

**Officer Report to Committee**

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**Application ref:** 19/0241  
**Ward:** GREENLANDS  
**Application type:** HYBRID  
**Location:** Former Bispham High School, Bispham Road, Blackpool, FY2 0NH  
**Proposal:** Hybrid application comprising  
A) a full application for the erection of a cadet hut (relocation of existing building)  
B) an outline planning application for the erection of up to 176 dwellings with associated open space and infrastructure( all matters reserved for subsequent approval)  
**Recommendation:** APPROVE  
**Case officer:** Miss Susan Parker  
**Case officer contact:** 01253 47622

**1.0 BLACKPOOL COUNCIL PLAN 2019-2024**

- 1.1 The Council Plan sets out two priorities. The first is ‘the economy: maximising growth and opportunity across Blackpool’, and the second is ‘communities: creating stronger communities and increasing resilience.
- 1.2 This application would accord with the second priority as it would deliver new housing to meet identified local needs.

**2.0 SUMMARY OF RECOMMENDATION**

- 2.1 The proposal would result in the loss of protected playing field but would make a substantial contribution towards meeting the borough’s housing requirement. It is anticipated that the emerging Playing Pitch Strategy will demonstrate that the existing facilities are not required and/or that suitable replacement facilities could be provided in an appropriate location to compensate for the loss of provision on the site. No unacceptable impacts on residential amenity, heritage, character, highway function and safety, drainage, flood risk, ecology or environmental quality are anticipated. As such and on balance, the proposal is considered to represent sustainable development for which planning permission should be granted.
- 2.2 At the time of writing the emerging Playing Pitch Strategy has not been published, but it is expected to be published in advance of the Committee meeting. At present, Sport England, which is a statutory consultee, has objected to the scheme due to the loss of protected playing field. Unless the objection is withdrawn, the Council cannot determine the application without referring it for consideration by the Secretary of

State. As such, and subject to the Playing Pitch Strategy being published and confirming that the loss of the existing provision can be justified in advance of the meeting, Members are respectfully recommended to resolve to support the proposal and delegate the Head of Development Management to grant planning permission subject to either the removal of the Sport England objection or deferral from the Secretary of State. Any such planning permission would have to be subject to a range of conditions and a S106 legal agreement to secure appropriate planning obligations.

### **3.0 INTRODUCTION**

3.1 This application is before Members because it is a major scale proposal of general public interest.

3.2 The application was brought before the Committee at its meeting in October 2019. However, the application was deferred at that meeting to enable issues raised by Sport England to be addressed, and to enable further investigation of the different options for highway access.

### **4.0 SITE DESCRIPTION**

4.1 The application site is 9.13 hectares in area and comprises the 5.1 hectare site of the former Bispham High School site fronting Bispham Road with a secondary access onto Kylemore Avenue. Within the grounds of the former school is an Air Cadet Training Corps building also fronting Bispham Road. The former school site is designated under Policy BH7 of the Blackpool Local Plan as 'Playing Fields and Sports Grounds' and includes the site of the former school buildings, which have now been cleared, and the former school playing fields which are enclosed with fencing and overgrown. The application site also includes the adjoining playing field immediately to the rear (west) of the former school which is designated under Policy BH5 of the Local Plan as 'Protection of Public Open Space'. This playing field is accessed from Inver Road and includes a children's play area abutting the Rock Gardens to its west providing additional pedestrian access points. The third plot of land within the application site is a vacant area of land adjoining the residential estate immediately to the south accessed from Leys Road with the 'Water Tower' at its entrance. This third plot of land is unallocated on the Proposals Map of the Blackpool Local Plan. On the approved layout for the Leys Road housing estate ref: 99/0927 for 105 dwellings, which now includes Regency Gardens and Tower View, this third plot of land was indicated as a potential phase 2 of this development with a vehicle and pedestrian access point from Regency Gardens. There is a significant drop in site levels from the western boundary with the Rock Gardens to the former school playing fields in the centre of the site of over 5 metres

4.2 To the north and east of the application site is mainly residential in character with a number of residential cul-de-sacs abutting the northern boundary. To the north-east of the application site is a local centre designated within the Blackpool Local Plan, which includes the locally listed Squirrel Public House. Situated to the south of the application site is the Department for Work and Pensions complex with a housing estate including Regency Gardens running up to the southern boundary of the

application site. To the west of the application site are locally listed Rock Gardens protected under Policy BH5 of the Local Plan 'Protection of Public Open Space' The application is within Flood Zone 1 and there is a watercourse running along the south eastern boundary of the site and to the rear of houses fronting Bispham Road.

