

**COMMITTEE DATE:** 11/02/2020

**Application Reference:** 19/0619  
**WARD:** Hawes Side  
**DATE REGISTERED:** 29/10/19  
**APPLICATION TYPE:** Full Planning Permission  
**APPLICANT:** Mr D Holt

**PROPOSAL:** Erection of 36 lock up garages with associated landscaping, boundary treatment and access following demolition of 83 Powell Avenue.

**LOCATION:** SITE OF 83 POWELL AVENUE AND LAND TO THE REAR OF 81 - 103  
POWELL AVE, BLACKPOOL FY4 3HQ

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**Summary of Recommendation:** Grant Permission

#### **CASE OFFICER**

Mr M. Shaw

#### **BLACKPOOL COUNCIL PLAN 2015 -2020**

This application accords with **Priority two of the Plan** - Communities: Creating stronger communities and increasing resilience.

#### **SUMMARY OF RECOMMENDATION**

The application is recommended for a conditional approval based on the amended plans which have addressed a number of detailed highway comments. It is considered that the proposal is an appropriate and beneficial use of the land in an area where a significant number of dwellings do not have off street parking facilities or alternatively may require domestic storage space. The proposal should have the benefit of reducing on-street car parking within the surrounding area.

#### **SITE DESCRIPTION**

The application relates to an overgrown backland site measuring 69 metres x 27 metres currently accessed via a grassed track under 3 metres wide and 23 metres in length from Powell Avenue and a 2.5 metre wide and 2 metre high gate at the site entrance. The grass track also provides access to the rear of a number of dwellings either side of the access. The application site is bounded by houses fronting Powell Avenue, Harcourt Street and Pickmere Avenue and there is an electricity sub-station and a domestic scale garage at present on the

site. The property at 83 Powell Avenue is a two storey end terraced house abutting the grassed track.

Detailed planning permission was granted on 6 June 2017 under reference: 16/0551 for the erection of six dwellings on the site for the demolition of 83 Powell Avenue to provide access to the land.

### **DETAILS OF PROPOSAL**

Detailed planning application involving the erection of 36 lock up garages in the form of five garage blocks following the demolition of 83 Powell Avenue to allow the formation of a 5.5 metre wide access, including a footpath which will run parallel with the grassed track with a 500 mm high knee rail forming the demarcation between the two. The proposed 5.5 metre wide access would sit alongside the existing grassed access which will be retained. The demolition of 83 Powell Avenue will expose the side elevation of 81 Powell Avenue and a new gable wall will be constructed as part of the proposal. The new footpath will abut the new gable wall of 81 Powell Avenue. The proposed garages will be accessed via a 3 metre wide / 2 metre high gate which will be positioned next to the existing access gate. The garages will measure a minimum of 5.5 metres x 3 metres though most are 6 metres in length and some of the garages are also wider than 3 metres. The site layout plan shows two aisles 6 metres wide in front of the garages with a central and dividing landscaping strip 1.6 metres wide x 46 metres in length.

The application is accompanied by a Supporting Statement

### **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- Principle of Development
- Highway and Pedestrian Safety
- Impact on Residential and Visual Amenity
- Other Issues

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

### **CONSULTATIONS**

**Head of Highways and Traffic Management:** I did want a detail showing the relationship with the full width crossing at No. 81 Powell Avenue. We could leave that to be dealt with in the crossing permission. The "last" 5m shown as macadam should slope sufficiently away from the highway to not discharge surface water that way. It would be prudent to have some clearance to No. 81 Powell Avenue's side wall (and evidence of making good the wall). There is a need to know what the delineation will be on the edge of the grass path.

To comply with our usual standard, household garages should strictly all be 6m long. However, these are not household garages and it is my view that they would house a

car and/or storage to the extent that it was practical for each user. In a domestic situation we would be concerned that the car was being displaced which is not the case here. They are offering a SuDS scheme and that can be conditioned and should include the accessway. Details of the accessway layout and its relationship with the existing access are needed including a cross section and a material specification and this matter can be conditioned.

Anything within the existing highway is a footway crossing and can be dealt with when that application is made. From experience, the volumes of traffic to and from garage courts are invariably low and the drivers are familiar with the layout. In this location visibility is excellent. I do not therefore see any safety issue of concern.

The amended plan is satisfactory.

