

COMMITTEE DATE: [09/02/2015](#)

Application Reference: 14/0903

WARD: Stanley
DATE REGISTERED: 22/12/14
LOCAL PLAN ALLOCATION: Countryside Area

APPLICATION TYPE: Reserved Matters
APPLICANT: Kensington Developments Ltd

PROPOSAL: Erection of 38 semi-detached and 45 detached dwellings and garages with associated works, landscaping, open space and access from Midgeland Road

LOCATION: LAND AT RUNNELL FARM, CHAPEL ROAD, BLACKPOOL, FY4 5HS

Summary of Recommendation: Grant Permission

CASE OFFICER

Gary Johnston

INTRODUCTION

This application for the approval of reserved matters follows the appeal decision of 21 June 2012 when outline planning permission was granted for up to 83 dwellings on the site. The appeal was allowed subject to a number of conditions and subject to a Unilateral Undertaking relating to the payment of sums of money for off site provision of affordable housing, open space, primary school provision and highways/public transport. The affordable housing contribution was the subject of an appeal in 2014 and was amended by an Inspector in April 2014. An application has recently been determined to vary condition 8 of the outline planning permission in terms of the timing of the off site highway works associated with the proposed development (14/0823 refers)

The applicants circulated a leaflet to local residents prior to the application being submitted and a couple of issues were raised as part of this consultation, namely, the relationship of Plot 83 to no 73 Midgeland Road and the proposed footpath/cycle link to Stockydale Road (these matters have been resolved through changes to the site layout plan)

SITE DESCRIPTION

The site area is 2.84ha. The site is bounded by Midgeland Road to the west and Stockydale Road to the south-east. The site extends northwards behind nos. 49-73 Midgeland Road, and southwards to no. 41 Stockydale Road and the land adjacent to no. 109 Midgeland Road. Runnell Farm and Runnell Cottage, which front Chapel Road, and a strip of open land lie to the east of the site. The site has a frontage of approximately 80m in length to Midgeland Road, and a frontage of approximately 75m to Stockydale Road.

The site is currently comprised of semi-improved grassland and sits within the defined Marton Moss Countryside Area. The site is bounded and cross-cut by historic hedgerows, which form four fields of differing sizes, and contains areas of bramble and scrub. There are two trees on the western boundary of the site to the rear of nos. 59-63 Midgeland Road. A midden exists on the eastern

boundary of the application site. The site was formerly in use as farmland but more recently has been used for grazing horses. The site slopes roughly north to south with a level change of approximately 2.5m, although there is also a gentle east-west slope across the site.

DETAILS OF PROPOSAL

The application is for the approval of appearance, scale, layout and landscaping for the 83 dwellings. The 83 dwellings would all be two storeys and would comprise 38 semi detached properties and 45 detached properties some with freestanding garages and some with integral garages. The properties would be a mixture of all brickwork, part brickwork and part render and all render. The brickwork would be a mixture of reds and the roofs would be grey tiles. A central area of open space would be provided with an area of 2305 square metres. The access to the development would be solely from Midgeland Road and none of the six properties which would face Midgeland Road would have direct vehicular or pedestrian access. There would be six properties facing onto Stockydale Road but none of these properties would have direct vehicular or pedestrian access. The hedgerow to the Stockydale Road frontage of the site would be retained and new hedgerow planting is proposed along the northern and eastern boundaries of the site with some tree planting as part of the hedgerows. There would be tree planting around the perimeter of the open space, along the Midgeland Road frontage of the site and along the main estate roads. All properties would have a minimum of two off street car parking spaces with many having space for more than 2 through the siting of garages in the back gardens. There would be an attenuation system for surface water to be stored on site and a controlled rate of run off. The houses fronting Midgeland Road would be some 26 to 36 metres from those on the opposite side of Midgeland Road (nos 86-98). The house on plot 83 would be set in line with the end terraced house to the north of the site (no 73 Midgeland Road). Within the development the houses backing onto to nos 49 - 73 Midgeland Road would be set some 30 metres from their rear elevations. In terms of the Stockydale Road frontage the houses facing nos 58,60a and 60 Stockydale Road would be between 25 and 35 metres away. An acoustic fence would be provided along part of the southern boundary of the site where the site adjoins some kennels.

The off site highway works to accommodate the development were approved at outline stage.

The Committee will have visited the site on 9 February 2015.

