (ii) detail the position, height and format of protective fencing to be erected around the trees/hedgerows to be retained; and
- (iii) confirm that no excavation, materials storage, waste disposal or other activities shall take place within the fenced-off area.

(b) The protective fencing agreed pursuant to part (a) of this condition shall remain in place for the duration of the site preparation and demolition and/or construction period.

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 Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 16 (a) Notwithstanding the information provided and prior to the first occupation or use of the development hereby approved, 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 either prior to occupation or within the first planting season following first occupation; 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 in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

17 (a) Prior to the commencement of any internal works to create the flats hereby approved, an Estate Management Plan 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 arrangements to secure implementation of the Estate Management Plan in perpetuity
- Include schedules for site review and routine maintenance work
- Set out arrangements by which issues can be reported and actioned

(b) The Estate Management Plan hereby approved shall be implemented in full at all times that any of the homes hereby approved are occupied.

Reason: To ensure that landscaping features are properly protected and managed to secure their longevity and the visual appearance and biodiversity value of the site, in accordance with Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

18 A scheme for the Biodiversity Enhancement Measures, as set out in section 5.3 of the Preliminary Ecological Appraisal and Daytime Building Inspection by Ascerta dated July 2022 (ref: P.1657.22) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall thereafter be retained and maintained as such. As a minimum the scheme shall include provision of bat and bird boxes, habitat for small mammals such as hedgehog houses, provision

for small mammal and amphibian roaming, and habitat for insects such as 'bug hotels' or log piles.

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 Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 19 The development hereby approved shall proceed in full accordance with the recommendations set out in the ecological appraisal ref. PP-1657.22 dated 7th July 2022 and the Bat Nacturnal Surveys report ref. P.1657.22 dated 9th August 2023.

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 Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 20 Prior to the commencement of above ground development, a Sustainability Strategy shall be submitted to and agreed in writing by the Local Planning Authority. This strategy shall;

- specify energy efficiency measures to be used within the development
- specify renewable energy features to be used within the development
- specify measures to reduce water consumption by the development

The development shall thereafter proceed and be operated in full accordance with agreed the Sustainability Strategy.

Reason: In order to ensure that the development contributes to sustainability and supports the Council's wider objectives and commitments relating to environmental quality and climate change in accordance with Policy CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

- 21 Prior to the first occupation of any dwelling hereby approved, a scheme of rainwater harvesting and reuse to include the provision of water butts shall be submitted to and agreed in writing and implemented in full. These scheme shall then be operated at all times when any of the dwellings hereby approved are occupied.

Reason: In order to minimise water consumption to improve the sustainability of the development in accordance with the provisions of Policy CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM1 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 22 Prior to the development hereby approved being first brought into use, the parking provision shown on the approved plan(s) shall be provided, clearly marked out and shall thereafter be retained as such.

Reason: In order to ensure that adequate and accessible parking provision is available to meet the needs of the development in the interests of highway safety, and to encourage travel to and from the site by ultra-low and zero emission vehicles in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 23 No dwelling hereby approved shall be occupied until the electric vehicle charging points shown on the approved plans have been provided. These charging points shall provide no less than 7kW charging power and shall thereafter be retained and maintained as such or better with no reduction in power output.

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 Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 24 Before the development hereby approved is first brought into use:

(a) details of cycle storage provision to include the type of cycle stand and the form and materials of a waterproof cover and enclosure shall be submitted to and agreed in writing by the Local Planning Authority; and

(b) the cycle storage agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details.

Reason: In order to encourage travel to and from the site by a sustainable transport mode in accordance with Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 25 Before the development hereby approved is first brought into use:

(a) details of motorcycle storage provision to include the type of cycle stand and the form and materials of a waterproof cover and enclosure shall be submitted to and agreed in writing by the Local Planning Authority; and

(b) the motorcycle storage agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details.

Reason: In order to facilitate safe and convenient travel to and from the site in accordance with Policies CS5 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 26 (a) The development hereby approved shall not 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 CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

27 (a) Prior to the commencement of development a Highway and Carl Park Management Plan for the site shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall:

- Identify the parties responsible for management (e.g. Site Management Company)
- Set out a regime/timetable for inspections and regular repair or maintenance works including the maintenance of parking and other road markings
- Explain how issues can be reported, assessed and resolved

(b) The Highway 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 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 Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

28 (a) Prior to the commencement of any development on site, a Demolition/Construction Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. For the purpose of this condition, the Demolition/Construction Management Plan shall specify the provision to be made for the following:

- (i) measures to prevent detrimental impact on air quality including confirmation that no materials would be burned on site and dust mitigation measures to be followed during the demolition/construction period

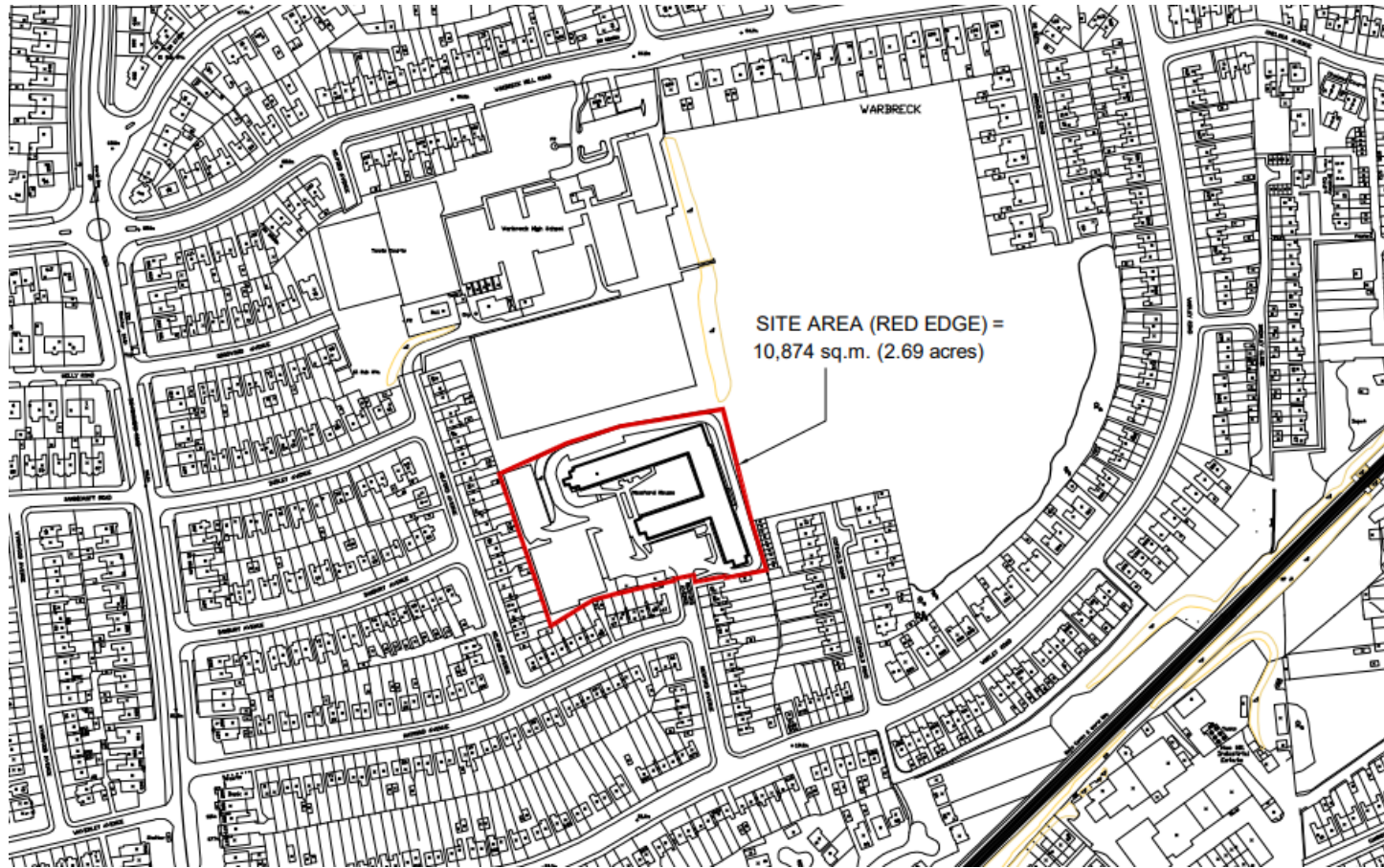
- (ii) measures to control noise emanating from the site during the demolition/construction period
 - (iii) hours and days of demolition/construction work for the development. Please note that typically acceptable working hours are 0800-1800 Mondays to Fridays and 0800-1200 on Saturdays with no working on Sundays or Public Holidays
 - (iv) details of contractors' compounds and other storage arrangements, to include position, means of screening, storage heights, details of enclosures, and appearance of any structures or cabins
 - (v) provision for all site operative, visitor and construction loading, off-loading, parking and turning within the site during the demolition/construction period including all requirements for occupation of areas of highway
 - (vi) arrangements for the provision of wheel washing facilities comprising a 10m x 3.5m wheel wash with two 6m long ramps to be operated during the demolition/construction period to minimise the deposit of mud and debris on the adjacent highways
 - (vii) provision of a board at the entrance to the site, to be retained throughout the construction period, to include 24hr contact details for site management; and provision of contact details for the contractor's street sweeping subcontractor with specific authorisation for the Council as Local Highway Authority to call out that contractor as and when required
 - (viii) measures to prevent contamination of surface and sub-surface water bodies during the demolition/construction period, and prevent the runoff of surface water to the highway in storm conditions during construction
 - (ix) routing of construction traffic
 - (x) a condition survey of the adopted public highway up to the first junction with the strategic road network along the proposed construction traffic route, or other area as may first be agreed in writing with the Local Highway Authority, along with a construction stage timeline proposal for the provision further condition surveys (either post-completion or to include surveys at appropriate intervals depending upon the duration of the construction period)
- (b) The demolition/construction of the development shall thereafter proceed in full accordance with the approved Demolition/Construction Management Plan.
- (c) Each condition survey required pursuant to part (a)(x) of this condition shall be accompanied by a scheme and timing schedule of any works as may be appropriate to rectify any dilapidation caused to the adopted public highway as a result of demolition and construction works related to the development hereby approved, to be agreed in writing by the Local Planning Authority. These works shall then be carried out in full in accordance with this agreed scheme and schedule.

