

**COMMITTEE DATE:** 08/03/2016

**Application Reference:** 15/0842

WARD: Claremont  
DATE REGISTERED: 14/12/15  
LOCAL PLAN ALLOCATION: Protection of Public Open Space

APPLICATION TYPE: Full Planning Permission  
APPLICANT:

**PROPOSAL:** Erection of two and three storey development comprising 81 dwelling houses and 18 self-contained permanent flats, with associated public open space, play areas, car parking, with accesses from Stirling Road, Laycock Gate and Phase 1, boundary treatment and landscaping works (Phase 2 of Queens Park Redevelopment) following the demolition of existing buildings (including Churchill Court, Walter Robinson Court and Elizabeth Court high-rise flats and Boys and Girls Club).

**LOCATION:** LAND BOUNDED BY STIRLING ROAD, MATHER STREET, COLLINGWOOD AVENUE AND REAR OF ADDISON CRESCENT (QUEENS PARK AND LAYTON RECREATION GROUND), BLACKPOOL

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**Summary of Recommendation:** Grant Permission

**CASE OFFICER**

Ms P Greenway

**SUMMARY OF RECOMMENDATION**

The principle of residential development has already been accepted on this site in 2011. The housing mix is considered to reflect the Council's aspirations to rebalance the housing market, regenerate a priority neighbourhood and support more sustainable communities. Policy requires a mix of social rented and intermediate affordable housing for sale and for rent in this location. The proposed tenure is 100% social rented tenure; however as this is replacing existing social rented provision, it is considered acceptable in this instance. There would be some loss of open space but this would be compensated for by a significant qualitative uplift to the remaining open space for the wider public to enjoy. The loss of a community facility (Boys and Girls Club) would not weigh against the proposal as the Council is committed to relocating the facility. The impact on protected species can be mitigated and biodiversity enhanced through the landscaping proposals. The proposals would have a positive impact on the public sewer and would not increase the flood risk. The recommendation is therefore for approval.

## **INTRODUCTION**

This site is Phase 2 of two phases immediately adjacent to each other in Queenstown, where the Council is undertaking a major redevelopment scheme in conjunction with Lovell Homes. Full planning permission was granted for residential development of Phase 1, which has been completed and comprises 92 new build dwellings. Members may recall that the Planning Committee granted outline planning permission for this second phase of the Queens Park redevelopment in 2013 (planning permission 13/0309 refers). The permission was for the demolition of existing buildings (including Churchill Court, Walter Robinson Court and Elizabeth Court high-rise flats and Boys and Girls Club) and erection of up to 106 dwellings (flats and houses) in two and three-storey blocks, with associated access from Stirling Road, Laycock Gate and Phase 1 of development, and new/improved public realm. Following the grant of planning permission, it was discovered that a pipeline easement ran across the site and the scheme has had to be redesigned to take this into account. As the revised layout differed from the outline permission, reserved matters could not be sought and a new permission was required.

## **SITE DESCRIPTION**

This specific application relates to the southerly site of 4.6 hectares, of which 2.53 hectares is to be developed. Stirling Road and Laycock Gate form the northern boundary, with Counce Street and the rear of Addison Crescent properties to the south; Mather Street and Collingwood Avenue to the east; and the rear of Lidl (Devonshire Road) to the west. The land is currently occupied by 319 social rented housing units in seven blocks of three storey maisonettes; three blocks of 1960's high-rise flats (Walter Robinson Court, Churchill Court and Elizabeth Court); a number of garages; and, the Boys and Girls Club. All the built development is concentrated towards the west of the site (and is currently being demolished); with Layton Recreation Ground occupying the whole of the eastern part of the site. Outside the site, are mainly areas of high density, terraced housing; with a number of commercial and retail uses scattered around. Phase 1, which contains vacant properties, is to the north of the site.

## **DETAILS OF PROPOSAL**

The proposal is for the erection of two and three storey development comprising 99 dwellings (81 houses and 18 self-contained permanent flats), with associated public open space, play areas and car parking, with accesses from Stirling Road, Laycock Gate and Phase 1, boundary treatment and landscaping works following the demolition of existing buildings (including Churchill Court, Walter Robinson Court and Elizabeth Court high-rise flats and Boys and Girls Club). The Layton Recreation Ground is shown as outside the "red edge" of the application site for Phase 2 but is intended to be improved as a separate scheme of works in addition to the new homes.