MAIN PLANNING ISSUES

- the design of the development
- the impact on the character and appearance of the area
- the impact on the amenities of neighbouring residents

CONSULTATIONS

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.

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.

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.

Blackpool Services, Contaminated Land - Although the site itself has been Runnell Farm since the 1890s, the surrounding area has a history of use relating to nurseries, as the site and the surrounding area have a number of water courses there is a possibility of leachate occurring. There a Phase 1 Desk Study is requested, if this shows that there is a significant likelihood of contamination then a Phase 2 Report shall be submitted to the Local Authority before ground works begin. Following on from the results of the Phase 2 will determine if remediation works will be required before development.

United Utilities Plc (Water) - 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 - 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.

Environment Agency - The submitted drainage scheme (Ref: ELL-387-KD-C-CC-999) would not be sufficient to satisfy the requirements of Condition 11, as approved under Appeal decision APP/J2373/A/11/2166756 for Outline application 11/0260, for the following reasons:-Although the drainage scheme (Ref: ELL-387-KD-C-CC-999) shows the use of a hydrobrake to restrict the surface water run-off from the site to 14 litres per second (i.e. the agreed discharge rate of 5 litres per second per hectare), it does not indicate how it is proposed to attenuate the restricted run-off and does not consider the use of sustainable drainage systems (SUDS), which is a requirement of the National Planning Policy Framework. We would not therefore recommend this condition for discharge if this drainage scheme was subsequently submitted as part of any Discharge of Conditions application.

We therefore recommend that a revised drainage scheme, which takes into account the above comments, is submitted at the Discharge of Conditions stage. Surface water run-off from the site should be restricted and controlled as near to its source as possible through a sustainable drainage approach to surface water management. SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge absorbing diffuse pollutants and improving water quality.

The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

In accordance with current best practice, where possible, infiltration or other techniques should be used to try and achieve zero discharge to receiving waters for rainfall depths up to 5mm. For example, this can be achieved by the use of green roofs, pervious paving, which can be under-drained if ground conditions are not suitable, and by landscaping the development so that water is directed to permeable areas such as filter strips, swales and grass verges.

The applicants are in discussion with the Environment Agency to resolve the issues

Head of Parks and Green (Environment Services) - 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 Housing and Environmental Protection Service - 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.

NATS Safeguarding - The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal. However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted. If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

PUBLICITY AND REPRESENTATIONS

Press notice published: 15 January 2015
Site notice displayed: 12 January 2015
Neighbours notified: 6 January 2015

Three representations have been received so far. Any additional comments that are received before the Committee meeting will be reported in the update note.

Mrs S Mounsey 60 STOCKYDALE ROAD, BLACKPOOL - I have received today, a leaflet from your company showing a sketch of the site layout for your development on Midgeland Road. In your written information you have made mention of a proposed cycle and footpath link to Stockydale Road. This is not showing on the sketch plans, neither was it proposed in the original plans. I am interested to know where exactly on Stockydale Road you are proposing to provide this access point to the estate as the only area I can see the estate boundary meeting on Stockydale Road is where the ditch runs along? My main concern regarding this access is not so much with the cyclists and pedestrians but more with the fact that it will also give vehicle owners access from a second point of entry to the site. This will result in occupants and visitors parking their cars on the narrow lane that Stockdale Road is, and walking through to the estate. As currently we have no parking restrictions in place on this end of the road it has the potential to create dangerous situations for the local traffic, particularly in bad weather conditions. I would appreciate your views on this subject and also details of the proposed site for the footpath.

The footpath/cycle link to Stockydale Road has been deleted from the scheme

Mrs H Ellwood 80 Midgeland Road, Blackpool - I wish to register my objections to the proposed development on two counts: Firstly on the loss to the only remaining green space in the area and secondly on the impact the new housing estate will have on the traffic along Midgeland Rd and leading to Vicarage Lane and Progress Way. During the years I have lived on Midgeland Rd there have been several occasions where road works either around Highfield Rd or around the Cherry Tree Rd / Vicarage Lane area have resulted in standing traffic along Midgeland Rd, particularly around peak travelling times. Even though we live a considerable distance from Vicarage Lane, it has surprised me that work in that area can bring traffic to a standstill as far back as my property. The Highfield Rd/ Midgeland Rd junction is already heavily congested and it can be very difficult to exit the junction for several minutes at busy times of the day. As the proposed estate has only the one entrance and many of the 83 properties will have at least one and possibly two cars, I cannot see how a mini roundabout will cope with the increased traffic in the area. Whilst the introduction of a

