

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

**Application Reference:** **14/0723**

WARD: Stanley  
DATE REGISTERED: 06/10/14  
LOCAL PLAN ALLOCATION: Countryside Area

APPLICATION TYPE: Full Planning Permission  
APPLICANT: Newfield Construction Ltd

**PROPOSAL:** Erection of a pair of semi-detached houses and six detached dwellinghouses with associated garages, car parking, landscaping, boundary treatment and vehicular access from Common Edge Road.

**LOCATION:** LAND BOUNDED BY FISHERS LANE, COMMON EDGE ROAD AND ECCLESGATE ROAD, BLACKPOOL

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**Summary of Recommendation:** Grant Permission

**CASE OFFICER**

Ms P Greenway

**INTRODUCTION**

An outline proposal (13/0397 refers) for a residential development of up to 14 detached and semi-detached houses across the whole of the site, with vehicular access from Common Edge Road raised significant objections from officers with regard to the impact of the proposal on the setting of the Grade 2 listed cottages on Fishers Lane. As a result the application was withdrawn by the applicant prior to determination. The scheme was revised to a full application for eight houses (14/0302 refers) in an attempt to mitigate the particular impacts. However, the Planning Committee refused the proposal, for the following reasons:

- i. The proposed development would have a detrimental impact on the setting of the Listed Cottages in Fishers Lane as it would create a suburban setting which would be at odds with the open rural/agricultural landscape in which the cottages currently sit. This harm would be emphasised by the proximity of the proposed houses to the cottages and the design/appearance of the proposed houses and the layout of the development. The proposed development would therefore be contrary to paras 129, 131-132 of the National Planning Policy Framework, Policy LQ9 of the Blackpool Local Plan 2001-2016 and the Marton Moss Characterisation Study 2009.
- ii. The proposed development would have a detrimental impact on the character and appearance of the Marton Moss Countryside Area as it would remove open views into that area from Common Edge Road and would lead to an intensification of built form on the eastern side of Common Edge Road. As such the proposed development would be contrary to Policy NE2 of the Blackpool Local Plan 2001-2016.

- iii. The application does not contain sufficient information for the Local Planning Authority to be satisfied that the proposed development would not have an adverse effect on the integrity of the Listed Cottages in Fishers Lane. The proposed development would therefore be contrary to paras 129, 131-132 of the National Planning Policy Framework, Policy LQ9 of the Blackpool Local Plan 2001-2016 and the Marton Moss Characterisation Study 2009.

Following on from the refusal of permission for eight houses, the current proposal attempts to address the Committee's expressed concerns. The changes and additional information/reports submitted with this application include the following:

- i. The Design and Access Statement includes an addendum where advice has been taken from a piling contractor, which describes how their piling techniques can minimise any risk to adjacent or nearby properties. The Company is aware of their responsibilities as responsible constructors and contractors, in that any damage to any property or land caused by their activities is their responsibility in law. That said, the consulted piling contractor is confident that the works could be carried out without any problems to neighbouring land and buildings.
- ii. The Planning and Heritage Statement covers relevant legislation and policies and considers if there would be any detrimental impact on the setting of the two statutorily listed cottages at 1 and 2 Fishers Lane. This is part of the reason for refusal 1 and the main thrust of reason for refusal 3 on the decision notice. The statement is appended for the Committee's consideration.
- iii. There have been various changes to the proposal in respect of the design and materials for construction of the proposed dwellings. These have been submitted to address part of the reason for refusal 1 and also reason for refusal 2 on the decision notice. The changes include:
  - More appropriately designed units on plots 4, 5 and 6 (closest to the Listed cottages in terms of views across from Common Edge Road) reflecting a more rural/semi-rural setting and moving the closest dwelling 2.36 metres further away from the listed cottages, than the previous scheme. In particular, plots 5 and 6 would now comprise a pair of semi-detached units, more in the form of cottages with rendered finish, slate roofs, mono-pitch porch, cottage style windows and would incorporate a central chimney stack.
  - More traditional materials to roofs (replica slate as opposed to more modern, concrete roof tiles).
  - More appropriate surfacing materials and increased amenity area and general "space" within the vista/views towards the listed cottages, which better respects the semi-rural character of the site; and a reduction in size of the access road and turning head to increase the amount of soft surface at the front of plots 4, 5 and 6.
  - Dwellings moved further away from the Listed cottages in Fishers Lane for two reasons, i) to improve upon the setting of the Listed Buildings and, ii) to provide a greater distance between the proposal and the cottages to minimise as much as possible any possible impact of piling on them.

## **SITE DESCRIPTION**

This 0.451 ha site is currently open grassland grazed by horses. Records indicate that a few glasshouses previously occupied part of the site in the northwest corner, but other than that the site

has always been Greenfield. Common Edge Road (B5261) forms the western boundary along with the rear boundary of 202 Common Edge Road, Fishers Lane is to the north, Ecclesgate Road to the south (with public rights of way footpath nos. 2 and 51) and a dwelling with large garden to the east. The site has a frontage of approximately 40 metres to Common Edge Road with the remainder of the frontage between Fishers Lane and Ecclesgate Road taken up by 202 Common Edge Road. The site is within Marton Moss Countryside Area (MMCA) and the topography of the land is generally level, although the site overall is approximately 500mm lower level than Common Edge Road. There are a number of relatively new residential developments in the vicinity across Common Edge Road (formerly nurseries, which are within the urban area); and Belve Close on the same side of Common Edge Road, which was previously Thompson's Holiday Camp and Ivy Leaf Club. Numbers 1 and 2 Fishers Lane, to the north across Fishers Lane, are Grade 2 Listed Buildings and comprise a pair of semi-detached, thatched, single-storey cottages. There is a dyke along the north boundary and the northern half of the east boundary. A 380mm diameter surface water drain runs along the southern boundary with Ecclesgate Road.