## **5.0 DETAILS OF PROPOSAL**

- 5.1 This 'hybrid' planning application seeks outline planning permission for up to 176 dwellings and associated public open space with all matters (namely layout, scale, appearance, access and landscaping) to be reserved for subsequent approval. In addition to the proposed residential development this application also seeks detailed planning permission to re-locate the existing Air Training Corps building from its present Bispham Road location onto Kylemore Avenue within its own enclosed curtilage and with its own vehicle/ pedestrian access.
- 5.2 A parameters plan submitted with the application includes an indication of the approximate location of the three housing areas; one area served from Bispham Road and two smaller areas accessed from Regency Gardens. This indicative plan also shows an area of public open space fronting Bispham Road, and a larger area of open space towards the rear of the site between the proposed housing areas. The existing public open space accessed from Inver Road is also shown for retention as part of this area. A sewer easement is shown on the parameters plan running across the site from Kylemore Avenue and onto Meadow Close to the south of the application site.
- 5.3 It is suggested that around 120 properties would be accessed from Bispham Road, including those at the front of the site and those to the south of Lorne Road, with a further 56 accessed from Regency Gardens. This compares to an initial proposed split of 88 for each access point.
- 5.4 The existing Air Training Corps building which is single storey, section built and has a functional appearance would be dismantled and re-erected in its new location with associated vehicle and pedestrian access and a 21 space car park and cycle parking.
- 5.4 The application has been supported by:
- Planning statement
  - Design and access statement
  - Ecological appraisal
  - Tree survey
  - Transport assessment
  - Framework travel plan
  - Flood risk assessment
  - Geo-environmental assessment

## **6.0 RELEVANT PLANNING HISTORY**

6.1 20/0236 - Re-location of existing single-storey Air Cadet Training Centre building from Bispham Road frontage with new vehicle and pedestrian access and parking spaces for 21 vehicles with associated cycle store, refuse store, landscaping and boundary treatment – approved.

6.2 This separate application was submitted to try and ensure that any delays with the main application (this submission) did not compromise the cadet operation. However, as no works have commenced to implement this separate permission, it remains reasonable for it to be included as part of this hybrid proposal.

## **7.0 MAIN PLANNING ISSUES**

7.1 The main planning issues in respect of the outline element of the application are considered to be:

- principle of residential development
- acceptability of the loss of sports pitches
- Impact on public open space
- Housing need
- Housing mix
- Planning obligations
- Visual impact and impact on character and heritage value
- Amenity impact
- Highway impact
- Flood risk and drainage
- Ecological impact

7.2 The main planning issues in respect of the full element of the application are considered to be:

- Design
- Amenity impact
- Adequacy of the access and parking arrangements

## **8.0 CONSULTATION RESPONSES**

### **8.1 Sport England (SE):**

8.1.1 Objection (initial response) - the scheme would lead to a loss of land that has been used as a playing field in the last five years. It is the policy of SE to object to proposals for such loss unless one or more of five exceptions apply. In summary these are:

- (i) there is an excess supply and the loss would not be of special significance
- (ii) the development is for ancillary facilities and the quantity or quality of sports

- provision would not be adversely affected
- (iii) the development would only affect land that cannot form a pitch or would not compromise use of a pitch
- (iv) the playing field to be lost would be appropriately replaced by new prior to that loss
- (v) the development would be for indoor facilities of sufficient benefit to justify the loss