zebra crossing will obviously assist pedestrians in crossing, it will also increase the amount of standing traffic. The recent closure of Yeadon Way has already seen an increase in traffic along Midgeland Rd from Progress Way and the road has become something of a "rat run" over the last few weeks. It would seem more appropriate that the proposed site had two entrances, even if these were both on Midgeland Rd at either end of the estate. This would help to prevent a build up of traffic leading on and off the estate and being a standstill on Midgeland Rd. My second objection is to the loss of green space in the area. There are many deprived areas in the town which could be regenerated before the last remaining moss areas are taken. I accept the need for more housing and for affordable housing, but this area has gradually been eroded over the years, while the town itself falls further and further into a slum like state. This then encourages more and more slum like inhabitants and the further degeneration of the area. I have lived in Blackpool all my life and speak from the experience of having witnessed this and not purely from hearsay.

Mrs B Rowbotham 71 MIDGELAND ROAD, BLACKPOOL - is concerned about the impact of the additional traffic on the condition of Midgeland Road and loss of wildlife habitat.

The principle of developing the site for up to 83 houses was resolved by the appeal decision in 2012. The other issues raised will be addressed in the assessment part of the report.

Any further representations received will be reported in the update note

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. 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.

The document confirms the presumption in favour of sustainable development and sets out 12 core planning principles including 'delivering a wide choice of high quality homes', 'requiring good design', 'promoting healthy communities' and 'conserving and enhancing the historic environment'.

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:

- Policy LQ2 Site Context
- Policy LQ3 Layout of Streets and Spaces
- Policy LQ4 Building Design
- Policy LQ6 Landscape Design and Biodiversity
- Policy LQ8 Energy and Resource Conservation
- Policy HN3 Phasing
- Policy HN4 Windfall Sites
- Policy HN6 Housing Mix
- Policy HN7 Density
- Policy HN8 Affordable and Specialist Needs Housing
- Policy BH3 Residential and Visitor Amenity
- Policy BH4 Public Health and Safety
- Policy BH6 New Open Space Provision
- Policy BH10 Open Space in New Housing Developments

Policy BH20 Provision of New Community Facilities
Policy NE2 Countryside Areas
Policy NE6 Protected Species
Policy NE7 Sites and Features of Landscape, Nature Conservation and Environmental Value
Policy NE10 Flood Risk
Policy AS1 General Development Requirements
Policy AS2 New Development with Significant Transport Implications
Policy AS3 Provision for Walking and Cycling
Policy AS7 Aerodrome Safeguarding
Policy P01 Planning Obligations

SUPPLEMENTARY PLANNING GUIDANCE

SPG 11 - Open space: provision for new residential development and the funding system.

EMERGING PLANNING POLICY

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16th June 2014 and by the full Council on 25th June 2014. The document was published for public consultation on 4th July 2014 for a period of eight weeks. After the consultation period closed the document was amended and has been submitted to the Planning Inspectorate for consideration and an Examination in Public in Spring 2015.

The Proposed Submission has been informed by up-to-date evidence, including a new Fylde Coast Strategic Housing Market Assessment 2013 (SHMA), which provides an up-to-date assessment of housing needs for Blackpool and the Fylde Coast, and a 2013 Strategic Housing Land Availability Assessment (SHLAA) Update. The housing figure in Policy CS2 has been revisited in order to consider the SHMA outcomes as well as other evidence, including the alignment of housing growth to economic prosperity and the level of housing considered realistic to deliver in the Borough. The 2013 SHLAA Update demonstrates a five-year housing supply in accordance with the requirements of the NPPF.

Policies in the Proposed Submission which are most relevant to this application are:

CS2 Housing Provision
CS7 Quality of Design
CS9 Water Management
CS10 Sustainable Design and Renewable and Low Carbon Energy
CS13 Housing Mix, Density and Standards
CS14 Affordable Housing
CS26 Marton Moss

None of these policies conflict with or outweigh the provisions of the adopted Local Plan policies listed above.