### **DETAILS OF PROPOSAL**

The proposal is a full application for the erection of eight detached and semi-detached dwellings within the east portion of the site; the west portion would remain as open land with a pond. Five properties would have integral garages and three would have detached garages. The six detached houses would have single storey conservatories projecting into the rear garden. There would be a single vehicular and pedestrian access point from Common Edge Road, with no vehicular or pedestrian access from either Fishers Lane or Ecclesgate Road.

The application is supported by:

- Design and Access Statement
- Transport Statement
- Site Investigation Report
- Drainage Layout
- Ecology Report
- Topographical Survey
- Detailed drawings
- Landscaping Plan
- Boundary Treatment Plan
- Key Cross Sections and Street Scene
- Planning Statement
- Planning and Heritage Statement

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

### **MAIN PLANNING ISSUES**

The key issues in relation to this application are:

- the principle of the proposal in terms of whether it would be acceptable in an area where development plan policy seeks to retain rural character and prevent peripheral urban expansion
- the impact of the size and scale of the houses on the open character of the area
- the impact on the amenities of neighbours
- the impact on the Grade 2 listed buildings in the vicinity (1 and 2 Fishers Lane)
- the acceptability of the means of access proposed in terms of highway safety

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

## **CONSULTATIONS**

### **Environment Agency:**

We have no objection in principle to the proposed development providing that the Proposed Drainage Layout (Drawing No. 1117/DL01) is implemented in full.

### **Sustainability Manager:**

The report by Brian Robinson MIEEM covers the ecological aspects of this small site in fine detail. The proposals for biological enhancements under the provisos of the NPPF are sound and should be followed by the developer. I welcome the default inclusion of proposals for bats, house sparrows and starlings in the document. The tree and shrub species shown in the list provided in Table 5.1 are a good selection which should thrive in the locality but the addition of Alder buckthorn (*Frangula alnus*) would be beneficial. The grassland wildflower mix stated in the report will be low maintenance as there are no aggressive grasses provided it is sown onto a low nutrient substrate and the guidelines for management given by the seed supplier to aid establishment are followed.

### **Head of Transportation:**

No objection but makes the following comments:

1. The site to be formally adopted under a S38 agreement, details relating to limits of adoption, construction and materials to be discussed and agreed in the first instance with Highways and Traffic, Transportation, Blackpool Council. Lighting (existing and new) to be discussed with Eon - PFI Street Lighting Contractor for Blackpool, and drainage with (United Utilities).
2. The access road leading from plot 5 to plot 8 will not be adopted by the Highway Authority due to the width of the road. I would advise though that it is constructed to highway adoptable standards. The same will apply to the access road fronting plots 1 to 3. A Management company should be set-up to deal with future maintenance of these roads.
3. It would appear that there is no footpath link between the edge of the public highway and the proposed houses. The footpath wraps around the radius at the access point and terminates with the final surface being grass (not resin bound which is for the small link road serving plots 6, 7 and 8). The development should provide good pedestrian connectivity and in order for this to be done a continuous footpath should be provided.
4. The bulge in the access road leading to plots 5 to 8 looks a bit odd where it is but it is probably in the best place, it would be preferable to amend the layout so that it actually looks like a passing point and possibly hatch this with some white thermoplastic paint to prevent parking for long periods, a sign may help also.
5. The parking provision is considered acceptable as two spaces are available on the driveway of each property, with one in the garage. I should point that the application form states 24 but the Technical Note provided by SCP (3.8, page 6) states 16, 2 per unit. Garages to be conditioned for this use only.
6. The bin drag distance is quite significant for future occupiers of Plots 7 and 8. It would be advisable to discuss future bin collection arrangements with the Head of Waste Services, Blackpool Council.
7. The properties will require formal postal addresses.
8. A Construction Management Plan should be conditioned, if permission is granted.
9. With regards the creation of the new access into the site including the dedicated right-turn lane, this should be done as part of a S278 agreement. Given the small number of vehicle movements

associated with the development, the Highway Authority is happy to accept the sub-standard lane widths for the right-turn lane facility. There is no requirement to re-locate the pedestrian refuge and there is stacking space for up to two possibly three vehicles. The "No Waiting at Any Time" restriction to remain but these should follow the new kerb-line into the site - these works should be implemented prior to main construction activities commencing.

10. There is a lighting column in the vicinity of the proposed access; this may have to be re-positioned. Lighting columns can be re-positioned in either direction but the maximum distance is 1m. If this particular column has to move more than 1m, it may have a knock-on effect for the lighting levels in the area. The developer should contact [blackpoolpfi@sustainable.eon-uk.com](mailto:blackpoolpfi@sustainable.eon-uk.com) in order to undertake a review of the lighting should it be affected.

**Head of Environmental Services:**

I have no concerns with this application.