The scale of the proposal would be restricted to two and three storeys as for Phase 1. The design, layout and palette of materials would follow on from Phase 1, terminating in a softer broken crescent of terraces where the developed site meets the green space. In terms of massing, the majority of the site would comprise two storey development, except for seven

three storey dwellings which would bookend the terraced crescents forming the eastern boundary of the built development, looking out over the recreation ground. All 99 housing units would be social rented and managed by Blackpool Coastal Housing. A number of the units would have a flexible structure, comprising two one-bedroomed flats in the first instance to cater for existing tenants who don't want to move out of the area, with the option of conversion into a three bedroomed family house on vacation by those tenants.

There would be three vehicular access points into the site: from the west via a continuation of Laycock Gate, with an enhancement of surface and landscape treatment; from the east, through a new junction on Stirling Road; and, from Healey Street/Cresswell Street in Phase 1 of the development. The internal layout would be designed on the Homezone principles and there would be good pedestrian permeability. As part of the scheme, 97 car parking spaces and there would be good pedestrian and cycle links.

In order to facilitate the wider proposals, 0.73 hectares of the total of 2.85 hectares of Layton Recreation Ground have been appropriated for use following statutory advertisement. An area within the estate would be set out as recreation space for juniors, toddlers and other areas to partly offset that amount. Works to improve the quality of the public open space would be carried out after the housing development (as an additional scheme of works) and following consultation to include improved pathways to pick up desire lines, if required, and improvements to supplement the children's play space and the attractiveness of Layton Recreation Ground to the wider community. These improvements would be delivered as part of a package worth up to £600,000, the principle of this investment already having been agreed by the Council's Executive.

The application is accompanied by:

- Design and Access Statement
- Topographic Survey
- Landscape Master Plan
- Traffic Management Plan
- Transport Statement and Travel Plan Framework
- Highway Tracking Plan
- Arboricultural Impact Assessment
- Bat Assessment
- Ecological Assessment
- Flood Risk Assessment
- Desk Top Study and Remediation Statement
- Project Management Plan
- Community Consultation Statement

### **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- Principle of Residential Development
- Housing Mix/ Density/ Affordable Housing

- Loss of Public Open Space
- Loss of Community Facilities
- Means of Access/ Car Parking
- Potential impacts on protected species (bats and birds)
- Other Matters

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

## **CONSULTATIONS**

**Environment Agency:** The Environment Agency has no comment to make on the above application.

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

**Head of Environmental Services:** We require the developers to submit a construction management plan giving details of hours of work and how they are going to control / manage issues such as noise , vibration, dust, odour, waste etc.

**Contaminated Land Officer:** Due to the elevated concentrations of Lead, BaP, Benzo(a)anthracene, Benzo(b)fluoranthene, Dibenzo(ah)anthracene, Indeno(123-cd)pyrene, Napthalene and that excavation of the open land will be required in order for site levels, additional remediation work will be required to ensure the safety of site workers and site users.

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

**United Utilities:** United Utilities has no objection subject to the following condition:

- The drainage for the development hereby approved, shall be carried out in accordance with principles set out the submitted Flood Risk Assessment which was prepared by Betts Associates in April 2013 Ref No.:LPL35\_FRA and the Foul and Surface Water Drainage Strategy which was prepared by Lovells Ref:LPL35/PH2 100 rev B. Any variation to the discharge of foul and surface water shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run off and to reduce the risk of flooding.

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

**Electricity North West Ltd:** We have considered the above planning application submitted on 21/12/15 and find it could have an impact on our infrastructure:

- There are ENWL 6600 and 400 volt cables crossing the proposed development site.
- There are three ENWL distribution substations on the proposed site :-
  - Stirling Court – 420134
  - Stirling Road – 423506
  - Laycock Gate – 423716

The applicant should also be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant.

**Assistant Director for Transforming Schools (Residential Development):** No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

**Police Architectural Liaison Officer:** Having looked at the plans (pre-application) I am satisfied that it will meet the requirement of Part 1 Secured by Design. Discussion took place in respect of Part 2 Security and I am satisfied that this will follow the same criteria as Phase 1. Consultation will continue throughout the development phase I am sure that the new development will contribute significantly to the reduction of crime and a safe environment for all residents and visitors and achieve Secured by Design Certification.