- 8.1.2 The proposal would prejudice the use of the playing pitches at the former Bispham High School site that amount to some 4.9 hectares. SE do not agree with the extent of playing field set out in the Planning Statement and contend that substantial parts of areas A and B as identified would compromise playing field. Paragraph 97 of the NPPF relates to the protection of open space, sports and recreational buildings and land. Loss should not be accepted unless an up-to-date and robust assessment of need demonstrates the provision to be surplus to requirements. An evidence base is required that demonstrates the playing field to be surplus to both current and future sporting needs for all sports, not just football. The latest Playing Pitch Strategy (PPS) for Blackpool is from 2016 and this identifies a deficiency of pitches. The assessment should also consider likely housing growth. On this basis, exception (i) cannot be met and replacement facilities are required in accordance with exception (iv).
- 8.1.3 New developments should contribute towards sporting provision. SE commented on the draft Blackpool Local Plan Part 2 in 2019 which included the allocation of this site for residential development. As the PPS failed to demonstrate that the provision on site was surplus to requirements, an objection was raised. To overcome this objection, the developer must either demonstrate the existing provision to be surplus to requirements, or must provide appropriate replacement facilities elsewhere.
- 8.2 **Environment Agency:** no comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the Update Note, but this application does not require a response.
- 8.3 **Ramblers Association:** no comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note.
- 8.4 **United Utilities:**
- 8.4.1 Foul and surface water should be drained separately with surface water draining in the most sustainable way. A suitable condition to for surface water drainage is requested. The approved scheme should accord with the non-statutory technical standards. The developer is welcome to discuss this with United Utilities. Any discharge to a local watercourse should be discussed with the Lead Local Flood Authority or the Environment Agency. Any wastewater assets offered for adoption must meet United Utilities standards and early consultation is recommended. A condition should be imposed requirement agreement of the management and

maintenance of the sustainable surface water drainage system. United Utilities cannot comment or become involved in drainage matters subject to third party management.

8.4.2 Water mains may need to be extended to serve the site. Consultation with United Utilities is recommended at the earliest opportunity. All pipework and fittings must be to current standards. There is an easement crossing the site which is in addition to statutory United Utilities rights for inspection, maintenance and repair. Restrictive covenants are in place which must be adhered to. Nothing should be stored, planted or erected on the easement. Nothing should affect the integrity of the pipe or United Utilities legal right to 24 hour access. A public sewer crosses the site and building over it would not be permitted. An access strip of 6m width centred on the sewer must be provided. At present this would either require a modification of the indicative layout or diversion of the sewer at developer expense. Again this should be discussed with United Utilities at the earliest opportunity. Deep-rooted shrubs and trees should not be planted near to the public sewer and overflow systems. Level of cover to United Utilities assets must not be compromised. It is the developer's responsibility to investigate potential impact on United Utilities assets. A mapping service is available from United Utilities. Not all sewers are shown on the statutory sewer records. If a sewer is discovered during construction a Building Control body should be consulted.

## 8.5 **Greater Manchester Ecology Unit (GMEU):**

8.5.1 The site is within 2km of a Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI). The sites have no direct connectivity but the development could have an indirect affect through increased population and through increased reliance of birds on inland sites due to wider loss of land to development creating functional linkage. Given the number of visitors Blackpool receives, any increase in activity and disturbance generated by this scheme would be de-minimis. As the site is surrounded by built development and lacks suitable habitat for wading and water birds, it is not considered to be functionally linked.

8.5.2 The Rock Gardens are a Local Nature Reserve that supports the rare white-letter hairstreak butterfly. As the gardens are open all year and subject to high levels of public disturbance, any increased use resulting from the development would not be likely to have a detrimental effect on their nature conservation interest. No habitat suitable for the butterfly would be lost as a result of the scheme but suitable habitat could be provided through the planting of elms as part of ecological enhancement.

8.5.3 The habitats on site can be divided into three areas: (a) bare and re-colonising ground where the former school buildings stood, (b) an extensive area of overgrown, former amenity grassland which is generally species poor, and (c) an area of tall-ruderal and scrub vegetation developing with mature and semi-mature trees. Areas (a) and (b) have low to negligible nature conservation value. The area (c) has low to moderate local nature conservation value with some value for nesting birds. There are also hedgerows and linear blocks of mature trees, particularly at the boundaries

with the Rock Garden and former amenity grassland. All habitats present are relatively common and widespread throughout Lancashire. The masterplan shows the most important mature tree lines to be retained as part of the scheme. There also appear to be extensive opportunities for new tree and shrub planting. Comprehensive landscape plans including elm planting should be required as part of a reserved matters application. Mature trees should be suitably protected during construction. No vegetation clearance should take place during bird nesting season.