**Contaminated Land Officer:**

Looking at the Phase 1 and the exploratory investigation that was carried out, there is information outstanding. Due to the historical nature of the surrounding area and the ground condition gas monitoring is required to ensure that there is not a build-up of methane and it is recommended that this is done within six rounds. Whilst I appreciate that gas monitoring was done on the St Nicholas Site a number of years ago, this does not mean that there may not be a problem on the proposed site, and the necessary gas measures need to be provided if required. In addition to this looking at the data provided for the trial pits (TP) and boreholes (BH), following on from the introduction of C4SL's BaP falls within the criteria limit, however there is an increased elevation in lead in TP4 for 260 mg. Looking at the location of the TP and BH there does not seem to be a distribution within the North East of the site, why is this, as there are no obstructions on the site that I am aware of that would have prevented this.

**Built Heritage Manager:**

I refer to the revised application for development of the above land. Although the design has been altered to enable a view of the listed cottages from Common Edge Road, the proposal still represents an infringement of the open setting to the front of these buildings. The historic rural setting of the cottages has already been compromised by the housing development to the rear, and this proposal would, in essence, enclose it from the front. In addition, the ground beneath the cottages has been affected by flooding in the past, and from voiding from water used to put out a fire to the thatch at no. 2 Fishers Lane in approximately 2011. The building as a whole has had to be partially underpinned so, if it is considered ultimately that the revised proposal is acceptable in design terms, a conservation accredited structural engineer's report should be sought to ascertain whether the work will compromise the integrity of the partially underpinned building which is of a fragile cobble and cob construction.

**Police (Secured By Design):**

I have conducted a crime and incident search of this policing incident location and during the period 01/01/2013 to 01/04/2014 there have been a small proportion of reported incidents. This is hardly surprising due to the site history and being unoccupied for some considerable time, however reported incidents including burglary increases along Common Edge Road. In order to prevent the opportunity for crime and disorder in the future at the proposed development in particular burglary, below are recommendations for consideration:-

1. This development should be built to Secured By Design Standards in terms of physical security
2. The front and rear of dwellings should be protected with dusk till dawn lighting units.
3. The dwellings should be secured with a 1.8m high fencing arrangement.

Should Secured By Design accreditation for the site be progressed, further security advice and checklists can be provided by the Police Architectural Liaison Officer.

**Blackpool Civic Trust:**

We continue to have serious concerns about this proposed development. We recognise that the developers have moved some way towards answering previous objections. We continue to be concerned about possible physical damage as a result of piling. We note there is no independent qualified conservation engineer's comment / opinion on this. We would want to see this. We also continue to be concerned about the further increase of building volume around the cottages and the impact on their setting and rural views which are undoubtedly part of their character. A further and related concern is the urbanisation of the essentially rural area and the increase in traffic. We note also of the comment from the police. They recommend high fences and security lighting for the new dwellings. This seems to add weight to the urbanisation comment. We therefore object.

**United Utilities:**

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

**Condition 1 (Foul Water)**

Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details. This development shall be completed maintained and managed in accordance with the approved details.

**Condition 2 (Surface Water)**

Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be restricted to existing runoff rates 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, maintained and managed in accordance with the approved details.

**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:**

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.

**Ramblers Association:**

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**

Site notice displayed: 14 October 2014

Neighbours notified: 13 October 2014

Objections received from 1, 2 Ecclesgate Road; 1, 2, 6, 8 Fishers Lane; 179, 199A Common Edge Road.

In summary, objections relate to:

- The proposal is contrary to Council policies for the countryside.
- The land is green belt/open land and has never been built on and should remain open; there would be loss of the open aspect across the paddock.
- Currently the undeveloped land protects the setting of the listed cottages on Fishers Lane.
- Common Edge Road is very busy and forming an additional vehicular access/egress would make the situation worse, and would result in additional highway safety issues and be dangerous.
- There are already large housing developments progressing at Whitehills and Queensway, so this development is not essential and will only add to congestion.
- The properties are close to the shared boundary and there would be issues with privacy and overlooking.
- There would be increased noise and disturbance from this new housing estate.
- The loss of mature trees from the site.
- Potential for flooding - Fishers Lane has a dyke which sometimes floods and a housing development would affect the water table and exacerbate the problem.
- Piling could cause structural damage to existing houses, particularly the listed buildings which have no foundations and already vibrate when heavy vehicles pass.
- The Council have refused a single dwelling at 7 Ecclesgate Road, so this should be refused as well.

In response, the issues will be discussed in the assessment section of this report.

#### **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

At the heart of the NPPF is a presumption in favour of sustainable development. There are three dimensions to sustainable development (economic, social and environmental) which should not be taken in isolation, as they are mutually dependent. Paragraph 17 provides a set of 12 principles which should underpin the plan-making and decision-taking processes. The key elements of these which are relevant to this proposal are that “every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.” It is followed by another principle that explains that local authorities should “always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings;” and local authorities should “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”.