### **PUBLICITY AND REPRESENTATIONS**

2 x site notices displayed: 29 October 2019

Neighbours notified: 29 October 2019

**85 Powell Avenue, Blackpool** (Objects) - I live at the house that would be next to the alleyway and feel this would completely devalue my property. The area has never been maintained by the owner so I feel this would not be maintained in the future. Vandalism will be an issue, and property owners have drives for their vehicles already.

It's going to be a massive inconvenience, due to safety and protection of my house. For the duration of extensive building work, it will cause major disruption and excessive noise. I will not be able to safely use my rear garden access. I will constantly have noise outside my house from cars and other vehicles. Due to my job I work nights so my sleeping pattern will be upset from the constant noise and disruption, not only during building but in future.

This is not a driveway but an alleyway serving four houses. There will be no protection for the side of my property and when completed my back gate would open out onto a road. The proposal would not benefit the area and raises some serious safety concerns.

**70 Powell Avenue, Blackpool** (Objects) - I am concerned about the entrance to the proposed garage and demolition of 83 Powell Avenue.

We live directly opposite the proposed entrance at 70 Powell Avenue and we have disabled parking directly opposite the proposed entrance and there is concern over its effect on our disabled parking and possible damage to our car as the road is very narrow and is already heavily parked.

Although the entrance would utilise the grass verge, it cannot go beyond next door as they have a parking entrance into their house and because of this it would mean that it would be difficult to go in and out of the entrance without driving very close to our car, and possible damaged, and we have already had damage from traffic going up and down our street. This is only going to compound the problem and could cause more collisions.

**97 Powell Avenue, Blackpool** (Supports) - Great idea making use of the land that is in such a disgusting condition where people dump unwanted items. The land is currently unkempt and is an eyesore. Also rats and other vermin have been seen at the mentioned land. Hopefully this application is approved and this land is put to good use and most important it is kept in good condition for years to come.

### **NATIONAL PLANNING POLICY FRAMEWORK**

The revised National Planning Policy Framework (NPPF) retains the key objective of achieving sustainable development and hence there is a presumption that planning applications proposing sustainable development will be approved. It provides advice on a range of topics and is a material planning consideration in the determination of planning applications. The parts most relevant to this application are:

- 8 - Promoting healthy and safe communities
- 11 - Making effective use of land
- 12 - Achieving well-designed places

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

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

- CS7 Quality of design
- CS12 Sustainable neighbourhoods

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

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

The following policies are most relevant to this application:

- LQ1 Lifting the quality of design
- LQ6 Landscape Design and Biodiversity
- BH3 Residential and visitor amenity
- AS1 Access, parking and highway safety

### **BLACKPOOL LOCAL PLAN PART 2: PROPOSED SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES**

The Blackpool Local Plan Part 2 has been subject to an informal consultation exercise and will be subject to formal consultation later this year. At this point in time limited weight can be attached to the proposed policies. The policies in Part 2 that are most relevant to this application are:

Policy DM20: Landscaping

Policy DM21: Public Health and Safety

Policy DM39: Transport requirements for new development

## **ASSESSMENT**

**Principle of Development-** the application site is unallocated on the Blackpool Local Plan proposals map which therefore means that there are no objections in principle and the acceptability of the proposal is dependent upon the submitted details and/or whether any outstanding matters can satisfactorily be dealt with by condition(s). The principle of development on the site has also already been accepted with the granting of permission reference 16/0551 for the erection of six houses, this approval is still valid until 6 June 2020.

**Highway and Pedestrian Safety-** it is anticipated that traffic levels would be less, or at least no greater from the 36 lock up garages than that generated by the approved six houses. It is also expected that a number of the garages would be utilised for domestic storage purposes with limited visits to and from the site, in addition to providing off street parking facilities. The amended plan indicates a footpath from Powell Avenue into the site abutting 81 Powell Avenue alongside the proposed access road. This will ensure pedestrians can safely access the site. The proposed 4.5 metre wide access road would allow for a two way traffic flow (if required) and will also be physically separated from the existing grass track via a knee rail meaning any existing use of the grass track should not be affected.