Please note, **the submission of a standard Health and Safety statement will not be sufficient to discharge this condition**. As part of any discharge of condition application you will be expected to highlight the location of each element of information required above within your submission.

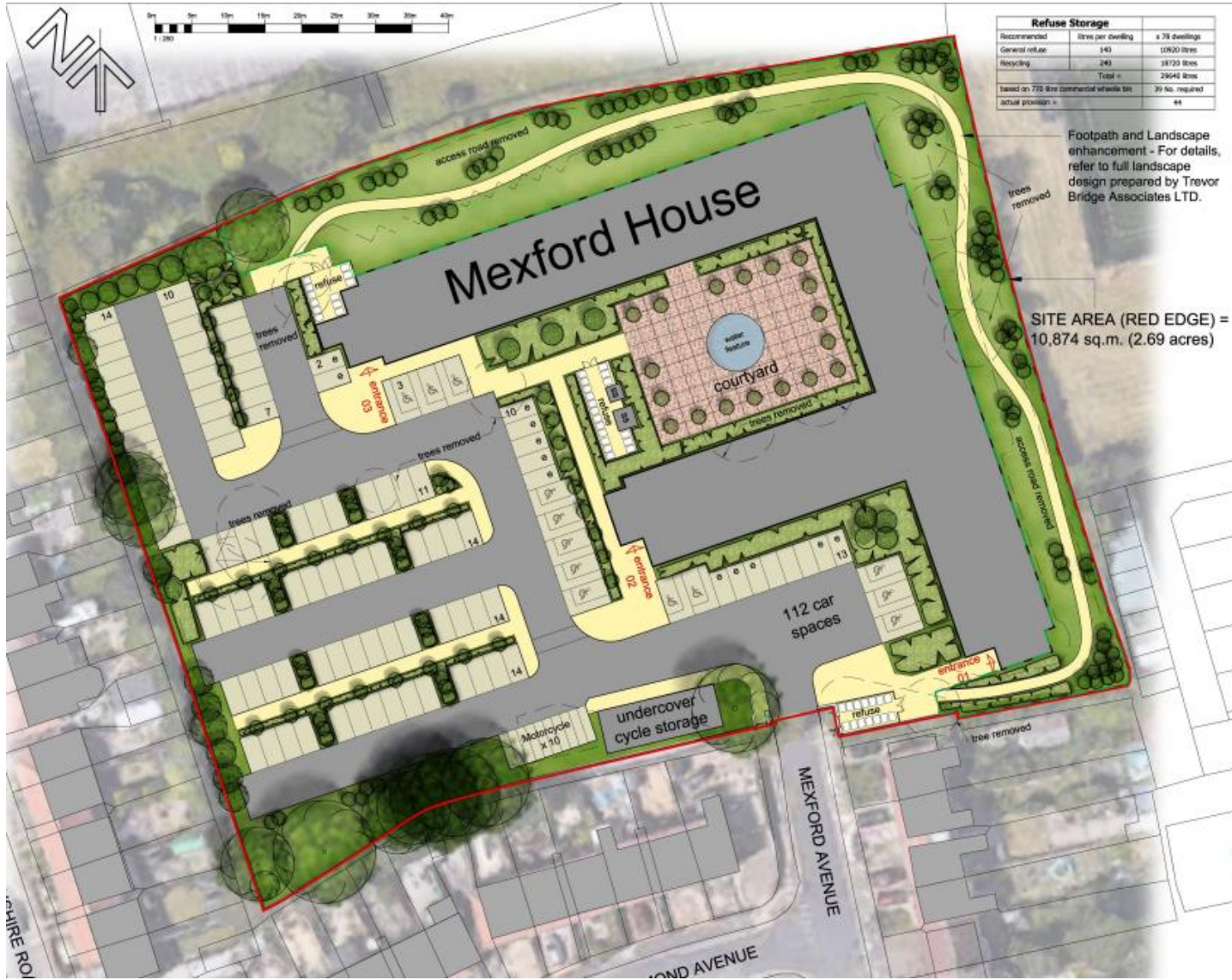
Reason: In the interests of the amenities of surrounding residents and to safeguard environmental quality and the character and appearance of the area in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM31 and DN36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027. This condition is required to be discharged prior to commencement in order to ensure that the development proceeds without causing undue harm to residential amenity, highway safety or the quality of the environment.