In terms of delivering sustainable development, the most relevant parts of the NPPF are:

#### **NPPF Part 4 - Promoting Sustainable Transport.**

Identifies that any development that would generate significant amounts of traffic should be supported by a Transport Statement or Transport Assessment and states that decisions should take account of opportunities for sustainable transport mode depending on the nature and location of the site, to reduce the need for major transport infrastructure. Safe and suitable access to the site can be achieved for all people and Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

#### **NPPF Part 6 - Delivering a wide choice of high quality homes.**

Housing applications should be considered in the context of the presumption in favour of sustainable development. Local planning authorities should identify and bring back into residential

use empty housing and buildings in line with local housing and empty homes strategies. It is acknowledged that proposals for housing development should be looked upon favourably if a Local Planning Authority is unable to demonstrate a five year supply of housing land.

**NPPF Part 7 - Requiring good design.**

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.

**NPPF 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.

**National Planning Practice Guidance Para 14 - prematurity issue:**

In the context of the Framework and in particular the presumption in favour of sustainable development, arguments that an application is premature are unlikely to justify a refusal of planning permission, other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

**NPPG - Conservation and the enhancement of the Historic Environment**

The NPPF sets out a clear framework for decision-taking to ensure that heritage assets (which includes listed buildings) are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development. The NPPG further discusses the setting of a heritage asset and how it should be taken in to account in decision making and states: "A thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it." Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not.



The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places.

The “setting of a heritage asset” is defined in the Glossary of the National Planning Policy Framework as “The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”.

**Ministerial Statement** - On 28 November 2014 Brandon Lewis MP announced that affordable housing and tariff style contributions should not be sought through Section 106 Agreements for housing developments of ten or fewer dwellings.

### **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:

- LQ1 Lifting the quality of design
- LQ2 Site context
- LQ3 Layout of streets and spaces
- LQ4 Building design
- LQ6 Landscape Design and Biodiversity
- LQ8 Energy and Resource Conservation
- LQ9 Listed Buildings
- HN4 Windfall sites
- HN6 Housing Mix
- HN7 Density
- BH1 Balanced and Healthy Community
- BH3 Residential and Visitor Amenity
- BH10 Open space in new housing developments
- NE2 Marton Moss Countryside Area
- NE10 Flood Risk
- PO1 Planning Obligations
- AS1 General Development Requirements
- SPG11 Open Space: New Residential Development and the Funding System

### **EMERGING PLANNING POLICY**

#### **Blackpool Local Plan: Part 1 - Core Strategy: Proposed Submission**

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. The consultation has now ended and the document has been updated and was submitted to the Planning Inspectorate on 19 December 2014 for examination in Spring 2015. Paragraph 216 of the NPPF allows relevant policies to be given weight in decision-taking according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and the degree of consistency of the relevant

policies in the emerging plan to the policies in the NPPF. Overall, a limited number of representations were received to the Proposed Submission document. Of those representations made expressing concern with the proposed policies, it is not considered that the issues raised justify the need for modifications to be made to the policies prior to submission (other than minor modifications to improve clarity for example). Therefore, the Council considers that, due to the advanced stage of the Core Strategy all relevant policies to this development should be given considerable weight in decision making.

Emerging policies in the Core Strategy Submission version 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 4,200 new homes to meet Blackpool's housing need between 2012 and 2027.'*

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

**CS10:** Sustainable Design and Renewable and Low Carbon Energy - all new developments should ensure buildings are located, designed and orientated to maximise passive environmental design for heating, cooling and natural day-lighting.

**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.

**CS13:** Housing Mix, Density and Standards - on sites where flats are permitted no more than 30 per cent of the flats should be less than two bedroom flats.

**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 SPD.

**CS26** of the Core Strategy sets out the approach to Marton Moss and states:

*'1. The character of the remaining lands at Marton Moss is integral to the local distinctiveness of Blackpool and as such is valued by the local community. A neighbourhood planning approach will be promoted for this area to develop neighbourhood policy which supports the retention and enhancement of the distinctive character, whilst identifying in what circumstances development including residential may be acceptable.*

*2. Prior to developing a local policy framework through the neighbourhood planning process development on the remaining lands of the Moss will be limited to:*

- a. Conversion or change of use of existing buildings for agricultural or horticultural purposes*
- b. Outdoor recreational uses appropriate to a rural area*
- c. New dwellings essential in relation to the agricultural or horticultural use of the land*
- d. Extensions or replacements dwellings in keeping with the scale and character of the area and not exceeding 35 per cent of the original ground floor footprint of the existing dwelling.'*

## **ASSESSMENT**

### **Principle**

There are two key policy issues:

- impact of the proposal on the character/ function of the designated Countryside Area; and
- consideration of Blackpool's housing requirement.

The NPPF states that housing applications should be considered in the context of the presumption in favour 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, granting planning permission 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 SHLAA Update demonstrates that Blackpool has a five-year supply against the proposed housing requirement (also accounting for a shortfall against the previous RSS target of 444 dwellings per annum and a 20 per cent buffer to reflect persistent levels of under-delivery). Therefore, the emerging Core Strategy policies are a material consideration along with relevant saved policies in the current Blackpool Local Plan. However, in recent appeals, Inspectors have commented that this five year supply has not yet been tested through the Examination of the Core Strategy. Whilst this uncertainty exists it would be inappropriate to refuse planning permission on the basis that the Council does have a five year supply of housing.