ASSESSMENT

The design of the development

The proposal has been designed to have properties fronting Midgeland Road and Stockydale Road but without individual properties having direct pedestrian or vehicular access. This would create

attractive frontages to both roads and would allow for the retention of the hedgerow to Stockydale Road and an entrance feature onto Midgeland Road. The proposed layout would have some properties set around an oval area of open space, giving the feel of a 'village green'. The properties would be a mixture of brick, brick/ render and render with grey roofs and as such would tie in with properties in the area. Additional hedgerow planting around the perimeter of the site would assist in retaining a rural feel to the edges of the development. The proposed layout should reduce the potential for on street car parking and by having side drives it would give the layout a more spacious feel between properties.

The impact on the character and appearance of the area

The principle of a residential incursion into this part of the Marton Moss Countryside Area has been established through the grant of outline planning permission. The retention of and provision of hedgerows around the perimeter of the site together with tree planting would help to soften the edge of the development and the transition to the open fields beyond. The use of materials common to the area - red brick, render and grey roofing materials would help to integrate the development with the area.

The impact on the amenities of neighbouring residents

The front to front relationship with existing properties on Midgeland Road and Stockydale Road is considered acceptable as is the rear to rear relationship. The houses fronting Midgeland Road would be some 26 to 36 metres from those on the opposite side of Midgeland Road (nos 86-98) The house on plot 83 would be set in line with the end terraced house to the north of the site (no 73 Midgeland Road). Within the development the houses backing onto to nos 49 - 73 Midgeland Road would be set some 30 metres from their rear elevations. In terms of the Stockydale Road frontage the houses facing nos 58,60a and 60 Stockydale Road would be between 25 and 35 metres away. An acoustic fence would be provided along part of the southern boundary of the site where the site adjoins some kennels. Overall the scheme is considered acceptable in terms of the relationship with surrounding residential properties.

Other matters

The representations from two local residents refer to issues which were considered as part of the appeal process - namely the principle of developing this part of the Marton Moss Countryside Area, the loss of green space, loss of wildlife habitat and the traffic implications of locating 83 houses with access off Midgeland Road. In allowing the appeal the Inspector concluded that the development was acceptable in relation to these issues.

The drainage of the site is being discussed with the Environment Agency and it is considered that an acceptable solution will be agreed. The use of permeable surfacing materials and water butts for the individual properties will assist in this regard.

CONCLUSION

The principle of developing this site for housing was established through the grant of outline planning permission by the Planning Inspectorate in 2012. The provision of detached and semi-detached houses on the site would represent a qualitative addition to the housing stock of the town.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

A Unilateral Undertaking was submitted as part of the planning appeal in 2012 and covers the requirement for sums of money to be paid to the Council for affordable housing (subsequently amended in April 2014), education, off site public open space and transport.

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

Recommended Decision: Grant Permission

Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of two 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) and conditions 1 and 2 of the outline planning permission (ref 11/0260).

2. Details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ4 of the Blackpool Local Plan 2001-2016.

3. Details of the surfacing materials to be used shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ1 of the Blackpool Local Plan 2001-2016.

4. The landscaping works shall be carried out in accordance with the details shown on the approved landscaping drawing 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 LQ6 of the Blackpool Local Plan 2001-2016.

5. 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 Policies BH3 and HN5 of the Blackpool Local Plan 2001-2016.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the garages shown on the approved plan shall not be used for any purpose which would preclude their use for the parking of a motor car.

Reason: In the opinion of the Local Planning Authority the retention of parking space within the site is of importance in safeguarding the appearance of the locality and highway safety, in accordance with Policies AS1 and LQ1 of the Blackpool Local Plan 2001-2016.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse which fronts or is side onto a road.

Reason: The development as a whole is proposed on an open plan layout and a variety of individual walls/fences would seriously detract from the overall appearance of the development and would be contrary to Policy LQ2 of the Blackpool Local Plan 2001-2016.

8. No refuse bins/containers shall be stored forward of the front building line of any property other than on the day of presentation for collection.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants and neighbours, in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

9. Prior to the commencement of development, a scheme for grey-water harvesting (including water butts) and re-use within the site shall be submitted to and agreed in writing by the Local Planning Authority. No property shall be occupied until all grey-water harvesting and re-use mechanisms associated with that property have been installed and these shall thereafter be retained.

Reason: In order to minimise flood risk from surface water run off both on and off site in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016.

10. No development shall be commenced until a desk study has been undertaken and agreed in writing with the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been agreed in writing with the Local Planning Authority. If remediation methods are then considered necessary, a scheme for decontamination of the site shall be 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 BH4 of the Blackpool Local Plan 2001-2016.

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.