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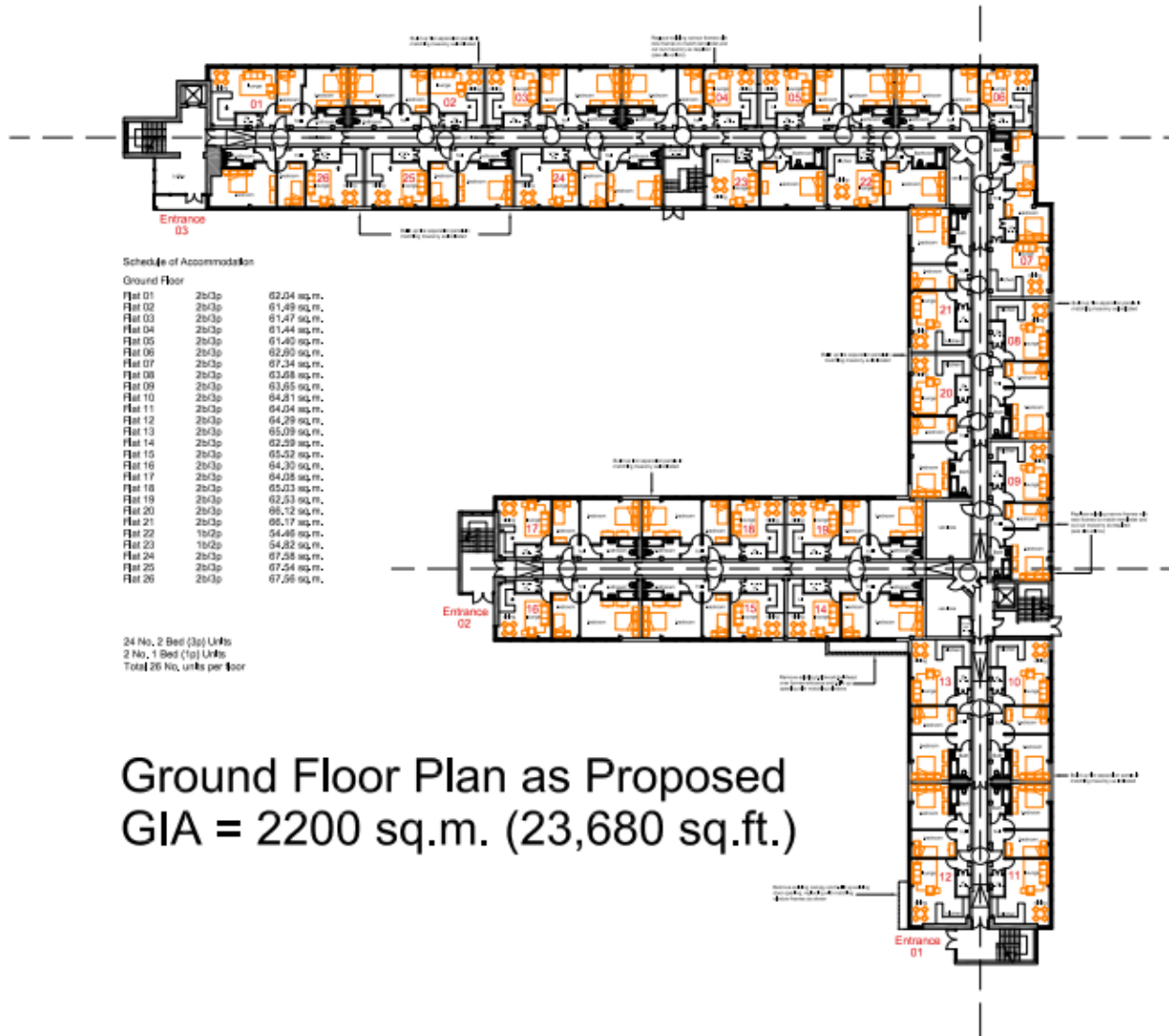
Location plan:



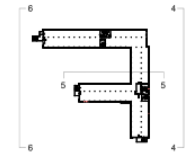
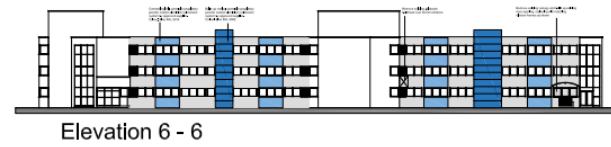
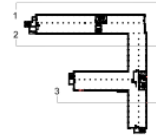
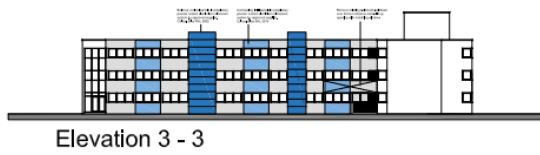
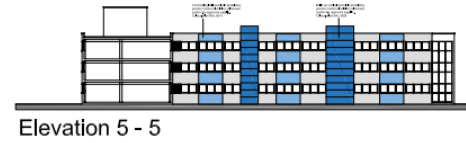
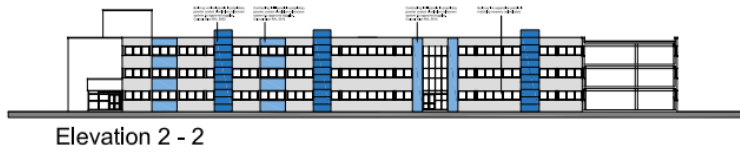
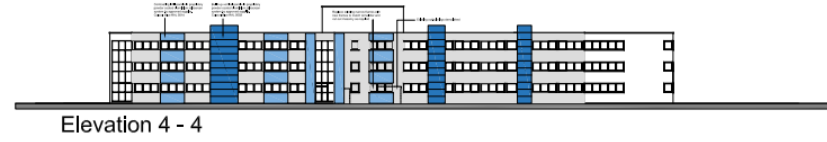
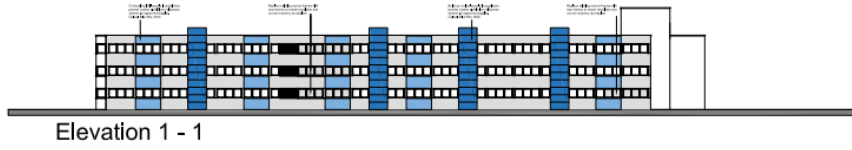
Proposed site layout plan:



Proposed floor plan (all floors identical):



Proposed elevations:



Elevations as Proposed

Elevations as Proposed

Blackpool Council
Development Management

Officer Report to Committee

Application ref:	22/0749
Ward:	Ingthorpe
Application type:	Major - Full
Location:	
	Land at Hawking Place, Blackpool
Proposal:	Retention of an industrial building of three units, and erection of 2 industrial buildings to provide 5 units, all for use within Class E(g)(ii) and/or B8 with associated landscaping, parking, infrastructure and access from Hawking Place.
Recommendation:	Approve
Recommendation Summary:	<p>The development would provide employment during construction and once in operation in an area designated for such purpose. This would contribute to economic development and investment in the Borough. Environmentally, the design of the units is acceptable. The proposed development represents a cohesive scheme and one of a high quality design. The proposed development would generate a BNG net increase on site of circa 6% which weighs in favour of the proposal. Socially, the proposal does not raise any concerns regarding residential amenity. The scheme would not result in any adverse highway impacts or flood risk impacts.</p> <p>In light of the above and on balance, the scheme is considered to represent sustainable development and planning permission should be granted.</p>
Meeting date:	
	12 December 2023
Reason for bringing to Committee:	Following consultation with the Chair of the Planning Committee it is considered that the application is of significant public interest.
Case officer:	Rachael Evans
Case officer contact:	01253 476 320

1.0 SITE DESCRIPTION

- 1.1 The application relates to a parcel of land to the north-west of Hawking Place in Blackpool. The site forms part of a wider development site but this area has previously been wild scrubland covered by shrubs and grasses.