Both the Core Strategy and the current Local Plan identify the site within Marton Moss Countryside Area. In terms of the principle of residential development in this location, key policies are saved Policy NE2 and Policy CS26 (formerly numbered CS27 in the Revised Preferred Option). To retain the existing rural character and prevent peripheral urban expansion, Policy NE2 limits new development to conversion/change of use of existing buildings for agricultural or horticultural purposes, outdoor recreational uses appropriate to a rural area, or new dwellings essential in relation to the agricultural or horticultural use of the land. It does not permit infill development. Policy CS26 promotes a neighbourhood planning approach for this area which will support the retention and enhancement of the distinctive Moss character, whilst identifying in what circumstances development including residential may be acceptable. Prior to the neighbourhood planning process, development on the remaining lands of the Moss will be limited in accordance with saved policy NE2. Representations received to the emerging Core Strategy to date have shown general support for Policy CS26.

Whilst the Council has been successful in resisting new residential development in the Countryside Area in the past in accordance with Policy NE2, the way NPPF is being interpreted by Inspectors in recent appeals where Councils do not have a five year housing supply (including the Runnell Farm appeal) makes it increasingly difficult to defend new residential development in sustainable locations; although the impact of the development on the character and appearance of the Countryside Area remains an important consideration. It has been established in current and proposed policy that there is a need to protect and enhance the distinctive Moss character, which is considered integral to the local distinctiveness of Blackpool and is valued by the local community; and development that would be detrimental to the existing rural character of the area should continue be resisted. Number 7 Ecclesgate Road (where the Council refused planning permission for a dwelling and stables in 2012, 12/0550 refers) differed from the current proposal in that the scheme was for only one house, so wouldn't have made a significant contribution to the five year supply, it was in a less sustainable location down a single track lane and would have impacted more on the character of the Moss being in a more isolated location, rather than on the urban edge of the Moss.

In considering the impact of the development on the Moss character, key considerations include the character and appearance of the existing site and immediate surroundings, the scale and function of the proposed development, the location of the site in relation to the existing urban area, accessibility/ connectivity to existing road networks, local services and public transport, and any other sustainability issues as appropriate. In the case of this particular application, the site's close proximity to the urban area, existing services and main road network, and the mixed character of Common Edge Road suggest the effects of the development on the character of the area would be acceptable in principle (when considered in the context of the Runnell Farm appeal decision). The closest primary school is less than 400 metres distant and there is a bus stop close to the Shovels PH (within 200 metres) with a 30 minute frequency of bus service ( currently service no 17). The current scheme would provide for a significant amount of open space towards the front of the site, which would allow views through to the listed cottages on Fishers Lane. The properties would be detached, with one pair of semi-detached houses and any detached garages would be located in such a way that would preserve some views through the site to the open land beyond.

In terms of prematurity, as the application is being considered in advance of the Core Strategy being adopted and a neighbourhood planning approach for the Moss area being developed, and given the size of the application site, then it is highly unlikely that this would meet the prematurity test set out in NPPF and NPPG. It is not considered that the scheme could be resisted on this basis, which is consistent with the Inspector's ruling on prematurity in the Runnell Farm appeal decision.

For the reasons outlined above there are no policy objections to the principle of the development.

### **Design**

In terms of the impact of the size and scale of the houses on the open character of the area, this is considered to be acceptable. The gross residential density would be 17 dwellings per hectare which is low to reflect the densities of the semi-rural area. As indicated previously, the current scheme has been designed to respect the open nature of the site and the open aspect across the frontage, which allows views through to the listed cottages beyond. In terms of biodiversity and habitat, there would be a pond (surrounded by a kick rail) towards the front of the site to protect the perspective across the site and to encourage local bird, mammal and plant species to flourish. The amount of tarmac would be kept to a minimum to assist with onsite rainwater drainage.

No new dwellings would directly front Common Edge Road; the properties would be staggered towards the rear of the site. Much of the private parking from the front of the properties would also be discouraged through the design of the layout, specifically to protect the open view through to the listed cottages beyond. The site would be less densely developed than the majority of developments in the vicinity to reflect the semi-rural nature of the site. The mix of three and four bed roomed houses (3 x 3bed and 5 x 4bed) would fit in with the character of the area, as would their layout, appearance and materials.

The appearance of the scheme has been influenced by the consultation process and the previous refusal - to ensure that the dwelling types and styles proposed would be sympathetic to the surrounding area and would be of a size appropriate in the locality. The proposed properties would all be two storeys high, comprising six detached and two semi-detached properties, the majority of which would have a single storey conservatory at the rear, and some with detached single storey garages.

The building materials would be of a similar nature to the neighbouring properties, with elevations consisting predominately of facing brick (apart from the two units nearest to the listed cottages), with artificial art stone cills, contrasting brick detailing, tile hanging and sections of render finish.

Roof materials would consist of replica slate white uPVC soffit and fascia and black rainwater goods. External openings to the properties would be finished with white uPVC casement windows and alternately coloured front doors. Plots 5 and 6 (closest to the listed cottages) would be rendered and have cottage style windows, a central chimney stack and replica slate roofs. The revisions also mean that the nearest proposed property to the listed cottages would be 2.36 metres further away than on the previous scheme. The final appearance would be subject to a condition to be discharged by officers. The boundary to Fishers Lane would be constructed as a 0.6 m high post and knee rail fence.

The property on plot 1 would be closer to Ecclesgate Road than most of the existing properties on that road; however I do not see this as an issue due to the unusual character of this single track, cul-de-sac lane. There are existing single-storey buildings on the opposite side of Ecclesgate Road which almost abut the lane.