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

## **PUBLICITY AND REPRESENTATIONS**

Press notice published: 24 January 2016

Site notice displayed: 07 January 2016

Neighbours notified: 21 December 2015

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

## **EUROPEAN AND NATIONAL LEGISLATION**

The Conservation of Habitats and Species Regulations 2010 (as amended).

The Wildlife and Countryside Act 1981 (as amended)

The Natural Environment and Rural Communities Act 2006.

Government Circular: Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System (DEFRA 01/2005, ODPM 06/2005).

## **NATIONAL PLANNING POLICY FRAMEWORK**

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute towards sustainable development. There are three strands to sustainable development namely economic, social and environmental, which are mutually dependent. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

Paragraph 6 of the NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment. Amongst other things, this includes replacing poor design with better design, and widening the choice of high quality homes.

Paragraph 14 makes clear that at the heart of the NPPF there is a presumption in favour of sustainable development, which is the 'golden thread' running through both plan-making and decision-taking. This means:

- (i) local planning authorities (LPAs) should positively seek opportunities to meet the development needs of their area;
- (ii) Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change;
- (iii) approving development proposals that accord with the development plan without delay; and
- (iv) where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Paragraph 17 of the NPPF sets out 12 core planning principles, stating that amongst other things planning should:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- encourage the effective use of land by reusing land that has been previously developed; and
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

Paragraph 49 of the NPPF makes clear that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 50 goes on to state that local planning authorities should deliver a wide choice of high quality homes,

widen opportunities for home ownership, and create sustainable, inclusive and mixed communities. The NPPF also aims to ensure that development responds to local character and history (paragraph 58) and seeks to achieve good design which promotes local distinctiveness (paragraph 60). Decisions should address the connections between people and places and the integration into the natural, built and historic environment. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

Local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as older people and people with disabilities), and identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.

With regard to the environmental strand, pursuing sustainable development involves seeking positive improvements in the quality of the natural environment, including moving from a net loss of biodiversity to achieving net gains for nature (NPPF paragraphs 6 - 10). Paragraph 61 states that planning decisions should address the integration of new development into the natural environment; paragraph 109 requires the planning system to contribute to and enhance the natural environment by minimising impacts on biodiversity and providing net gains in biodiversity; and, paragraph 118 encourages opportunities to incorporate biodiversity in and around developments. Paragraph 125 states that decisions should limit the impact of pollution from artificial light on nature conservation. Lighting proposals must avoid illumination of replacement wildlife habitat (eg replacement bird nesting habitat).

### **BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY**

The Blackpool Local Plan: Part 1 - Core Strategy was adopted by the Council at its meeting on 20 January 2016 and the document will be published on the Council's website in due course. In accordance with paragraph 216 of the National Planning Policy Framework, significant weight can now be given to the policies of the Core Strategy. Certain policies in the Saved Blackpool Local Plan have now been superseded by policies in the Core Strategy (these are listed in the appendices to the document). Other policies in the Saved Blackpool Local Plan will remain in use until Part 2 of the new Local Plan is produced.

Policies contained in the Core Strategy Revised Preferred Option relevant to this application are:

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

CS15 - Health Facilities and School Places

None of these policies conflict with or outweigh the provisions of the saved Local Plan policies listed below.

### **SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016**

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

BH3- Residential and Visitor Amenity

BH4- Public Health and Safety

BH5- Protection of Public Open Space

BH10- Open Space in New Housing Developments

BH21- Protection of Community Facilities

HN6- Housing Mix

HN7- Density

HN8- Affordable and Specialist Needs Housing

LQ1- Lifting the Quality of Design

LQ2- Site Context

LQ3- Layout of Streets and Spaces

LQ4- Building Design

LQ5- Public Realm Design

LQ6- Landscape Design and Biodiversity

LQ7 - Strategic Views

LQ8- Energy and Resource Conservation

NE10- Flood Risk

AS1- General Development Requirements

AS2- New Development with Significant Transport Implications

AS5 - Traffic Management

SPG 11 - Open Space: Provision for New Residential Development and the Funding System

Lancashire Minerals and Waste Development Framework (including the 'Managing and Minimising Waste in New Developments SPD')