The public footpath and grass verge on Powell Avenue has a depth of over 7 metres which means visibility upon entering the carriageway is very good with ample room to safely manoeuvre and there is no reason to suggest vehicles parked on street are likely to be damaged as a result of the proposal. On street parking is also likely to be reduced on Powell Avenue as a result of the proposal. In highway and pedestrian safety terms the proposal is considered to comply with Policy AS1 of the Blackpool Local Plan

**Impact on Residential and Visual Amenity –** The demolition of 83 Powell Avenue will have some residential amenity impact for a limited period until the new gable wall is constructed. However, with the inclusion of appropriate conditions, including agreement of a Construction Management Plan, and requiring details of the new gable wall to be agreed and constructed prior to works commencing on the garages it is considered that the impact can be minimised to an acceptable level to comply with Policy BH3 of the Blackpool Local Plan. Any approval will also include a condition restricting use of the garages to domestic parking and/ or storage to prevent business activity from the site. It is not considered that the levels of traffic from the use of the site will be such as to cause detrimental harm to residential amenity although it will be a significant increase on the existing levels of activity. The area immediately to the rear of 85 and 87 Powell Avenue houses a sub-station which would provide a buffer between the rear of these properties and the lock-up garages. There may be some limited amenity impact with car headlamps from vehicles entering/ leaving the site during hours of darkness although, in comparison to the approved housing scheme, this would be expected to be less, or at least no greater, and this issue is a common one within built up residential areas.

In terms of visual amenity there are not considered to be any adverse impacts arising from the proposal given that the site overgrown, unkempt and it has been suggested that it has also been subject to fly tipping.

**Other Issues** the potential de-valuation of property values is not a planning consideration.

A sustainable surface water drainage will be dealt with by way of condition and it envisaged that most, if not all, surface will soak away naturally within the site via porous materials without any requirement to connect to the main drains.

There is no reason to suggest there will be any issues with vandalism, if anything, the potential for criminal activity may decrease with the additional activity and the application has the benefit of natural surveillance being overlooked by houses on three sides, and will also be gated to prevent unauthorised access.

A condition will be included requiring the removal of any of the self-sown trees and landscaping on the application site outside the bird breeding season to avoid any potential of disturbing nesting birds and a replacement planting scheme will be required by condition. The existing landscaping on the site has limited visual amenity value and is not visible from any public vantage point being largely enclosed by housing. The removal of this landscaping has also already been agreed as part of planning permission 16/0551.

## **CONCLUSION**

The proposal will introduce a beneficial use of the vacant and overgrown application site and is considered acceptable in terms of its impact on highway safety, residential amenity and all other relevant issues and as such the application is recommended for a conditional approval.

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

The proposal will require a Section 278 highways agreement to deal with the off-site highway works on Powell Avenue.

## **HUMAN RIGHTS ACT**

Under Article eight and Article one of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. It is not considered that the application raises any human rights issues.

## **CRIME AND DISORDER ACT 1998**

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

## **BACKGROUND PAPERS**

Planning Application File(s) 16/0551 which can be accessed via the link below:

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

**Recommended Decision:** Grant Permission

### **Conditions and Reasons**

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

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

2. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority including the following plans:

Location Plan received by the Council on 12/09/2019  
Drawings numbered PL02 Rev C

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) the approved garages shall solely be used for the parking of motor cars and for domestic storage only and shall not at any time be used for business purposes or commercial storage.

Reason: In the interests of highway safety and residential amenity in accordance with Policies BH3, AS1 and LQ1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. Notwithstanding the submitted plans, all access works, including works to Powell Avenue, shall be carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the development hereby approved being first brought into use and shall thereafter be retained.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. Before the garages are first occupied external lighting shall be fitted in accordance with details to be submitted to and agreed in writing by the Local Planning Authority and shall thereafter retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the residential and visual amenity, in accordance with Policies LQ1, BH3 and BH4 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. No trees to be removed as part of the development shall be removed during the bird breeding season (March - August in any calendar year) unless the absence of breeding birds on the site is confirmed in writing to the Local Planning Authority in advance of any tree works being carried out.

Reason: To safeguard birds in accordance with Policy NE7 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

7. Details of the external treatment of the exposed gable elevation as a result of the approved demolition works to 83 Powell Avenue shall be submitted to and agreed in writing by the Local Planning Authority prior to the demolition works commencing and the agreed external works shall subsequently carried out in accordance with the approved details before work commences on the erection of the approved garages.

Reason: In the interests of visual amenity in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. Prior to the commencement of any development details of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first use of the garages and maintained and managed in accordance with the approved details thereafter.

Reason: To secure proper drainage and to reduce the risk of flooding and pollution and to improve bathing water quality standards on the Fylde Coast in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016.

9. 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 routing 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 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. a) No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed changes to existing ground levels, means of enclosure and boundary treatment, areas of soft landscaping, hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.
- b) 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.)
- c) 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 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

## **Advice Notes to Developer**

1. 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.