1.2 A public right of way runs along the rear of the site to the east with established hedgerow separating this from the application site. The land falls within the area of the Robins Lane Pond Cluster Biological Heritage Site and there are ponds within 500m to the north east.

1.3 The site falls within a designated Main Industrial/Business Area.

2.0 PROPOSAL

2.1 Retention of an existing building providing three industrial units. The existing building has been constructed under planning permission reference 20/0443 and will be referred to as phase 1 throughout this report.

2.2 Erection of two new buildings to provide five industrial units. One building of two units (to be referred to as phase 2) would be located to the south of phase 1 in the south-western corner of the site. The other building of three units (to be referred to as phase 3) would sit adjacent to the existing building on the northern boundary of the site.

2.3 Each unit would include mezzanine accommodation and staff welfare facilities. The schedule of accommodation would be as follows:

Unit 1	Phase 2	267sqm
Unit 2	Phase 2	267sqm
Unit 3	Phase 1	522sqm
Unit 4	Phase 1	388sqm
Unit 5	Phase 1	388sqm
Unit 6	Phase 3	410sqm
Unit 7	Phase 3	287sqm
Unit 8	Phase 3	287sqm

2.4 Access to and egress from the site would via Hawking Place with a single priority junction at end of the Hawking Place frontage (opposite phase 2). Within the site, 92 car parking spaces would be provided including 11 accessibility spaces. Electric vehicle charging provision would also be provided. Refuse , cycle storage, motorcycle parking and landscaping is also proposed.

2.2 The application has been supported by a variety of detailed drawings and reports which supplement the application which include:

- Transport Assessment
- Travel Plan
- Construction Management Plan
- (Building Research Establishment Environmental Assessment Method) BREEM Statement
- Lighting Details

- Noise Assessment
- Ecological Appraisal
- BNG Assessment
- FRA and Drainage Strategy

3.0 RELEVANT PLANNING HISTORY

- 3.1 20/0443 – planning permission granted for the erection of one industrial building comprising 3 units within Use Classes E (g) (light industry/offices), B2 (general industry) and B8 (warehousing) with associated access, car parking, servicing, landscaping, boundary treatment and refuse storage (phase 1 of this proposal). Initially this application proposed six units arranged in two terraces of three. One terrace was on the land the subject of the current application. However, this quantum of development would have triggered planning requirements in relation to BREEAM and SUDS so the applicant elected to reduce the scope of the proposal in order to avoid this obligation.
- 3.2 21/1056 – application to discharge conditions 3, 6, 7, 8, 9, 11, 12, 14, 15, 19, 20, 21 and 23 attached to planning permission ref. 20/0443. A split decision was issued in respect of this application. Conditions 3, 8, 14, 19, 21 and 22 were discharged. Conditions 7, 9, 11, 12, 15, 20 and 23 were not discharged.
- 3.3 The applicant elected to make a start on site prior to the discharge of any conditions. The building is substantially completed. As relevant conditions have not been discharged, the work undertaken to date does not benefit from planning permission.
- 3.4 22/0206 – planning permission refused for the erection of a building to provide two industrial units (phase 2 of this proposal). This proposal was refused because it would have precluded the full implementation of planning permission ref. 20/0443 including compliance with conditions that went to the heart of the permission. The scheme also proposed inadequate parking provision and ecological enhancement.

4.0 RELEVANT PLANNING POLICY/GUIDANCE/LEGISLATION

4.1 National Planning Policy Framework

- 4.1.1 The National Planning Policy Framework was updated in September 2023. It sets out a presumption in favour of sustainable development. The following sections are most relevant to this application:

- Section 6 – Building a Strong, Competitive Economy
- Section 8 - Promoting healthy and safe communities
- Section 9 – Promoting Sustainable Transport
- 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

4.2 National Planning Practice Guidance

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

4.3 Blackpool Local Plan Part 1: Core Strategy 2012-2027 (Core Strategy)

4.3.1 Part 1 of the Local Plan was adopted in January 2016. The following policies are most relevant:

- CS3 Economic Development and Employment
- CS6 Green Infrastructure
- CS7 Quality of Design
- CS9 Water Management
- CS10 Sustainable Design and Low Carbon and Renewable Energy

4.4 Blackpool Local Plan Part 2: Site Allocations and Development Management Policies (2012-2027) Part 2

4.4.1 Part 2 of the Local Plan was adopted in February 2023. The following policies are most relevant:

- DM7 Provision of employment land and existing employment sites
- DM17 Design principles
- DM18 High-speed broadband for new developments
- DM21 Landscaping
- DM31 Surface water management
- DM35 Biodiversity
- DM36 Controlling pollution and contamination
- DM41 Transport requirements for new development

4.5 Other Relevant documents, guidance and legislation

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

4.5.2 The Greening Blackpool Supplementary Planning Document was adopted in May 2023 and sets out the Council's expectations with regard to ecological enhancement and the provision of public open space, green infrastructure and trees.

4.5.3 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.

4.5.4 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.

- 4.5.5 The Environment Act 2021 makes provision for all planning permissions to be conditional on the provision of biodiversity net gain. Whilst there is, as yet, not requirement set out in statute, the Government's clear intention is a material planning consideration. The Council will therefore seek to secure biodiversity net gains where practicable in advance of this becoming a statutory requirement.

5.0 CONSULTEE RESPONSES

5.1 United Utilities

- 5.1.1 10/02/23 - The drainage information submitted has been reviewed. Whilst it is acceptable in principle there is insufficient detail on drainage design. As such a condition to agree details of a sustainable surface water drainage system is required. Appropriate wording is provided. The proposal includes a sustainable drainage system (SUDS) component that may be offered up for adoption by United Utilities. The applicant is recommended to contact United Utilities for further advice and any assets must meet relevant standards. The relevant Lead Local Flood Authority or the Environment Agency should be consulted in relation to discharge rates to a watercourse. A condition should be imposed to agree appropriate management and maintenance of the approved drainage system and suitable wording is provided.
- 5.1.2 The applicant must contact United Utilities before any works on site that could affect United Utilities assets. United Utilities will not permit building over or in close proximity to a water main, public sewer or other wastewater pipeline other than in exceptional circumstances. Not all public sewers are mapped and so the developer should proceed with caution. If a sewer is discovered, United Utilities should be consulted. United Utilities offers a mapping service for developers with regard to apparatus and assets. Any necessary diversions would be at the developer's expense and may not be approved, hence early consultation is recommended. All construction works close to United Utilities assets must comply with relevant standards. The developer would be liable for any damage to United Utilities assets. The applicant should contact United Utilities at the earliest opportunity if water and wastewater connections are required. Existing connections may need improvement and new provision may be required.
- 5.1.3 16/05/23 – these comments supersede previous comments. United Utilities objects to the proposal. Features appear to be located very close to a 1000mm combined sewer. This asset is not shown on sewer records and clarity over the ownership of this asset is required. A build over agreement may be unlikely to be accepted due to the size and importance of the asset, and diversion could be costly. The scheme as currently proposed may be undeliverable. Buildings should be sited an agreed distance from the centre line to avoid damage to the pipe, or to the building in the event of sewer failure.