### **ASSESSMENT**

#### **Principle of Residential Development**

The emerging Core Strategy identifies sites and opportunities to deliver around 4,200 new homes between 2012 and 2027 to meet Blackpool's future housing need (Policy CS2). This includes opportunities within the existing urban area in line with the Core Strategy focus on regeneration and supporting growth (Policy CS1), to help rebalance the housing market and deliver a choice of quality homes across the Borough. Focusing on the existing urban area and on priority neighbourhoods in particular will also help to deliver sustainable communities through neighbourhood regeneration. Queens Park is identified as an outer estate priority neighbourhood where development which provides high quality homes and community facilities within an attractive environment will be supported to promote local pride and a sense of place (Policy CS12). This policy goes on to say that the Council will



facilitate major redevelopment schemes by providing assistance with site assembly. In recognition of the development opportunity presented by the comprehensive redevelopment of Queens Park, the site is identified in the Council’s Strategic Housing Land Availability Assessment (SHLAA).

Whilst comprehensively redeveloping Queens Park will not help to increase Blackpool’s housing supply, providing a better choice of quality homes within an attractive residential environment will help towards rebalancing the housing market, regenerating a priority neighbourhood and supporting more sustainable communities, and so the principle of comprehensive residential development is supported by policy.

**Housing Mix, Density and Affordable Housing Provision**

Saved Policy HN6 of the adopted Local Plan and emerging Core Strategy policy CS13 requires a mix of house types and sizes within the site. Policy CS13 requires this mix to comprise 20% of two bed units (minimum), 20% of three bed+ units (minimum) and 10% of one bed units (maximum).

The proposed housing mix comprises:

|                | 1 bed     | 2 bed     | 3 bed     | 4 bed+    |
|----------------|-----------|-----------|-----------|-----------|
| Social Rented  | 18        | 46        | 25        | 10        |
| Market         | 0         | 0         | 0         | 0         |
| <b>Total %</b> | <b>18</b> | <b>46</b> | <b>25</b> | <b>10</b> |

This proposal does not strictly accord with Policy CS13 however, taking into account the previous mix of dwelling sizes on this site (209 one bedroom units out of a total 319 dwellings – 65%), this is a considerable improvement. In addition, some of the one bed units are designed to be capable of conversion into larger units. This approach provides flexibility to accommodate the short, medium and long term needs of existing and future tenants, which is considered acceptable in this instance.

Saved Policy HN7 and emerging Policy CS13 require new housing developments to make efficient use of land, with higher densities permitted along public transport corridors and within/close to main centres. The site is well-located in close proximity to Talbot Road and Collingwood Avenue (primary and local distributor routes) and therefore a density of around 60 dwellings per hectare is supported by the policy.

Saved Policy HN8 and emerging Policy CS14 (Core Strategy) require new housing developments on sites greater than 0.5ha to provide a minimum affordable housing provision of 30%. This proposal is for 100% affordable housing, which is well above this requirement. In terms of tenure, proposed Policy CS14 requires a mix of social rented and intermediate affordable housing for sale and for rent in this location. Whilst the proposed tenure is 100% social rented tenure, as this is replacing existing social rented provision, this is considered acceptable in this instance.

**Loss of Public Open Space**

Policy BH5 is relevant and states ‘Development of public open space will not be permitted unless:

- (a) the proposal would support existing sport or recreational uses, or would provide facilities for new sports or recreational uses; and
- (b) it is incorporated sensitively into its surroundings, maintaining or enhancing the character of the open space; or
- (c) provision is made for a replacement area of open space that is at least as accessible to current and potential users, and is at least equivalent in terms of size, usefulness, attractiveness and quality.'

Saved Policy BH10 requires all new housing development to provide open space, or if that is not possible, a commuted sum towards the provision / enhancement of facilities in the area. In this instance, a scheme based on the number of houses/bedrooms in the table above, would require a commuted sum of £80,496 to be invested in facilities.

During the design phase (pre-application) the density of development was increased in order to minimise the incursion into Layton Recreation Ground. The outline approval for Phase 2 encroached on 0.72 hectares of the existing 2.85 hectares of open space; 0.5 hectares of which was scheduled to be replaced within the application site, including a children's play area, resulting in a net loss of approximately 0.22 hectares of allocated public open space (approximately 7.7 %). The current proposal would encroach into less (0.69 hectares) of the open space comprising Layton Recreation Ground; but with less (0.42 hectares) open space being provided inside the site, the total net loss of public open space in the current proposal would be greater (0.27 hectares or approximately 9.4 %). To compensate for this, the Council is committed to providing significant qualitative improvements, up to a value of around £600,000 (i.e. significantly more than the commuted sum requirement which would be generated by the scheme itself) to the existing public open space to make it more attractive and functional. The development is also designed with good access to this space to encourage community use. On balance the net loss of public open space provision can, in this instance, be justified as an exception to the policy.