### **Amenity**

With regard to the impact on the amenities of neighbours, a mobile home on Ecclesgate Road shares a boundary with the application site (a certificate of lawfulness was granted for the mobile home in 2002 - 02/0649 refers). The closest two storey rear elevation to a new dwelling would be 11 metres away from the private rear garden of the mobile home, the other property which would bound the site would be 16 metres distant. I consider that there would be sufficient separation to protect privacy. A boundary treatment comprising 1.8 m high close-boarded fence would also help protect the privacy of the neighbour. 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 private rear garden of the mobile home. Existing properties on Fishers Lane would be unaffected by privacy issues as the proposed dwellings would look across to the public/ street face of the existing dwellings. With regard to 202 Common Edge Road, the closest proposed property would be about 17 metres to the common boundary, which again would be an adequate separation distance in order to protect privacy.

The scheme has been designed so that there would also be minimal overlooking between the proposed dwellings themselves.

### **Highway Safety**

The submitted Transport Assessment shows that the development would take vehicular access directly off Common Edge Road in the south west corner of the site via a priority controlled junction and a dedicated ghost island right turning lane, with the required visibility splays along the existing highway. The lanes to be created in Common Edge Road would be slightly substandard in width, but because there would be relatively few vehicle movements associated with this site, the Head of Transportation has no objection to the new access road to Common Edge Road in terms of highway safety. The existing cycle lane would be modified to accommodate the new access road. The access road would be designed to accommodate a refuse wagon and a turning head would be provided within the site to allow a wagon to turn around and leave the site in forward gear.

### **Parking and Accessibility**

Each property would have in-curtilage parking for three vehicles, including either an integral or a detached garage. The Head of Transportation has asked for a footpath to be provided into the site to make pedestrian access easier. However, the site would only accommodate eight dwellings and the roadway inside the site beyond the rumble strip would be a shared surface. I feel that to add a footpath would detract from the character of the site and increase the amount of impermeable surface, to the detriment of surface water drainage. The garden to each house would be sufficiently large to accommodate a cycle shed if the garages were not utilised. The site is in a sustainable

location, with a generally flat topography and bus stops in the vicinity. The location scores medium on the accessibility rating. There is a network of public footpaths leading in to Marton Moss proper (Ecclesgate Road becomes Public Right of Way number 2 at its eastern end and joins PRoW no. 51 to provide access to St Nicholas School without walking next to the main road) and Common Edge Road is on a cycle route. It has good transport links by private car and public transport (Common Edge Road is a bus route with a half hour service), the area is well served by primary schools, a secondary school and employment land; and there is a retail park within a 0.8 km walking distance and a local centre (Highfield Road) with a supermarket, medical centre, dentist, ATM etc. within a 2km walking distance.

### **Impact on the Listed Cottages**

In terms of the impact on the Grade 2 listed buildings in the vicinity (1 and 2 Fishers Lane), the Council's Built Heritage Manager considers that although the design has been altered to enable a better view of the listed cottages from Common Edge Road than was the case with the scheme previously refused by Committee, the proposal is still an infringement of the open setting to the front of these buildings. The historic rural setting of the cottages has already been compromised by the housing development to the rear, and this proposal would, in essence, enclose it from the front. In addition, the ground beneath the cottages has been affected by flooding in the past, and from voiding from water used to put out a fire to the thatch at no. 2 Fishers Lane in approximately 2011. The building as a whole has had to be partially underpinned so, if it is considered ultimately that the revised proposal is acceptable in design terms, a conservation accredited structural engineer's report should be sought to ascertain whether the work would compromise the integrity of the partially underpinned building which is of a fragile cobble and cob construction.

In response, attached is the applicants' Planning and Heritage Statement which shows how they have arrived at the more sympathetic, revised design and are aware of the issues regarding the stability of the listed cottages. I consider that the scheme has been sensitively designed to protect the view across to the listed cottages, particularly when coming in to town from the south, which is their current main aspect. Built development has been kept away from that aspect and the driveways/parking has been designed so as not to encroach into this open space. The creation of a pond in the southwest corner of the site, and the use of open fencing also assist with preserving the view.

Contrary to the Built Heritage Manager's assertions, I feel that this is a sustainable development, the developer having incorporated sustainability principles into the design of the houses. With regard to damage to the listed cottages, due to the depths of made ground and soft underlying natural strata, conventional foundations are not considered to be a suitable solution by the developer, and it is likely that the dwellings would require piled foundations. The applicants have taken advice from a piling contractor (addendum to the Design and Access statement), which describes how their piling techniques can minimise any risk to adjacent or nearby properties. The addendum identifies the intention to carry out vibration monitoring as part of the piling works, with the method chosen such that peak velocities would be limited to less than the upper limit for ancient monuments. In addition, the structural engineering consultants would carry out surveys of neighbouring properties, be they solely external or including an internal inspection should access be permitted, prior to work commencing.

Regarding the potential vibrations from groundworks associated with the construction of the dwellings and the structural integrity of the Listed Cottages (raised by the Council's Built Heritage Manager) the applicants have consulted a Heritage accredited surveyor, who has been involved with the remediation works to the two Listed Cottages recently. The remediation works followed substantial fire damage and suggested a programme of works for the underpinning of the walls. Of

the alternative solutions (including traditional concrete underpinning), the less intrusive pattern of low pressure resin injections was opted for. Your Building Control Officers have been involved in this work.