- 8.5.4 With regard to protected species, the findings of the ecology survey are accepted. These note the site to have low to negligible potential to support protected or priority species except for nesting birds and small numbers of foraging bats. Bird communities are recorded as unremarkable and bat numbers very low. Loss of habitat on site would be very unlikely to affect the local nature conservation status of either if new landscaping is provided. The ponds to the west in the Rock Gardens have low to negligible potential to support great crested newts and there are no records of such close to the site. No signs of badgers were recorded but there could still be some use and so precautionary surveys should be carried out prior to commencement. Ecological enhancement should be sought through inclusion of features such as species-rich grassland, shrub beds, and tree planting including elm, bat roosting boxes/features and bird nesting boxes.
- 8.6 **Lancashire County Council Archaeology Service:** the land appears to have been open before its use as a school with the only feature appearing to be a pond. This may have been a clay or marl pit. There are two further ponds off-site in close proximity and all have been back-filled. A number of farmsteads were mapped as being in the vicinity in 1847. Peat basins are also identified on the Historic Environment Record in the immediate vicinity of the proposed development area, the closes within the adjoining Department for Work and Pensions site with others in the wider area. A watching brief on excavation of a cable trench through North Shore Golf Course in 1999 revealed evidence of human activity including worked timbers. The well-known Palaeolithic 'Poulton Elk' along with two spear points were found in a similar peat basin 1km away. Some 1.5km away an Iron Age skull was discovered during development. The skull appeared to have become accidentally trapped in a beaver dam rather than intentionally buried, and this dam subsequently resulted in the development of another small peat basin. These discoveries suggest there could be remains on the site. The area of the former school buildings has probably been disturbed to the point that no remains are likely. Aerial photography from 2000 suggests that the central area of the former playing fields has also been disturbed through use as a construction compound or similar. As the rest of the site holds potential for remains, a condition is recommended for attachment on any permission granted.
- 8.7 **Blackpool, Wyre and Fylde Clinical Commissioning Group (NHS):** the development would generate a requirement for a financial contribution of £52,994 towards the extension of St. Paul's Medical Centre and the reconfiguration of Moor Park Health Centre to increase capacity in order to accommodate the needs of future residents.

- 8.8 **Local Education Authority:** the scheme would justify a total financial contribution of £1,895,066 towards local education provision. This would be made up of £84,914 towards the creation of 58 primary school places, and £1,010,151 towards the provision of 44 secondary school places.
- 8.9 **Local Highway Authority:**
- 8.9.1 As the application is made in outline the indicative internal layout has not been assessed, but it demonstrates that the proposed number of dwellings could be accommodated with conventional highways infrastructure. It would be helpful if 'access' or 'layout' were matters for consideration at this stage but no issue is raised regarding the indicative plans. The access proposals are broadly acceptable although the junction design at Bispham Road is not, although it does illustrate that an access is achievable. The calculations and assumptions in the transport assessment (TA) are acceptable. It demonstrates that the site may be developed with the number of houses equally split between the two access points. Access to Bispham Road would be straightforward using a priority junction. Access to Leys Road would be via Regency Gardens which is part of an estate developed on the system of collector roads and access ways. The design capacity of such a layout would typically be limited to around 200 dwellings and this scheme would be within that limit.
- 8.9.2 The Transport Assessment demonstrates that flows at the two junctions on Bispham Road (at Moor Park Avenue and Low Moor Road) would be marginally above theoretical capacity in design year 2024. However, this results as much from general traffic growth as development traffic and does not indicate that the scheme should fund major improvements. It is acknowledged that there are existing issues on the network that would be exacerbated by the additional traffic. As such the development should provide additional traffic calming on Leys Road, Regency Gardens, Collins Avenue and Low Moor Road. Controlled pedestrian crossings should also be provided at the junctions of Bispham Road/Salmsbury Avenue and Leys Road/Warbreck Hill Road.
- 8.9.3 At pre-application discussion stage it was made clear that the existing layout of the school access junction should not be retained as its detail was specifically related to school demands. The loop can be removed subject to preserving access to the existing houses at its southern end. There is a refuge to the north which would be better moved or replicated closer to the access. There is a northbound bus stop but no southbound bus stop. Pedestrian movements would be simplified with a second refuge to the south and a southbound bus stop. This would resolve some problems at the Low Moor Road junction. A hatched right-turn lane between the refuges would also be advantageous. Waiting restrictions should be revisited as part of junction design. Off-site works would require a highways agreement and the type of layout envisaged would be acceptable for adoption. A legal agreement would be required for any adoption. As part of the junction works, the northbound bus stop should be replaced to full standard. The southbound bus stop should also be upgraded to full standard.