- 5.1.4 As previously, there is insufficient detail of drainage design although the proposals are acceptable in principle. Any further details should resolve the issues identified above. An appropriate condition relating to drainage is proposed (*officer note: it is considered that the Council wording is more comprehensive and appropriate than that offered in the consultation response*). The proposal includes SUDS that would interact with the sewer network and could be offered for adoption by United Utilities. United Utilities guidance should be considered and early contact made. Rates of discharge to a watercourse must be agreed with the Environment Agency and/or Lead Local Flood Authority. No construction should commence until drainage details are agreed.
- 5.1.5 A condition with respect to drainage management is suggested. As assets are present on site, the developer must contact United Utilities prior to commencement. United Utilities will not allow building over or close to a water main, sewer or wastewater pipeline. Further information on United Utilities services and requirements, and contact details, is provided.
- 5.1.6 12/10/2023 – United Utilities comments supersede those of the 16/05/23. The applicant has provided further information regarding the close proximity to a 1000mm combined sewer to one of the proposed units. Planning Officers are satisfied with the position of the sewer in relation to the proposed unit, as illustrated in Proposed Drainage Layout drawing AC/HP/P2 and P3/001, Rev E, and dated 13.07.23. A condition requiring the drainage scheme to be implemented in accordance with the drawing as referenced is requested.
- 5.2 **Lead Local Flood Authority** – The drainage information is acceptable. A maintenance plan has been submitted. It appears that they are proposing crate style storage and flow control out to the watercourse for part of the site, and the rear part would drain into a pond that would then slowly fill a pump chamber to be pumped to the watercourse. The maintenance and running of the pump and crate storage system would be the developers responsibility. No issues are identified with the drainage information submitted.
- 5.3 **Local Highway Authority** – The Local Highway Authority have advised that an Agreement has been reached on the Highway Works that are currently being done through Highway Act agreements. In regard to the amount of car parking provision, electric vehicle charging, cycle and motor cycle parking, the Local Highway Authority raise no objection to the scheme.
- 5.4 **Greater Manchester Ecology Unit (GMEU)**
- 5.4.1 06/02/23 - The ecology information submitted is now becoming dated and only covers part of the site. Whilst some on-site mitigation is proposed it is not clear that this would adequately mitigate the loss of the habitats through site clearance.
- 5.4.2 The 2020 ecological report has been updated but the updates relate to the details of the proposal as opposed to any new ecological surveys. Current guidance states that ecological surveys over 18 months old require a review and those over 3 years old

require a full re-survey. The data in the report dates from summer 2020 and there is no commentary on the likelihood of changes. Furthermore, the report only covers the phase 2 area of the site. Google Earth images indicate that the whole site has been stripped of vegetation. The consultant should provide information on what was present based on their own survey and/or aerial photographs. Prior to determination, a full review of the great crested newt information should be provided as there is a likelihood of the nearby ponds having been colonised given the record of newts in the area.

- 5.4.3 The National Planning Policy Framework requires planning decisions to contribute to and enhance the natural and local environment. The site was semi-natural up to 2020 with incremental clearance occurring since that time. As such a biodiversity net gain assessment should be provided using the most up-to-date Department for Environment, Food and Rural Affairs (DEFRA) metric (version 3.1).
- 5.4.4 02/05/23 - The updated amphibian assessment concludes that one pond has been lost and the other show no change making it unlikely that Great Crested Newts will have colonised the pond adjacent to the site. This is accepted but, given the lack of a new survey, it would be appropriate to condition compliance with the Reasonable Avoidance Measures set out under section 7.2.1 of the report. The Robins Lane Pond Cluster BHS is now protected by a fence with aerial photography showing that vegetation along the boundary was retained. The risk of negative impact is therefore low subject to compliance with the boundary plan being conditioned. Suitable nesting bird habitat was largely absent from the site but an appropriate informative should nevertheless be provided as a precaution.
- 5.4.5 Section 174 of the National Planning Policy Framework expects developments to contribute to and enhance the natural environment. A metric has been provided indicating a loss of 0.97 biodiversity units and a shortfall of 1.4 units with regard to achieving 10% biodiversity net gain which is not yet mandatory. No detailed analysis of the metric has been undertaken but, given the site has been cleared meaning there is no way to check the baseline, it would appear reasonable.
- 5.4.6 Based on the landscaping plan it will be necessary to secure off-site compensation to achieve net gain. This could be on land owned by the developer or on third party or Council owned land. Elsewhere in Lancashire and Manchester contributions have averaged £15k per biodiversity unit. Prior to determination, further information on the provision of biodiversity net gain should be submitted.
- 5.4.7 (02.10.2023) Greater Manchester Ecology Unit: The revised landscape plans have clarified my outstanding issues, this providing information of where native trees will be planted and the location of bird and bat boxes. I am satisfied that the plan provides the potential for biodiversity net gain on the site.

There are however a few technical errors that ideally should be amended. These include:

- The key for the Ecological and Environmental Enhancements does not include all the trees. There is an oak (Que) a lime (Til), alder (Aln) and Poplar (Pop) and Pine (PIN) on the plan but not shown in the key;
- Within the key Rowan is shown as R whereas on the plan it is shown as (Sor). The key also has the wrong latin name. Rowan is Sorbus aucuparia not Viburnum opulus, which would be guelder rose;
- The key also includes holly (IA) and Hawthorn (C), which do not appear to be present on the plan.
- Finally they list Photonia (Red Robin) under native shrubs. This species is not native.

Therefore, in conclusion I support the layout plan but recommend the key is amended prior to conditioning as part of any permission, so as not to cause confusion for any landscape contractor that was implementing the plan.

A landscape management plan should also be conditioned to ensure the proposals are implemented and managed for 30 years in line with the requirements of the biodiversity net gain plan.

5.5 **Environmental Protection (Contamination)** – no land contamination information or investigation is required as the land is previously undeveloped.

5.6 **Environmental Protection (Amenity)** – initially advised that the noise assessment is now out-dated as it was carried out in 2020 during COVID restrictions. However, following a discussion with the noise consultant, it was accepted that the way in which the original assessment had been carried out meant that it was still valid. The Construction Management Plan and light information submitted are acceptable. Overall no objections raised.

5.7 **Head of Parks and Greens**

5.7.1 Initial comments: Although 37 trees are proposed, 705 are a single species with the remaining 30% also a single species. With regard to shrubs, 27 are specified again only spanning two species. Planting should reflect the 10-20-30 rule whereby populations consist of no more than 10% any one species, 20% of any one genus, and 30% of any one family. Landscaping plans should also include pit planting specification to BS 8545:2014.

5.7.2 Final comments: A few changes are required as the species are not wholly suited to the site, and the plans for Ecological enhancements and landscaping seem to contradict themselves.

AC/HP/P2 and 3EE/001 AC – environmental and ecological enhancements. The tree species listed on the Eco enhancement document differs from the landscaping plans, and the information must be corrected as it is inconsistent and may cause confusion. As follows (see the key below)

- Betula pendula is stated as SBT and BB in the landscaping key.

- *Viburnum opulus* (Guelder rose - 'not a Rowan' as stated) is a shrub, not a tree. Do they mean Rowan (*Sorbus aucuparia*)?

5.7.3 The use of young, newly planted trees as a 'post' for bird/bat boxes, as stated in this document, is not viable. A post/building or mature tree is an appropriate site to affix the boxes. The tree species listed in AO22/041/BR/08 bedding should be altered as below for species with more wildlife benefits/site suitability.

