

COMMITTEE DATE: [20/12/2016](#)

Application Reference: **16/0643**

WARD: Clifton
DATE REGISTERED: 19/10/16
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Outline Planning Permission
APPLICANT: Mr Kay

PROPOSAL: Erection of 10 dwellinghouses with associated access (following demolition of 15 and 17 Carson Road) within the rear garden of 170 Preston New Road.

LOCATION: 170 PRESTON NEW ROAD, BLACKPOOL, FY4 4HX

Summary of Recommendation: Grant Permission

CASE OFFICER

Ms P Greenway

SUMMARY OF RECOMMENDATION

The principle of developing the site for residential purposes has been established in the past (in 2000, 2003 and again in 2015) and the site is within the main urban area and in a sustainable location. Any adverse impacts arising from the development i.e. on the amenities of the local residents, other than in terms of site layout and access, could be designed out at Reserved Matters stage.

SITE DESCRIPTION

This 0.3 hectare site is currently the rear garden to a bungalow at 170 Preston New Road, a locally listed building. The site is bounded to the north by the bungalow on Preston New Road, to the west by semi-detached houses on Carson Road, to the south by terraced houses on Newhouse Road and to the east by the KFC / Pizza Hut on Cornelian Way. The area is one of fairly dense, residential development. There is a Tree Preservation Order (TPO) on eight trees within the application site, although permission was given last year for the removal of six of these as they were diseased, subject to them being replaced (TPO permission 15/0192 refers).

DETAILS OF PROPOSAL

This application is an outline proposal for a residential development in the rear garden of 170 Preston New Road. Access and layout are currently being applied for. The vehicular /

pedestrian access is proposed from Carson Road (following demolition of 15 and 17 Carson Road) and the layout would be in the form of five pairs of semi-detached houses.

The application is accompanied by a bat survey.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- The principle of backland development
- Biodiversity / TPO trees
- Locally Listed Building
- The impact on the amenity of surrounding residents and future occupiers.
- Highway Safety, Parking and Accessibility
- Other Issues

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

CONSULTATIONS

Built Heritage Manager: I have no objection to the proposal.

Blackpool Civic Trust: We note that there is a report from the sustainability officer regarding the possible presence of bats. We feel we cannot comment while the potential problem of bats being present remains. We think this problem needs addressing. In addition, United Utilities has concerns regarding positioning of public sewers which also need to be investigated.

Head of Highways and Traffic Management: 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.

Service Manager Public Protection: 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.

Waste Services 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.

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

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

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

- Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

A public sewer crosses this site and we will not grant permission to build over or within 3 metres of the centre line of it. The requirement for our permission is detailed within the guidance that supports Part H4 of the Building Regulations. If the proposals do not meet these specifications a modification of the site layout or a diversion of the public sewer at the Applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the Applicant must discuss this at an early stage with our Developer Engineer at wastewaterdeveloperservices@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable. Deep rooted shrubs and trees shall not be planted within the canopy width (at mature height) of the public sewer and overflow systems. Trees should not be planted directly over sewers or where excavation onto the sewer would require removal of the tree.

Management and Maintenance of Sustainable Drainage Systems

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development. For schemes of 10 or more units and other major development, we recommend the Local Planning Authority consults with the Lead Local Flood Authority regarding the exact wording of any condition. You may find the below a useful example.

Example condition

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and

maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and*
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.*

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Please note, United Utilities cannot provide comment on the design, management and maintenance of an asset that is not in our ownership and therefore should the suggested condition be included in the Decision Notice, we will not be involved in discharging this condition.

Head of Parks and Green Environmental Services: Most of the trees identified on site have low amenity value, and proposed works of erection of dwellings gives concerns for remaining trees to have adequate ground conditions for health tree growth.

Recommendations TPO T1 – Turkey Oak – the tree has already had a large amount of pruning works undertaken (not under our supervision), several pegs left and large pruning cuts, however the tree is in fair condition. The view of the tree is restricted only to houses in immediate area. If building work is carried out in immediate vicinity of tree concerns are expressed for potential root damage – it is recommended that site inspection with construction agent is undertaken prior to works commencing.

TPO T2 – Sorbus Aria – information notes that the tree was blown down on 10.11.05, needs removing from TPO register.

TPO T3 – Horse Chestnut – the tree is weighted to one side due to being crowded out by other trees in the vicinity (which have now been removed by persons unknown). There is a large amount of debris piled around the base of the tree, which has caused main trunk to lean. Tree showing signs of Canker as well as die back at the top. Public visibility is limited only to properties on Carson Road.