### **Loss of Community Facilities**

Policy BH21 is relevant and states 'Proposals which would lead to the loss of a community facility will not be permitted unless:

- (a) the facility is appropriately replaced; or
- (b) the applicant can demonstrate that there is no longer a need for the facility or its alternative use to meet other community needs.'

The proposal involves the demolition of the existing Blackpool Boys and Girls Club and the loss of the current Queens Park Community Centre. Although the information has not been submitted with the application, I am aware that the Council is working closely with the Boys and Girls Club to explore options to relocate the facility and as an interim measure has temporarily located them in the Victory Road neighbourhood offices.

In significantly changing the demographic of the estate, the need for a community support facility is reduced. The Council is currently reviewing the Borough's community facilities and exploring the potential for the amalgamation of uses. Devonshire Road School is located within walking distance and provides a modern facility appropriate for a wide range of community uses.

### **Means of Access/ Car Parking**

The vehicular accesses into the site would be from Stirling Road in the north-east and from a continuation of Laycock Gate in the west; there would also be a vehicular link into Phase 1 through Healey Street. The location of the vehicular access points would be in close proximity to the main roads into town. There would also be improved permeability through the site by bicycle and foot. The Head of Transportation has not made comments on the current scheme as yet and any comments will be reported in the update note.

The internal road layout endeavours to discourage non-resident traffic through the use of right-angled bends and slow speeds in the main road through the site. The streets within the development are designed to be shared spaces similar to the Homezones on and around Oxford and Cambridge Road in Talbot and Brunswick wards. Typically, Homezones have a shared surface finish, with raised junction tables, squares and landscaped areas. Car parking spaces (off-street drive parking and on-street parallel parking) would be provided at almost 100% (99 dwellings with 97 spaces in total) in this highly accessible location.

A Residential Travel Plan would be instigated by Blackpool Coastal Housing, in order to encourage residents to travel to work by public transport, on foot and by bicycle. The principle measure would consist of a Residents Travel Pack, issued to each new occupier, containing relevant material to promote non-car modes of travel and the provision of certain physical measures. It would also inform residents of the existing long-term strategy for reducing the dependence of residents and visitors on travel by private car.

### **Potential impacts on protected species (bats and birds)**

On the previous outline proposal, the County Ecologist raised a number of issues with the proposal in respect of protected species and reminds the Council that DEFRA Circular 01/2005 states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.

The submitted bat survey recommends that during demolition of buildings 1 to 7 bat friendly features including areas around slipped and missing roof tiles and soffit boards with gaps should be removed under the supervision of a licensed bat ecologist. Buildings 1 to 7 must have the roof and eaves removed before April 2016. If this has not been undertaken then the buildings will be subject to a single dawn survey. If at any time during demolition bats are found then works will need to cease and a licence sought from Natural England to permit demolition.

Prior to demolition of building 12, and once it comes into the ownership of Lovell, internal survey of this building will be required to ascertain presence or likely absence of roosting bats. In the unlikely event that bats are found a licence from Natural England will be required to permit demolition of this building.

If demolition works take place during the nesting bird season (March to August) inclusive then a nesting bird check by a licensed ecologist must take place within 24 hours of the

building(s) being demolished. If nesting birds are found then the building will have to remain in place until the young have fledged and left the nest.

These matters were addressed on the previous outline proposal and can be covered by condition.

### **Other Matters**

Given the current condition of the site with previous land uses and significant areas of hardsurfacing, there is potential for the land to be contaminated. It will be important to remediate the site and this can be dealt with by condition. With regard to landscaping, a number of existing trees would be retained, as identified in the arboricultural report, and a condition would be appropriate to require their protection during demolition and redevelopment. As this is a Council driven development, I do not consider that Secured by Design standards need to be required by condition as the physical security and layout standards have already been factored into the design; however the Police Architectural Liaison Officer has confirmed that he is satisfied with the standards. As the proposal would be mainly two storeys in height (with a maximum of three storeys), the impact of the scale on the surrounding residents would be minimal, particularly when compared to the existing 23 and 17 storey blocks of flats. The detailed design of the scheme is not considered to adversely impact on the amenity of existing residents and future occupiers of the site.