- *Betula pendula* - exchange for *Betula pubescens* as more tolerant of site conditions.
- *Aesculus hippocastanum* - exchange for Sessile oak (*Quercus petraea*) due to site conditions and increase in chestnut bleeding canker (*Pseudomonas syringae* pv)
- *Sorbus aucuparia* – ok
- *Pru prunus kanzan* - exchange for bird cherry (*prunus padus*), which prefers wet sites.
- *Acer pseudoplatanus* - Exchange for Scots pine (*Pinus sylvestris*) to include evergreen/coniferous trees on site and for improvement of borough-wide diversity (currently 40% *Acer* with the majority being *pseudoplatanus* 'Sycamore')
- *Corylus avellana* - exchange for Silver lime (*Tilia tomentosa*) as hazel '*Corylus*' is less tolerant to wet sites
- *Betula pendula* 'purpurea' - Exchange for Aspen (*Populus tremula*)
- *Laburnum anagyroides* - exchange for Grey alder (*Alnus incana*) shows some phytophthora resistance and is more suitable for site
- *Salix chrysocoma* - OK

5.7.4 Planting specifications should include.

- Twin stake (for standard/heavy standard trees) with hessian ties, not rubber.
- Maintenance - removal of stakes and ties after two years

5.8 **Commercial Waste** – no response received to date.

6.0 **REPRESENTATIONS**

6.1 Press notice published: 25/01/2023

6.2 Site notice published: 26/01/2023

6.3 Neighbours notified: 18/01/2023

6.4 Two representations have been received.

6.5 One representation from a local resident at 18 Irvine Close, Blackpool, has raised the following issues:

- Loss of greenspace

- Impact on wildlife and habitat
- Impact on the public right of way
- Impact on trees
- Impact on the Conservation Area
- Increase in traffic
- Impact on highway function and safety
- Increase in noise and disturbance

6.6 The second representation, from Royal Mail located on Hawking Place, has raised the following issues:

- Royal Mail is the only company with a statutory duty to collect and deliver mail at a geographically uniform price across all of the UK. Its services are regulated by OFCOM.
- The Blackpool Delivery Office (adjacent to the application site) serves 107,000 addresses and employs 265 people.
- The site operates seven days a week with peak periods between 6.45am and 3.00pm.
- There is concern that the proposed development could compromise the existing Royal Mail operation.
- Works have already been carried out without planning permission or consent from the Local Highway Authority. Appropriate enforcement action should be considered.
- It is noted that the Council's Highways Officer has raised objection to elements of the proposal.
- Potential impact upon highway safety.
- To avoid disruption to Royal Mail, no construction vehicles should be parked on Hawking Place, and the standard of this road must be maintained.
- The applicant has not approached Royal Mail to discuss construction as set out in the submitted Construction Management Plan, despite works having started.
- The Construction Management Plan should include details of parking for construction staff, this should not be on Hawking Place.
- Potential damage to vehicles from debris pulled onto the highway

6.7 The site is not in a Conservation Area and would not affect the setting of any Conservation Areas. The other issues will be addressed in the assessment section of this report.

7.0 ASSESSMENT

7.1 Principle

7.1.1 Industrial/business development on this site is acceptable in principle in accordance with Policy CS3 of Part 1 and Policy DM7 of Part 2.

7.1.2 This current application includes the retention of the building approved under permission ref. 20/0443 which constitutes phase 1 of the total development. This is

because the development of phases 2 and 3 would preclude the full implementation of permission ref. 20/0443, including the provision of necessary landscaping and ecological enhancement. It is also appropriate that the development be assessed as a whole to avoid an artificial subdivision of the scheme simply to avoid planning obligations and expectations. Nevertheless, it is acknowledged that the phase 1 building has been constructed and that permission ref. 20/0443 has therefore been substantially implemented and remains extant. As such, a pragmatic approach is required to ensure optimal employment development on the site to best meet Local Plan objectives.

7.2 Amenity

- 7.2.1 The development proposed would sit some distance from the nearest residential property and so no impacts from over-looking or over-shadowing would result and the proposal. There would be no over-bearing impact upon neighbours.
- 7.2.3 A noise assessment has been submitted as part of the application and this has been considered and accepted by the Council's Environmental Protection Team. Given the separation distances involved and the nature of the units, it is unlikely that the use proposed would have any unacceptable impacts arising from odour or vibration.
- 7.2.4 Lighting information has been provided. This has been considered by Environmental Protection and is considered to be acceptable. The installations would be sufficient distance from sensitive receptors so as not to cause light pollution.
- 7.2.5 Adequate refuse storage would be provided to meet the needs of the development.
- 7.2.6 The submitted Construction Management Plan has been assessed by Environmental Protection and is considered acceptable to safeguard residential amenity.

7.3 Visual Impact

- 7.3.1 The design of the units would be functional and typical of the use and area. Glazing, roller shutter access points, signage and different materials are proposed to effectively break up the front elevations. The buildings would be well set-back from Hawking Place by the proposed access road and landscaping. They would be close to the boundary with the open land to the north but this is currently undeveloped and largely unused as there are no established footpaths through it. The nearest housing is some way distant.
- 7.3.2 The lighting fixtures and refuse stores proposed would be simplistic and functional in design but appropriate in the context. Along the northern and western site boundaries, 2.5m high black weld-mesh fencing has been installed. Given the surrounding backdrop a green coloured boundary treatment would have been more appropriate but the colour used is not considered to be sufficiently visually harmful as to justify removal and replacement of the fencing. Around the Hawking Place frontage and the parking spaces, a low timber knee rail is proposed. This is fairly typical of industrial settings and would be visually acceptable.

7.3.3 A public right of way runs to the west of the site and to the rear of the phase 2 building, but this would be screened from the development by hedgerow. This right of way moves through residential, open countryside and industrial areas and so has varied character. Whilst the rear elevation of the phase 2 building would be largely featureless, given the separation distance to the public right of way, the intervening vegetation, and its limited extent relative to the length of the public right of way, the building would not have an acceptable visual impact on users.

7.3.4 As such the development would have no unacceptable visual impacts.

7.4 Access, Highway Safety and Parking

7.4.1 The red edge of the application site provides direct connection to Hawking Place via a single priority junction. A swept path analysis has been carried out to demonstrate that there is sufficient space within the site for HGVs to enter, manoeuvre within the site and egress accordingly. No issues regarding highway safety have been raised.

7.4.2 The application proposes 2816sqm of E(g)/B2/B8 floorspace. It is proposed that the units use the parking and servicing area approved for phase 1. As such, the parking area and parking provision would be shared. Under the adopted parking standards of the Blackpool Local Part 2, at a worst case scenario, if all units were occupied as E(g), parking provision would be required at a ratio of 1:30. This would require provision of 94 parking spaces. However, as a mixed use scheme, it is unreasonable to calculate car parking provision on a worst case scenario as, should the units all be occupied as B8 Storage, the car parking provision would significantly reduce to a ratio of 1:200, resulting in a requirement for 15 car parking spaces. The proposed scheme would provide 92 car spaces which is considered an acceptable amount of car parking provision for the proposed scheme. Further, as part of the proposals, 7 dual Ev charging points are proposed as well as a single charging point. The installation of the EV charging points can be secured by condition.

7.4.3 As part of the proposals, drawing A022/041.BR/01 Rev C shows that covered cycle storage is proposed for no.10 cycle spaces. Motorcycle provision for the parking of no. 5 motorcycles is also proposed. The amount of cycle and motor cycle provision within the site is acceptable.

7.5 Drainage

7.5.1 The application site falls within flood zone 1 meaning that there is no requirement for the applicant to demonstrate compliance with the sequential or exceptions tests. However, the site exceeds 1ha in area and so a site-specific flood risk assessment has been provided along with a suite of information relating to drainage design and maintenance. This information has been considered by United Utilities and the Council as Lead Local Flood Authority.

7.5.2 United Utilities initially objected to the proposal on the basis that one of the buildings would be in very close proximity to a sewer. They have stressed that

building over the sewer is unlikely to be permitted and that diversion could be costly. This has been raised with the applicant but is a matter for private resolution between the two parties. It does not justify refusal of planning permission.