TPO T4 – Sycamore – tree been felled by persons unknown, needs removing from the TPO register.

TPO T5 – Poplar – tree been felled by persons unknown, needs removing from TPO register.

TPO T6 – Sycamore – tree is border line fair condition, it is mainly one-sided due to being crowded out by other trees. Cavity in main trunk evident. There is limited public visibility, only from surrounding properties.

TPO T7 – Mature Popular – tree is very large and over mature for current location, signs of stress and cracks in main trunk, but would need to be climbed to find out the full extent of this. Bark on several unions. Paving flags laid to base of tree, therefore unable to inspect root plate. Evidence of other species of tree growth from base of tree. Evidence of faulted limbs and main trunk has lean towards nearby properties. Main visibility of tree to KFC customers, Cherry Tree Road North.

TPO T8 – Mature Ash – tree is very large and being crowded out by large over mature popular next to it, which has caused the tree to grow up from the ground with the last 12ft at the top to a 30 degree angle towards the KFC building – resulting in all the weight being to one side. Large amounts of building materials around the base, therefore unable to check root plate. Unions showing in bark and on big limb, showing signs of stress cracks. Previous removals of overhanging limbs from near KFC. Main visibility of tree is to KFC customers, Cherry Tree Road North. Recommend inspection of the tree as building work progresses to determine what impact this will have on tree growth.

TPO G1 - Hawthorn Group – one Hawthorne has been reduced to 1m stump by persons unknown. Trees are very poor in shape and form and have various cavity wounds. This group of trees are much smaller than others and have very limited public view.

Sustainability Manager: Notes on Bat Survey by Simply Ecology Ltd October 2016 Paragraph 3.3e.

3.3.1 - States that the surrounding landscape has no connectivity or suitable foraging habitat so only a single activity survey would be sufficient. This is not quite accurate as there is a large area of suitable bat foraging habitat with reasonably good connectivity close by; namely the small tree lined green along Sunningdale Avenue, mature gardens between Sunningdale Avenue and Preston New Road, mature gardens at the rear of the eastern end of Newhouse Road and Cherry Tree Road and the gardens between Levine and Winton Avenue. There are recent (summer 2016) records of Pipistrelle bats from Winton Avenue. Large trees in the existing garden are also to be retained and could continue to offer feeding or commuting opportunities. The housing stock in the area is generally old and there will be many opportunities for bats to roost. However, as the survey discovered openings in the single storey workshop building there is a small possibility bats may roost or hibernate there despite no visual signs being found nor any bats seen to leave the building. Demolition can proceed with care.

Although no bats were seen using the building there is however some small likelihood of bats being present and so the following precautions should be taken during any works.

- If the roof space is separated from the workshop below by a ceiling (not indicated in the survey) the removal of roofing materials should be undertaken by hand with the features being lifted rather than dragged to ensure no hidden bats are killed or injured.

- Workers are to be made aware of the potential for the presence of bats and/or any accumulations of droppings beneath the features they are stripping. Bat droppings are typically dry and crumble to a fine dust when crushed, small shiny fragments of insect wings etc. can be seen.
- If a bat or accumulation of droppings is discovered at any time during demolition all work is to temporarily cease in that area until an experienced, qualified bat ecologist can be consulted. This can be the consultant who undertook the original survey, any other licensed bat worker, or the Bat Conservation Trust (BCT) helpline: 0345 1300 228 or email enquiries@bats.org.uk
- If it is necessary to capture a bat to remove it to safety, this should be undertaken with gloves or a light cloth, gently capturing the bat and containing it whilst the advice of the bat worker is sought. Thereafter, following on-site advice of the bat worker will ensure there is no breach of the legislative protection afforded to roosting bats.

Whilst there is no requirement to provide any replacement or additional bat roosting habitat within the new homes it may be desirable to do so in suitable locations away from the light pollution from the east. As well as with the recognised market leader there is a range of suitable products that are manufactured locally, see <http://greenwoodsecohabitats.co.uk/ecostyrocrete-products/>

PUBLICITY AND REPRESENTATIONS

Press Notice: 03 November 2016
 Site notice displayed: 19 October 2016
 Neighbours notified: 19 October 2016

Objections from 256 Preston New Road, 175 Newhouse Road and 19 Carson Road. Issues raised are:

1. Noise - construction of, and habitation of, the houses will lead to additional excessive and prolonged noise.
2. Traffic - Carson Road/Newhouse Road between Preston New Road and Cherry Tree Road North is already a busy "rat run". This blind access point almost directly opposite Sunningdale Avenue will be an additional hazard for traffic both onto and leaving the site and the regular traffic as outlined above.
3. Privacy - construction of 10 new house overlooking gardens including my garden will impose on my Human Right to Privacy.
4. Natural Environment - there are several substantial trees in that location that will inevitably be damaged by construction, particularly the roots.
5. Bats - despite the submitted report, there are regular sightings of bats in that area throughout the summer months.
6. Lighting - additional street and house lighting will cause further disruption to privacy and security.