The applicants advise that they have always maintained an awareness of the setting of the Listed Cottages. They feel that they have now investigated the concern of the residents, and are satisfied that the recent accounts of the listed buildings' fragility are vested in a building element that has little heritage value and has since been remediated. They are however taking the diligent step of according with the request of your Built Heritage Manager to the best of their ability, and would extend an invitation to the residents at the Listed Cottages to maintain a monitoring survey throughout the groundworks phase of their development.

Subject to planning permission, and following discussion with the Heritage accredited surveyor, their intention is to have their specialist piling and foundation engineers put together a job specific methodology – taking into account both the existing site investigation report and in context of the nearby listed buildings. The applicants' intention is then to have their proposed methodology reviewed by the Heritage accredited surveyor mentioned above and submitted to the Council prior to commencement of development. A condition could be attached to any approval to require this.

**Other Issues:**

With regards to surface water drainage and flooding, there are numerous open watercourse features located within close proximity to the site forming a network of land drains. The nearest drain is on Ecclesgate Road approx. 40 m from the site. This system of drains flows south towards Marton Moss where the watercourses become designated as "main river". The Environment Agency flood maps do not indicate that the site is at potential risk of flooding from rain or tidal sources; and they have no objection to the proposed development providing that the submitted drainage layout is implemented in full. This can be the subject of a condition. The scheme includes a pond which should assist in providing surface water attenuation on site.

The northern boundary ditch is approximately 0.5 metre deep and 0.2 metre wide at its base and supports no aquatic vegetation. The ditch was dry at the time it was surveyed and it is considered reasonably likely (due to the vegetation supported by the ditch and the ditch's small size) that the ditch only infrequently holds water. The applicant would clear out any debris and incorporate the ditch into the responsibility of the intended management company who would look after the open space areas. In terms of the adjoining ditches, the applicant could not maintain ditches outside their land ownership as they would have no control or rights to the land.

There are no trees on site currently protected by a TPO, the land consists of poor semi-improved grassland with locally common trees, shrubs and bramble scrub at the boundaries. There are no rare or uncommon plant species, no special habitats, nor evidence of any protected species. Whilst the boundary trees and scrub are suitable for nesting birds, the ecological report makes recommendations for protection of the birds during nesting and enhancement of their habitat as part of the development. The report also proposes enhancements in relation to bats. The proposed tree planting on site would be placed so as to retain the view through to the listed cottages. The development would present an opportunity to provide ecological enhancements, consistent with the stated aims of the NPPF. The Council's Sustainability Manager supports the proposals for biodiversity enhancements, subject to the recommendations in the ecological report.

Policy CS14(Affordable Housing) of the emerging Core Strategy would require a contribution for off site affordable housing as this site falls within the 3-14 dwellings category. However, the Ministerial Statement of 28 November 2014 means that this could not now be sought.

## **CONCLUSION**

In conclusion, although the proposal is contrary to current Countryside Policy (Policy NE2), the NPPF states that planning permission should be granted for residential development, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, where policies relating to the supply of housing cannot be considered up-to-date. At this moment in time, the Council is of the view that it has a five year land supply but this has not yet been tested through the examination of the Core Strategy. Within this context and taking into account the sustainable location of the site relative to other areas of the Moss, it is not considered that the impact of the proposal on the character of the surrounding Countryside Area would be accepted by an Inspector as being sufficiently harmful to outweigh the beneficial contribution the new homes would make towards meeting Blackpool's future housing requirements. Furthermore, the applicant has demonstrated his willingness to amend the scheme to improve the relationship with the listed cottages and safeguard their integrity and I consider that the benefits of developing the site in the manner proposed outweigh any disbenefits relating to the setting of the listed cottages beyond.

## **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. SPG 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 provided (the pond cannot be considered as a play area in terms of SPG11), there is a requirement for the developer to provide the full commuted sum of £9976 in lieu of open space provision (based on 3 x 3 bed and 5 x 4 bed units on the site), to be secured by means of an appropriately worded 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.

**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. 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 and the setting of the listed cottages, in accordance with Policies LQ4 and LQ9 of the Blackpool Local Plan 2001-2016.

3. 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 five 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.

4. Unless the absence of nesting birds has been confirmed by further surveys or inspections, any removal of vegetation including trees and hedges shall be undertaken outside the nesting bird season [March - August inclusive]. Any removal of vegetation outside the nesting bird season shall be preceded by a pre-clearance check by a licensed ecologist on the day of removal.

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).

5. No development shall be commenced until a gas monitoring regime has been carried out in accordance with a written methodology, which shall first have been agreed in writing with the Local Planning Authority. If mitigation is then considered necessary, a scheme for implementation of this in the design of the dwellings shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to occupation of each dwelling. 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.

6. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall have foul wastewater and surface water drained in accordance with the principles outlined in the submitted Drainage Plan P4979/14/100B - prepared by Thomas Consulting dated 26 March 2014. For the avoidance of doubt, foul must drain separate to surface water which must then combine at the last manhole prior to discharging into the public combined sewer located on Ecclesgate Road. Surface water draining from the site must be restricted to a maximum pass forward flow of five litres per second. The approved drainage scheme shall be implemented before the development is brought into use and retained as such.