With regard to drainage, the existing impermeable area that is positively drained to the public sewer network is currently 45% of the total site area (Phases 1 and 2), this would reduce to 34% post-development; which would be an 11% reduction and betterment in terms of the impermeable area that would be drained to the public sewer network i.e. there would be less hard surface than at the pre-development stage. The surface water drainage system would also have capacity for storage within it, so that in the event of a flood, the discharge rate would remain the same and not result in flooding of the site, nor downstream. In this circumstance, the Environment Agency has no objection to the development.

The development will inevitably add to the demand for services in the area, including additional demand for school places, medical services and leisure/ retail services. Emerging Policy CS15 (Core Strategy) requires contributions towards the provision of health facilities and school places where the development would impact on the capacity of existing schools and healthcare provision. Whilst the phases 1 and 2 development would constitute a net reduction in dwellings, it would deliver a different housing mix and provide larger family units which may create additional school places. Any comments from colleagues in Education/Asset Management will be reported in the update note.

Within the immediate catchment area, it is anticipated that Devonshire Primary School would provide junior places, with Collegiate High School and St Mary's High School being the closest secondary schools, although there are a large number of other nurseries, schools and colleges within a wider catchment area. Layton Medical Centre on Kingscote Drive is the closest medical centre. Layton recreation ground within the application site is the closest park and there is a library in Layton District Centre. There is a parade of shops on Talbot Road and another on Devonshire Road (including Lidl and Farmfoods) and other

shops in the local centre based on Layton Road, which together with the district centre provides local day to day shopping facilities within easy reach. The site is well located and accessible to local services and facilities and future residents will have the choice of walking and using public transport should they not have a car or wish to use it.

### **CONCLUSION**

The Committee is requested to approve this proposal.

### **LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION**

Public realm improvements (principally to Layton Recreation Ground) will be achieved via a planning condition.

### **HUMAN RIGHTS ACT**

Under Article eight and Article one of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others.

It is not considered that the application raises any human rights issues.

### **CRIME AND DISORDER ACT 1998**

The contents of this report have been considered in the context of the Council's general duty, in all its functions, to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998

### **BACKGROUND PAPERS**

Planning Application File(s) 13/0309 which can be accessed via the link below:

<http://idoxpa.blackpool.gov.uk/online-applications/search.do?action=weeklyList>

**Recommended Decision:** Grant Permission

### **Conditions and Reasons**

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

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

2. The 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 on 14 December 2015, including the following plans and reports:

Drawing no. 12-062-P2-01 Existing Site Location Plan; Drawing no. 12-062-P2-360 Existing Site Sections A-A, B-B, C-C and D-D; Drawing no. 12-062-P2-361 Existing Site Sections E1-E1, E2-E2, F1-F1, F2-F2; Drawing no. 13B212/001 Topographical Survey (5 sheets); Drawing no. LPL35/PH2 002 Rev E Phase 2 Indicative Finished Floor Levels; Drawing no. 12-062-P2-50 Rev C House Type 4A; Drawing no. 12-062-P2-20 Rev A House Type 1F; Drawing no. 12-062-P2-20 Rev A House Type 1F; Drawing no. 12-062-P2-21 Rev A House Type 1G; Drawing no. 12-062-P2-22 Rev B House Type 1H; Drawing no. 12-062-P2-23 Rev B House Type 1J, Drawing no. 12-062-P2-30 Rev C House Type 2A; Drawing no. 12-062-P2-31 Rev C House Type 2B; Drawing no. 12-062-P2-32 Rev D House Type 2C; Drawing no. 12-062-P2-33 Rev B House Type 2D; Drawing no. 12-062-P2-34 Rev B House Type 2E; Drawing no. 12-062-P2-30 Rev C House Type 2A; Drawing no. 12-062-P2-40 Rev D House Type 3A; Drawing no. 12-062-P2-41 Rev C House Type 3B; Drawing no. 12-062-P2-42 Rev C House Type 3C; Drawing no. 12-062-P2-43 Rev A House Type 3D; Drawing no. D3945. 101 Phase 2 – Landscape Masterplan; Drawing no. D3945. 102 Phase 2 – Surfacing Plan; Drawing no. 0389-SP01 Swept Path Analysis; Drawing no. 12-062-P2-301 Rev L Proposed Site Plan; Drawing no. 12-062-P2-311 Rev A Proposed Demolition Plan; Drawing no. 12-062-P2-312 Rev A Proposed Boundary treatments; Drawing no. 12-062-P2-314 Rev A Proposed Glazed Brick Plot Allocation; Drawing no. 12-062-P2-365 Rev A Proposed Site Sections and Streetscenes A-A, J-J; Drawing number 12-062-P2-366 Rev A Proposed Site Sections and Streetscenes K-K, P-P; Queens Park Phase 2 Traffic Management Plan - Lovell; Queens Park Redevelopment Design Statement December 2015; Queens Park Redevelopment Access Statement December 2015; Phase 2 Arboricultural Impact Assessment TEP.3945.03.002 December 2015; Phase 2 and 3 Bat Assessment TEP December 2015; Phase 2 and 3 Ecological Assessment TEP December 2015; Desk Study Report No 12LPL019/DS May 2013; Flood Risk Assessment April 2013 and Addendum November 2015; Ground Investigation Report No 13/LPL019/GI August 2013; Project Management Plan HSE 047 October 2015 Lovell; Drawing no. LPL35/PH3 100 Rev B Phase 2 Foul and Surface Water Drainage Strategy; Remediation Statement (Contamination) Report No 13/LPL019/RS2 December 2015; and, Transport Statement – Croft December 2015.