7. Drainage - Carson Road is already prone to flooding, this will be made worse by this development. Also in recent years flooding has increased on Carson Road due to heavier rain storms and the drain gullies not being cleared often enough.

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework 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 National Planning Policy Framework 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 National Planning Policy Framework there is a presumption in favour of sustainable development, which is the 'golden thread' running through both plan-making and decision-taking and para. 17 of the National Planning Policy Framework sets out 12 core planning principles.

Of the 12 core planning principles, those that are relevant to this proposal are:

- Proactively drive and support 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 and a good standard of amenity for all existing and future occupants of land and building.
- Contribute to conserving and enhancing the natural environment and reducing pollution.
- Encourage the effective use of land by reusing land that has previously been developed (brownfield land).

Other relevant paragraphs are:

Part 6. Delivering a wide choice of high quality homes

Para 49 - Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Para 50 - To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed 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, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.

Part 7. Requiring good design

Para 56 The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Planning decisions should aim to ensure that developments respond to local character and history. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It is proper to seek to promote or reinforce local distinctiveness.

Part 11 Conserving and enhancing the natural environment.

Planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

Part 12 - Conserving and enhancing the historic environment.

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the desirability of new development making a positive contribution to local character and distinctiveness.

In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

The Blackpool Local Plan: Part 1 - Core Strategy was adopted by the Council in January 2016. The policies in the Core Strategy that are most relevant to this application are -

CS1: Strategic Location of Development - to create predominantly residential neighbourhoods on the edge of the Inner Areas. The focus of the Core Strategy is on regeneration of the Town Centre and Resort Core with supporting growth at South

Blackpool. It recognises the important character and appearance of remaining lands at Marton Moss and the priority to retain and enhance its distinctive character.

CS2: Housing Provision - sets out Blackpool's housing provision with '*sites and opportunities identified to deliver around 4,500 new homes to meet Blackpool's housing need between 2012 and 2027.*'

CS6: Green Infrastructure - protect and enhance the quality, accessibility and functionality of green infrastructure.

CS7: Quality of Design - ensure amenities of nearby residents are not adversely affected by new development.

CS8: Heritage - seeks to safeguard listed buildings, conservation areas and locally listed buildings.

CS9: Water Management - all new developments should ensure buildings are located away from areas of flood risk, incorporate mitigation measures and SUDS where possible, ensure there is no increase in the rate of run-off and reduce the volume of surface water run-off where possible.

CS10: Sustainable Design and Renewable and Low Carbon Energy - mitigate the impacts of climate change where possible.

CS11: Planning Obligations - development will only be permitted where existing infrastructure, services and amenities are already sufficient or where the developer enters into a legal agreement.

CS12: Sustainable Neighbourhoods - seeks to provide a better quality of life for residents, with high quality housing and enhancing the appearance of important existing buildings and their settings.

CS13: Housing Mix, Density and Standards - a mix of dwelling sizes is required within the site, or the proposal should contribute towards a balanced mix of provision in the surrounding area.

CS14: Affordable Housing - where developments comprise 3-14 dwellings then a financial contribution towards off-site affordable housing is required. The contribution will be set out in a Supplementary Planning Document.

CS15: Health and Education – contributions will be sought towards provision of school places and healthcare facilities where the development would impact on existing provision.

None of the policies listed conflict with the provisions of the policies in the Saved Blackpool Local Plan.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006. A number of policies in the Blackpool Local Plan (2006) have now been superseded by policies in the Core Strategy (these are listed in Appendix B of the Core Strategy). Other policies in the Blackpool Local Plan are saved until the Local Part 2: Site Allocations and Development Management Policies is produced.