- 7.5.3 With regard to the drainage system proposed, both national and local policy and guidance emphasises the need to employ sustainable drainage options where possible to help manage flood risk and climate change and improve biodiversity and environmental quality. The system proposed is a hybrid system whereby crate storage would be used to hold water for part of the site with flow rate to an existing watercourse controlled. The remainder of the site would drain to a nearby pond and would make use of a pump chamber to again pump overflow into the watercourse. The maintenance plan notes that the maintenance and running of the pump and crate storage system would be the developers responsibility.
- 7.5.4 The Council's Drainage Officer, responding as Lead Local Flood Authority, has confirmed that the drainage information submitted is acceptable and that no further information is required. During the determination of the application, a revised drainage scheme was submitted and United Utilities was re-consulted on the drainage proposals. United Utilities now raise no objection to the proposal. The submitted document has been reviewed by the Council's drainage officer and is considered to be acceptable.
- 7.5.5 As such, subject to the development proceeding in full accordance with the submitted information, which can be secured through condition, no unacceptable flood risk or drainage impacts are anticipated.

7.6 Ecological Impact and Landscaping

- 7.6.1 The updated ecological information submitted notes that one pond has been lost and others show no change making it unlikely that Great Crested Newts will have colonised the area. As such, subject to compliance with the Reasonable Avoidance Measures and Ecological Protection Plan being secured through condition, no unacceptable impact upon protected species is anticipated.
- 7.6.2 Both local and national policy expects new developments to contribute to and enhance the national environment through biodiversity net gain. A metric has been provided indicating a loss of 0.97 biodiversity units and a shortfall of 1.4 units with regard to achieving 10% BNG which is not yet mandatory.
- 7.6.3 The ecological enhancement plan (ref: AC/HP/P2 and 3EE/001 Rev G) and soft landscaping plans (A022/041/BR/09 Rev A and A022/041/BR/07) are revised plans and show significant landscaping including, turfed areas, a wildflower meadow mix and tree planting around the three proposed buildings and adjacent to Hawking Place. The proposed development will generate a biodiversity net gain of 6% on site. The Council do not have a minimum Policy requirement of 10% biodiversity net gain on site and, at this moment in time, the statutory 10% biodiversity net gain on site has not taken effect. To that end, there is no requirement for the applicant to pay a

financial contribution of £15,000 as suggested by the Greater Manchester Ecology Unit or provide off-site planting in lieu of a financial contribution.

7.7 Environmental Quality and Green Design

- 7.7.1 In terms of environmental quality, there is no reason to suppose that the development would impact unduly on air quality. Water quality would be adequately safeguarded through compliance by condition with the approved drainage and construction management plans. No information or investigation into potential land contamination is considered necessary as the land is previously undeveloped.
- 7.7.2 Policy CS10 requires all major-scale non-residential schemes to meet BREEAM rating 'very good'. In this case, the applicant initially applied for phases 1 and 2 of the currently proposed development, which would have exceeded 1,000sqm in floorspace and triggered this requirement for BREEAM compliance. To avoid this requirement, phase 2 was removed from the scheme bringing the floorspace sought under application ref. 20/0443 below 1,000sqm. This meant that officers could not reasonably require BREEAM compliance in respect of phase 1. This building has now been constructed.
- 7.7.3 This application covers all three phased buildings proposed because it would not have been possible for the applicant to fully implement permission ref. 20/0443 in accordance with the conditions imposed and pursue phases 2 and 3. The current proposal therefore exceeds 1,000sqm and so should achieve BREEAM 'very good'.
- 7.7.4 A statement has been submitted as part of the application in relation to BREEAM. It argues that BREEAM is most useful as a tool to secure environmentally-friendly design when the end-user is known. In this case the construction is simple and internal fit-out minimal requiring Main Trades only. BREEAM requires a Main Contractor to be in place and it is stated that this requirement would add around 20% to build costs with additional costs for extended built time. The cost of BREEAM assessment is also notable. It is asserted that the BREEAM requirement would render this development financially unviable.
- 7.7.5 To compensate for the lack of BREEAM, the following features are proposed: solar panels to each unit; use of LED lighting (external lights to be photocell controlled and internal lighting to be occupancy detection controlled); and use of water saving devices including auto shut-off taps and solenoid controls to turn-off water overnight. Electric vehicle charging provision and cycle storage is also proposed, but this cannot be considered to be a BREEAM design feature as these are fundamental requirements of planning policy.

7.8 Broadband

- 7.8.1 The applicant has provided evidence of early engagement with BT Openreach to demonstrate how they will provide future occupiers with potential for full fibre broadband connectivity.

7.9 Other Issues

- 7.9.1 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).
- 7.9.2 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.
- 7.9.3 Through the assessment of this application, Blackpool Council as a public authority has had due regard to the Public Sector Equality Duty ("PSED") under s.149 of the Equality Act and the need to eliminate unlawful discrimination, advance equality of opportunity between people who share a protected characteristic and those who do not, and to foster or encourage good relations between people who share a protected characteristic and those who do not. The application is not considered to raise any inequality issues.

7.10 Sustainability and planning balance appraisal

- 7.10.1 Sustainability comprises economic, environmental and social components.
- 7.10.2 Economically, the development would provide employment during construction and operation in an area designated for this purpose. This weighs in favour of the proposal.
- 7.10.3 Environmentally, the design of the units is considered to be acceptable. The proposed development represents a cohesive scheme. The proposed development would generate a biodiversity net gain net increase on site of circa 6%. The scheme fails to achieve BREEAM 'very good' but does propose a range of other green measures.
- 7.10.4 Socially, the proposal does not raise any concerns regarding residential amenity. The scheme would not result in any adverse highway impacts or flood risk impacts.
- 7.10.5 In light of the above, given the site history and the challenges of achieving BREEAM 'very good' on a scheme like this, the proposal is considered to represent sustainable development. 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.

8.0 FINANCIAL CONSIDERATIONS

- 8.1 The application would not generate any financial obligations however, owing to the nature of the proposed development, the proposal is likely to generate a significant

number of employment opportunities in the Borough in addition to inward investment into the Borough once the units are occupied.

9.0 BLACKPOOL COUNCIL PLAN 2019-2024

9.1 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.

9.2 This application is a commercial development on land allocated for employment use. The proposed development would contribute to the local economy and is likely to generate a significant number of local employment opportunities. Thus, the proposal accords with the Council's two priorities.

10.0 CONCLUSION

10.1 As set out above, the scheme is considered to represent sustainable development and no other material planning considerations have been identified that would outweigh this assessment.