Reason: To prevent the increased risk of flooding, both on and off site, in accordance with Policy NE10 of the Blackpool Local Plan 2001 - 2016.

7. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:
- dust mitigation measures during the construction period
  - control of noise emanating from the site during the construction period
  - hours and days of construction work for the development
  - contractors' compounds and other storage arrangements
  - provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
  - arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways
  - the routeing of construction traffic.

The construction of the development shall then proceed in accordance with the approved Construction Management Plan.

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the integral and detached garages 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.

9. 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.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no enlargement of the dwellings the subject of this permission shall be carried out without the written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and the setting of the listed cottages, in accordance with Policies BH3 and LQ9 of the Blackpool Local Plan 2001-2016.

11. 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, other than those detailed on approved site layout drawing no. CMNEDGE/SK/001. The boundary to Fishers Lane shall be constructed as a 0.6 m high post and knee rail fence and thereafter retained.

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, would detract from the setting of the listed cottages and would therefore be contrary to Policies LQ2 and LQ9 of the Blackpool Local Plan 2001-2016.

12. Notwithstanding the details shown on soft landscaping layout drawing no. CMNEDGE/LANDSCAPE/01, the details and siting of one bat roost tube, one house sparrow terrace and one starling box shall be agreed in writing with the Local Planning Authority, and provided prior to first occupation of the relevant dwelling and thereafter retained.

Reason: In order to enhance the biodiversity of the site, in accordance with Policy LQ6 of the Blackpool Local Plan 2001 - 2016.

13. 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 £9976 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.

14. No external lighting shall be installed within the site, unless the details of the lights and their locations have previously been agreed in writing with the Local Planning Authority.

Reason: In order to protect the amenities of existing residents and in the interests of biodiversity, in accordance with Policies BH3 and LQ6 of the Blackpool Local Plan 2001 - 2016.

15. A piling and foundation methodology specific to this site, and taking into account the Listed cottages adjacent, shall be submitted to and agreed in writing by the Council, prior to the commencement of any ground works on the site. The piling and foundations shall thereafter be carried out in accordance with the agreed methodology.

Reason: In the interests of the structural stability of the Listed cottages at 1 and 2 Fishers Lane and in accordance with Policy LQ9 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.
2. The grant of planning permission will require the developer to enter into an appropriate Legal Agreement with Blackpool Borough Council acting as Highway Authority. The Highway Authority may also wish to implement their right to design all works within the highway relating to this proposal. The applicant is advised to contact the Council's Built Environment Department, Layton Depot, Depot Road, Blackpool, FY3 7HW (Tel 01253 477477) in the first instance to ascertain the details of such an agreement and the information provided.
3. This advice note is to remind you of the requirements of BS 7121 Part 1, specifically paragraph 9.3.3 which requires that: "the appointed person should consult the aerodrome/airfield manager for permission to work if a crane is to be used within 6 km of the aerodrome/airfield and its height exceeds 10 m or that of the surrounding structures or trees."

This permission should be sought at least **one month** prior to any crane being erected as other bodies may need to be consulted prior to granting a permit.

Application for crane permits should be made to the email address: [safeguarding@blackpoolairport.com](mailto:safeguarding@blackpoolairport.com)

The following information will be required as a minimum:-

- Date(s) of operation of the crane (it is best to overestimate the end date rather than have the permit time expire before the job is finished).
- Geographical Location (street name(s) and also Latitude/Longitude of the crane location as accurately as you are able to provide.
- Height of ground level at that location above Mean Sea Level (AOD as derived from Google Earth is sufficient).
- Maximum height of extended jib above ground level.
- Hours of operation each day, and whether this includes use at night (if not confirmation that the jib will be fully lowered at night).
- Local contact number should it become necessary to require lowering of the jib in an emergency.

In order that the airport authority can provide a service to a consistent and high standard, a charge is levied for each submission. The airport's standard fees and charges are available to view or download at [www.blackpoolairport.com](http://www.blackpoolairport.com)

4. Blackpool Council operates a refuse collection and recycling service through the use of wheeled bins and sacks with most premises having 3 or 4 wheeled bins. The Council has purchased and provided these wheeled bins to all existing properties. However, it will be incumbent on developers and builders of new residential properties, including conversions, to provide these bins. Contact should be made with the Waste Services

Section at Layton Depot, Plymouth Road, Blackpool, FY3 7HW or telephone 01253 476279 about the requirement, provision and cost of the wheeled bins prior to any resident moving in.

5. Please note that any address changes or new addresses needed as a result of this development must be agreed by the Council. Please contact Council's Streetscene and Property Department, Layton Depot, Depot Road, Blackpool, FY3 7HW (Tel 01253 477477).
6. Notwithstanding the details on the approved plan it is requested that the applicant consider achieving "Secured By Design" for the proposed development.
7. Policy BH10 of the Blackpool Local Plan states that new residential developments will need to provide sufficient open space to meet the needs of its residents in accordance with the Council's approved standards. The policy goes on to say that where it is not possible to provide the full requirement of public open space on site, developers may pay a commuted sum to cover the provision or improvement of public open space off site. Details of the Council's standards and calculated commuted sum rates are set out in Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development". In accordance with this document, and given that no public open space can be provided on site, the commuted sum required in respect of this development would be £9976 (3x £1032 and 4x£1396).