The following policies are most relevant to this application:

- LQ1 Lifting the quality of design
- LQ2 Site context
- LQ3 Layout of streets and spaces
- LQ6 Landscape Design and Biodiversity
- HN4 Windfall sites
- BH3 Residential and Visitor Amenity
- BH4 Public Health and Safety
- BH10 Open space in new housing developments
- NE6 Protected Species
- NE7 Sites and Features of Landscape, Nature Conservation and Environmental Value
- AS1 General Development Requirements

SPG11 Open Space: New Residential Development and the Funding System

ASSESSMENT

Principle of backland development

Regarding the principle of residential development in this location, outline planning permission was granted in 2000 (planning application 00/0744 refers) for a residential development comprising six, two-bedroomed flats in one two-storey block across the middle of the site. This was renewed in 2003 (reference planning application 03/1038), however the permission lapsed in 2008. A further outline permission (with all matters reserved) was granted in 2015 (15/0747 refers). The principle of residential development on this garden site has therefore been established.

In order to be more in keeping with the character of the area, it is considered that the proposed family houses are preferable to flats. As the site is over 0.2 hectares in area, Policy CS13 requires a mix of house of house types and sizes in order to ensure that a wide variety of housing needs would be accommodated as part of the development. The application proposes solely three bedroomed houses, however this is considered appropriate in this location and is in keeping with the character of the area.

Biodiversity / TPO trees

The Council's Sustainability Manager has commented on the submitted bat survey (above) and considers it inaccurate as there is a large area of suitable bat foraging habitat with reasonably good connectivity close by. As there is a small possibility bats may roost or hibernate in the workshop, he recommends that precautions be taken during demolition work. He also suggests that bat boxes can be incorporated into the design of the proposed

houses, away from the east of the site where there is light pollution. These matters can be the subject of conditions; subject to which, it is not considered that there would be any adverse impact on the local bat population.

The Head of Parks and Green Environmental Services has commented that most of the trees identified on site have low amenity value, and the proposed dwellings gives concerns for the remaining trees to have adequate ground conditions for healthy tree growth. He recommends a site inspection with the construction agent prior to works commencing in order to provide protection measures for the trees TPO1 and TPO8. The remainder of the trees are considered poor. The TPO originally applied to eight individual trees and one group of trees. Of those eight trees, permission was granted last year for six to be removed as they were hazardous and a condition was imposed requiring their replacement in accordance with a scheme to be agreed. The scheme could be designed to take account of any new building proposed, should planning permission be forthcoming on this application.

Locally listed building

In terms of the impact of on 170 Preston New Road, the proposed scheme would not be particularly visible from Preston New Road and there would still be a sizeable garden attached to the bungalow. The proposed layout would not have any significant impact on the setting of the locally listed property.

Amenity

With regard to the impact on the amenities of neighbours, the layout is for consideration at the present time. There is an issue with loss of privacy for the most northerly four properties as they would be only 6m - 8m distant from the shared boundary with 170 Preston New Road. I have written to the developer regarding this and will report back. There would be minimal impact with the southerly six properties as their rear gardens would be in the order of 21 metres long, due to the need to retain trees that are subject to a TPO.

I do not consider that the noise and disturbance generated by the proposed residents would have a significant impact on the quality of life in the existing private rear gardens around the site. The most affected properties would be 13 and 19 Carson Road between which would be the new vehicular access. The access is sufficiently wide to accommodate the carriageway, two footways and a planted border. The provision of suitable boundary screening would overcome any overlooking issues and help to block out any noise.

Highway Safety, Parking and Accessibility

The Head of Highways and Traffic Management has yet to comment on the details of the proposal. In considering a previous scheme here, the Head of Transportation recommended refusal of vehicular access onto Carson Road; however in that instance, the number of residential units was higher (13) and he considered that access for a lesser number of properties would be acceptable. All the car parking requirements generated by the scheme could be contained within the site and would have no impact in terms of congestion or on-street parking in the residential streets in the vicinity. The Head of Waste (residential) has yet to comment on the suitability of the site for refuse wagon access.

Other Issues

With regards to surface water drainage and flooding, the Ordnance Survey map shows a land drain running east-west across the bottom (south) of the site; however the Environment Agency flood maps do not indicate that the site is at potential risk of flooding from rain or tidal sources. United Utilities has suggested a number of conditions regarding foul and surface water discharge from the site. Any new hard surfaces could be the subject of a condition requiring them to be permeable. With regard to noise and cooking smells from the fast-food outlets, if these became a nuisance, they could be controlled through the use of Statutory Nuisance powers by Environmental Protection colleagues.

CONCLUSION

The National Planning Policy Framework states that housing applications should be considered in the context of the presumption of sustainable development, which means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Relevant policies for the supply of housing should not be considered up-to-date where the Council is unable to demonstrate a five-year supply of deliverable housing sites. However, this is not applicable as the 2013 Strategic Housing Land Availability Assessment Update demonstrates that Blackpool has a five-year supply against the proposed housing requirement. Therefore, the Core Strategy policies are a material consideration along with relevant saved policies in the current Blackpool Local Plan.