11.0 RECOMMENDATION

11.1 Approve subject to the following 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 (drawing AC/HP/P2 and ELP/001 Rev C) recorded as received by the Council on 19th April 2023

Wider Site Plan - drawing AC/HP/P2 and 3SL/001 Rev D

Site Phasing Plan - drawing AC/HP/P2 and 3P/001 Rev A

Proposed site GA - drawing A022/041/BR/01 Rev C

Proposed external materials - drawing AC/HP/P2 and 3EX/001 Rev E

Proposed general layout including floor layout and elevations - drawing AC/HP/P2 and 3GL/001 Rev E

Proposed plans and elevations - drawing AC/HP/P2 and 3PE/001 Rev C

Ecology

Proposed bat and bird box locations - drawing AC/HP/P2 and 3BB/001 Rev A

Proposed ecological enhancements - drawing AC/HP/P2 and 3EE/001 Rev G

Landscaping

Proposed soft landscaping (sheet 1 of 2) - drawing A022/041/BR/06 Rev B
Proposed soft landscaping (sheet 2 of 2) - drawing A022/041/BR/07 Rev B
Proposed bedding - A022/041/BR/08 Rev A
Proposed hard landscaping - drawing A022/041/BR/05 Rev A
Tree Hedgerow Constraints and Arboricultural Tree Protection Plan - drawing AC/HP/P2 and 3/PLAN Rev E
Boundary Treatments - drawing AC/HP/P2 and 3/BT/001 Rev C

Highways

Build over detail - drawing A022/041/BR/10
Drainage tank section detail - drawing AC/HP/P2 and 3DT/001
Proposed drainage layout - drawing AC/HP/ P2 and 3D/001 Rev E
Proposed bike store, bin store, car park specification and knee rail - drawing A022/041/BR/09 Rev A
Renewable energy and EVC works layout - drawing AC/HP/P2 and 3RE/001 Rev C
Highway design - Section 278 - drawing A022/041/BR/04 Rev A
Highway design - Swept path analysis - drawing A022/041/BR/02 Rev A
Openreach connectorised fibre network dated 7/4/2022

Documents

Construction Management Plan version 4 dated September 2023
Drainage Strategy dated July 2023
FRA Rev A January 2021
Surface Water Management and Maintenance Plan dated September 2021
Transport Assessment and appendices, Amni Transportation dated 12.10.2022 received 19 October 2023
Travel Plan and appendices , Amni Transportation dated 27.2.2022 received 19 October 2023
Noise Assessment - (Sound Assessment, 4th September 2020)
Biodiversity Net Gain Rev 2 (Environtech, 09/05/2023)
Preliminary Ecological Appraisal (Envirotech, 05/04/2023)
Lighting (External Plan) - drawing ZG-DWG-0002251074-EX1-R01-191023
Lighting column details (Thorn, Isaro)
Lighting specification (Thorn Lighting)
Lighting calculations (dated 08.09.22)
BREEAM statement dated 21st October 2022

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. The external materials to be used on the development hereby approved shall be as specified on drawing AC/HP/P2 and 3EX/001 Rev E unless otherwise first submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any above ground construction.

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 DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

4. The surfacing materials to be used in the development hereby approved shall be as specified on drawing A022/041/BR/05 Rev A unless otherwise first submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any above ground construction.

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 DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

5. The development hereby approved shall proceed in full accordance with the submitted Design Stage BREEAM assessment prepared by Alan Jones Chartered Surveyors and dated 21 October 2022 unless an alternative assessment is first submitted to and agreed in writing by the Local Planning Authority;

Reason: In order to maximise the environmental sustainability of the development and limit the potential impact of the proposal on climate change in accordance with the provisions of Policy CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. The construction of the development shall proceed in full accordance with the approved Construction Management Plan v4 dated September 2023.

Reason: In the interests of the amenities of surrounding residents and to safeguard environmental quality and the character and appearance of the area in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM31 and DN36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

7. The development hereby approved shall 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 CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

8. Before the first occupation of Phase 1 hereby approved is first brought into use the cycle storage shown on plan ref. A022/041/BR/01 Rev C within that phase shall be provided and shall thereafter be retained and maintained as such. Prior to the first

occupation of any unit within Phase 3, the cycle storage as shown on drawing A022/041/BR/01 Rev C for that phase shall be provided and shall thereafter be retained and maintained as such.

Reason: In order to encourage travel to and from the site by a sustainable transport mode in accordance with Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

9. Prior to the buildings within each phase of development hereby approved being first brought into use, the parking provision shown on the approved plan(s) for that phase 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 Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027

10. Prior to the first occupation of any unit contained within each phase of development as shown on drawing AC/HP/P2 and 3P/001 Rev A, the EV charging provision as shown on drawing AC/HP/P2 and 3RE/001 Rev C within that phase shall be installed and retained in situ for the duration of the development hereby permitted.

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 Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027

11. The vehicular access hereby permitted shall be constructed in full accordance with the details as approved prior to the first occupation of any unit within phase 1.

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 Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

12. Prior to the first occupation of each building within each phase as shown on the approved phasing plan (drawing AC/HP/P2 and 3P/001 Rev A), the landscaping scheme shown on drawings A022/041/BR/06 Rev B, A022/041/BR/07 and A022/041/BR/08 Rev A shall be implemented in full for that phase and in full accordance with the approved details. 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 in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

13. The development hereby approved shall proceed in full accordance with the recommendations set out in the ecological appraisal ref. Preliminary Ecological Appraisal recorded as received by the Council on 19th April 2023.

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 Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

14. Prior to the first occupation of the building within each phase as shown on the approved phasing plan (drawing AC/HP/P2 and 3P/001 Rev A), the ecological enhancement measures as shown on drawing AC/HP/P2 and 3EE/001 Rev G for that phase of development shall be implemented thereafter proceed in full accordance with this approved scheme.

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 Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

15. The development shall proceed in full accordance with the approved tree and hedgerow protection plan (drawing AC/HP/P2 and 3/PLAN Rev E) and shall be erected prior to the commencement of development on Phase 2. The approved protective fencing shall remain in place for the duration of the site preparation and demolition and/or construction period.

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 Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

16. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Proposed Drainage Layout drawing AC/HP/P2 and P3/001, Rev E, dated 13.07.23. No surface water will be permitted to drain directly or indirectly into the public sewer. The drainage scheme for each phase of development shall be completed prior to the first use or

occupation of the building within that phase, in accordance with the approved details and retained thereafter for the lifetime of the development.

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 Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM31 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 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.

17. Prior to any installation on any building hereby permitted, details of any external plant or mechanical extraction units and/ or flues shall be submitted to and agreed in writing by the Local Planning Authority. Details shall include but not be limited to: positioning, appearance, materials and technical specification.

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 DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

18. Before the first occupation or first use of the buildings within Phase 2 and/or Phase 3 hereby approved the refuse storage shown on plan ref. AC/HP/P2 and 3P/001 Rev A and A022/041/BR/09 Rev A 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 DM17 and DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

19. The boundary treatments detailed on drawing AC/HP/P2 and 3/BT/001 Rev C for each phase of development as shown on the approved phasing plan (drawing AC/HP/P2 and 3P/001 Rev A) shall be provided in full and in full accordance with the approved details prior to the first occupation of any unit within that phase.

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 DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

20. Prior to the first occupation of the building within each phase of development as shown on the approved phasing plan (drawing AC/HP/P2 and 3P/001 Rev A), the lighting scheme hereby permitted for that phase of development shall be implemented in accordance with the approved external lighting plan.

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 Policy DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

21. The use of any individual unit hereby approved shall not be open to the public outside of the hours of:
- (a) 08:00 hours to 18:00 hours between Monday to Saturday
 - (b) 10:00 hours to 16:00 hours on Sundays, Bank Holidays and any other Public Holiday.

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 DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

22. No deliveries shall be taken at, or dispatched from any unit within the development other than between the hours of 08:00 to 18:00 hours on Monday to Saturday and 09:00 to 14:00 on Sundays, Bank Holidays or Public Holidays.

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 DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

23. The development hereby approved shall proceed in full accordance with the broadband provision statement recorded as received by the Council on the 25th September 2023.

Reason: In order to ensure that the development is served by high-speed broadband in accordance with the provisions of Policy DM18 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) the individual units within each building hereby permitted shall be used within Classes E(g)(ii) and/or B8 of the Town and Country (Use Classes) Order (as amended) only and for no other purpose.

Reason: In accordance with Policy CS3 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM7 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027

25. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), Schedule 2, Part 7, Class H, no building shall be erected, nor shall any extension or alteration of the buildings hereby permitted and individuals units contained within, which are 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 DM20 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

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