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

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

- vehicle access to, from and between both sites

- dust mitigation measures as a result of the works
- control of noise emanating from the sites as a result of the works
- hours of construction work for the works
- the locations of contractors' compounds, site buildings and other storage arrangements
- enclosure of the development sites
- provision for all site operatives, visitors and waste loading, off loading, transfer, parking and turning within/between the sites during the construction period
- arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highway, and
- the routeing agreement of works traffic

The works shall then be carried out in accordance with the approved Management Plan.

Reason: In the interests of the amenities of surrounding residents, to ensure there is no unacceptable risk of pollution to water resources or to human health, to safeguard the character and appearance of the area and in the interests of highway safety in accordance with Policy CS9 of the Core Strategy and Policies LQ1, AS1, BH3 and BH4 of the saved Blackpool Local Plan 2001-2016.

4. Prior to first occupation of any dwelling hereby approved, a scheme to secure improvements to on-site play / open space provision within the red edge of the approved plan, and a timescale for implementation, shall be submitted to and agreed in writing by the Local Planning Authority. That scheme shall thereafter be implemented in accordance with the approved timescale, in accordance with Policies BH5 and BH10 of the Blackpool Local Plan 2001 - 2016.

Reason: To compensate for the loss of part of the Public Open Space within the site as a result of the development and provide sufficient improvements to open space provision to serve the dwellings, having regard to Policies BH5 and BH10 of the Blackpool Local Plan 2001 - 2016, coupled with the requirements of paragraph 73 of the National Planning Policy Framework 2012.

Note: The development is of a scale to warrant open space improvement / play space provision to the value of not less than the £85,000 required by POS commutation and up to a maximum of £600,000 to compensate for the loss of Public Open Space and in accordance with Policy CS11 of the Core Strategy and Policies BH5 and BH10 of the Blackpool Local Plan 2001 - 2016.

5. Before development is commenced, a Site Waste Management Plan (including recycling) shall be submitted to and approved by the Local Planning Authority. The works shall then proceed in accordance with the approved plan unless otherwise agreed in writing with the Local Planning Authority.

Reason; To assist in securing safe waste minimisation, re-cycling and energy conservation in accordance with Policy CS10 of the Core Strategy.

6. If any demolition works take place during the nesting bird season (March - August inclusive) a nesting bird check shall be carried out within the 24 hour period prior to demolition of the building(s) by a licensed ecologist. If nesting birds are found then the building will have to remain in place until the young have fledged and left the nest.

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

7. (a) No operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any operations involving the use of motorised vehicles or construction machinery) until a Construction Exclusion Zone and tree protection works for the retained trees, as detailed in the Arboricultural Impact Assessment Report (TEP.3945.03.002) submitted with the application, are in place. Any construction activities within the root protection areas of those trees (in particular T2 and T8) shall be carried out in accordance with an Arboricultural Method Statement, which shall first be submitted to and agreed in writing with the Local Planning Authority.

(b) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved scheme are in place.

(c) The fencing or other works which are part of the approved protection scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior written agreement of the Local Planning Authority has first been sought and obtained.