The proposal is in outline only with all matters except layout and access reserved for future consideration. The site is in a sustainable location and any adverse impacts arising from the development i.e. on the amenities of the local residents in terms of appearance, scale and landscaping, could be designed out at Reserved Matters stage.

The recommendation is subject to satisfactory negotiations regarding privacy (with respect to the four units to the north); and no significant objections from the Head of Highways and Traffic Management and the Head of Waste.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

Policy BH10 sets out that all new housing developments should either physically provide or financially contribute to the full rate of provision of 24 sq.m of open space per person. Supplementary Planning Guidance Note 11, Open Space Provision for New Residential Development and the Funding System, provides more detailed guidance, with the policy applying to all new residential developments of three or more dwellings.

Since no open space capable of being utilised as play area has been shown, there would be a requirement for a commuted sum (in lieu of open space provision) at the full amount. This could be secured by means of an appropriately worded condition, if permission was forthcoming. The scheme is currently for 10 x 3 bedroom dwellings: £1034 x 10 = £10,340 total requirement.

In addition, Policy CS14 (Affordable Housing) of the Core Strategy would require a 30% contribution towards off-site affordable housing provision as this site falls within the 3 - 14 dwellings category.

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 16/0643 which can be accessed via the link below:
<http://idoxpa.blackpool.gov.uk/online-applications/search.do?action=simple>

Recommended Decision: Grant Permission

Conditions and Reasons

1.
 - i. Approval of the following details (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority:
 - Scale
 - Appearance
 - Landscaping
 - ii. Applications for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason i and ii: This is an outline planning permission and these conditions are required to be imposed pursuant to Section 92 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 including the following plans: Location Plan stamped as received by the Council on 19/09/2016; drawing no JBA231-PL-0004; drawing no JBA231-PL-003.

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 Demolition; Construction Management; and Site Waste Management Plans (including recycling) have been submitted to and approved in writing by the Local Planning Authority. The Plans shall include and specify the provision to be made for the following;

- vehicle access to, from and between both sites
- prevention of disturbance to bats
- measures to protect the TPO trees from damage
- 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 highways, including a hard standing area of 15 m for wheel washing facilities, and
- the routeing agreement of works traffic

The works shall then proceed in accordance with the approved plans unless otherwise agreed in writing with the Local Planning Authority.

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, to assist in securing safe waste minimisation, re-cycling and energy conservation and in the interests of highway safety in accordance with Policies CS7 and CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, AS1, BH3 and BH4 of the saved Blackpool Local Plan 2001-2016.

4. Provision shall be made for bat roosting opportunities in the dwellings hereby approved and submitted with the Appearance Reserved Matter for approval 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 species are protected and their habitat enhanced in, accordance with the Wildlife and Countryside Act 1981, as amended, the Conservation [Natural Habitats and c] Regulations 1994, Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ6 of the Blackpool Local Plan 2001 - 2016.

5. Prior to commencement of any demolition of the two dwellings and workshop, any features which are suitable for roosting bats (e.g. the roof tiles and eaves) must be removed under the supervision of a licensed bat ecologist. 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 and a scheme for the relocation of the bats and the method of felling/demolition has been submitted to and approved in writing by the Local Planning Authority. The relocation of the bats and the felling/demolition shall only take place in accordance with the approved scheme.

Reason: To ensure that there are no adverse effects on the favourable conservation status of bats, in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, Policy LQ6 of the Blackpool Local Plan 2001 - 2016 and The Wildlife and Countryside Act 1981 (as amended).

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

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016 and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

7. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in

accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016 and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. The development authorised by this permission shall not begin until the Local Planning Authority has approved a scheme to secure the provision of or improvements to off-site open space together with a mechanism for delivery, in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development"(SPG11).

Reason: To ensure sufficient provision of or to provide sufficient improvements to open space to serve the dwellings in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development"(SPG11).

NOTE – The development is of a scale to warrant a contribution of £10,340 towards the provision of or improvement to off-site open space and management of the open space provision, in accordance with Policy BH10 of the Blackpool Local Plan 2001-2016 and SPG 11. The Applicant(s) should contact the Council to arrange payment of the contribution.

9. No development shall take place until a scheme, which details how the 30% affordable housing needs arising from the development proposed would be provided, has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved scheme.

Reason: In the interests of ensuring adequate affordable housing provision and in accordance with Policy CS14 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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 Policies BH3 and HN5 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Advice Notes to Developer

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.