Reason: To secure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, having regards to Policy CS6 of the Core Strategy and Policy LQ6 of the Blackpool Local Plan 2001-2016.

8. No construction of the dwellings hereby approved shall commence until details of the provision to be made for bat roosting opportunities as recommended in the Additional Bat Survey Reports by TEP (July 2013) and replacement nesting bird habitat (including vegetation, nest boxes and details of siting of these) have been submitted and approved by the Local Planning Authority. The approved works shall be implemented in full before the development is first brought into use, unless otherwise agreed in writing by the Local Planning Authority and maintained



thereafter.

Reason: To ensure that bat and bird species are protected and their habitat enhanced in, accordance with the Wildlife and Countryside Act 1981, as amended, the Conservation [Natural Habitats &c] Regulations 1994, Policy CS6 of the Core Strategy and Policy LQ6 of the Blackpool Local Plan 2001 - 2016.

9. Prior to commencement of any demolition of buildings 1 - 7 (as identified in the Phase 2 and 3 Bat Assessment TEP December 2015), any features which are suitable for roosting bats (eg the roof tiles and eaves) must be removed under the supervision of a licensed bat ecologist. If the roofs and eaves are not removed before April 2016, a single dawn survey for bats must be carried out. Prior to demolition of building 12 a bat survey must be carried out internally and the recommendations in the survey carried out. If the presence of roosting bats is detected or suspected at any stage before or during the proposed development, then works shall not proceed until it has been established whether or not a Natural England licence is required.

Reason: To ensure that there are no adverse effects on the favourable conservation status of bats, in accordance with Policy CS6 of the Core Strategy, Policy LQ6 of the Blackpool Local Plan 2001 - 2016 and The Wildlife and Countryside Act 1981 (as amended).

10. The landscaping works shall be carried out in accordance with the approved details, within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner.) Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason. To ensure the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall with regards to Policy CS6 of the Core Strategy and Policy LQ6 of the Blackpool Local Plan 2001-2016.

11. Due to the elevated concentrations of Lead, BaP, Benzo(a)anthracene, Benzo(b)fluoranthene, Dibenzo(ah)anthracene Indeno(123-cd)pyrene and Napthalene; no construction of the dwellings hereby approved shall be commenced until a scheme for decontamination of the site has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented and completed prior to the commencement of the development. Any changes to the approved scheme shall be agreed in writing with the Local

Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with Policy CS9 of the Core Strategy and Policy BH4 of the Blackpool Local Plan 2001-2016.

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

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

13. The drainage for the development hereby approved, shall be carried out in accordance with principles set out the submitted Flood Risk Assessment which was prepared by Betts Associates in April 2013 Ref No.: LPL35\_FRA and the Foul and Surface Water Drainage Strategy which was prepared by Lovells Ref:LPL35/PH2 100 rev B. Any variation to the discharge of foul and surface water shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run off and to reduce the risk of flooding, in accordance with Policy CS9 of the Core Strategy and BH4 of the Blackpool Local Plan 2001 - 2016.

### **Advice Notes to Developer**

1. At least 30 days before commencement of the development, the developer must contact the Safeguarding Team, Squires Gate Airport Operations Ltd, Squires Gate Lane, Blackpool, FY4 2QY (Tel: 01253 472527 ATC or by email to [safeguarding@blackpoolairport.com](mailto:safeguarding@blackpoolairport.com) if any equipment to be used during construction will exceed the maximum height of the finished development (e.g. cranes, piling rigs). Notification of the equipment shall be made in writing and include:
- its position (OSGB grid coordinates to 6 figures each of Eastings and

Northings);

- height above ordnance datum;
- anticipated dates on site;
- emergency contact numbers for the crane operator and site manager.

The equipment must be operated in accordance with BS 7121 and further advice can be found in Civil Aviation Authority Advice Note 4 'Cranes and Other Construction Issues'.

2. The scheme of site lighting shall demonstrate avoidance of artificial illumination of wildlife habitat (including replacement bird nesting opportunities and bat roosting opportunities). The principles of relevant guidance should be followed (e.g. the Bat Conservation Trust and Institute of Lighting Engineers guidance Bats and lighting in the UK, 2009), to ensure that bat and bird species are protected and their habitat enhanced in accordance with the Wildlife and Countryside Act 1981, as amended, the Conservation [Natural Habitats &c] Regulations 1994.