- 8.9.4 In response to the amended plans and neighbour comments regarding the reliability of the Transport Assessment, it can be confirmed that the proposed mini-roundabout design demonstrates that a junction of that type is acceptable. However, this would be subject to detailed design, safety audit etc. Neighbour concerns about safety leaving their driveways would be addressed at detailed design stage. It should be noted that a significant advantage of the current junction design is that it would reduce vehicle speeds on this length of road, both at the junction and for a distance on either side. It is reasonable to assume that this would result in fewer and less serious collisions. The submitted Transport Technical Note is acceptable and principally confirms minor changes to the Transport Assessment arising from the number of dwellings accessed from each point. With regard to the level of car ownership, the Transport Assessment is based on average car ownership. It suggests that the conclusions may be conservative because Blackpool as a whole has lower car ownership. However, the Transport Assessment is based on reasonable assumptions. Any valid challenge would have to demonstrate that Blackpool has higher than average car ownership, which is not the case.
- 8.10 **Lead Local Flood Authority:** no comments have been received in time for inclusion in this report. Any comments that are received in advance of the Committee meeting will be reported through the update note.
- 8.11 **Council Drainage Officer:** the submitted Flood Risk Assessment (FRA) is acceptable for the application. The development must fully comply with SuDS standards in respect of run-off quality and quantity. Measures should be integrated into landscape areas and a simple pipe-to-tank approach would not be acceptable. Sources of inflow to the small areas of flooding noted in section 5.3 of the Flood Risk Assessment should be identified and dealt with at reserved matters stage. It is noted that United Utilities' stance is that surface water should not be connected to the public sewer network. (Please note that drainage issues cannot be resolved at reserved matters stage and it has been confirmed that the matters raised can be dealt with through planning condition).
- 8.12 **Blackpool Civic Trust:** the application is supported but on-street parking should be restricted.
- 8.13 **Built Heritage Manager:** the indicative layout includes a green buffer to the east of the Devonshire Road Rock Gardens. However, the plan shows buildings in the south-west corner very close to the boundary which would create enclosure in that area. The buffer zone should be extended south to preserve the setting of the gardens. The area immediately to the north-east of the proposal adjacent to the site of the new cadet hut was originally the site of Moorfield House. As such there may be potential for incidental archaeological finds. It is recommended that advice be sought from the County archaeologist regarding a watching brief.

8.14 **Environmental Protection (environmental quality):** no comment.

8.15 **Environmental Protection (residential amenity):** no comment.

**8.16 Head of Parks and Greens:**

8.16.1 The Arboricultural Impact Assessment (AIA) plan should show the canopy spread (N, E, S, W) coinciding with the trees retention category. The hedge line which runs west to east in section C should also be highlighted on the plan as it is an A/B retention category landscape feature. This is shown as being retained on the Illustrative Layout and therefore protective fencing will be required. This will need to be highlighted in the Arboricultural Method Statement (AMS) once complete. The plan should also highlight the Root Protection Areas (RPAs) that will be incurred from the proposed development. There should be a 'no-dig' methodology within the RPAs incurred. Trees recommended for removal or retention should be shown on the plan. A further assessment can be carried out when a topographic and design layout has been formalised.

8.16.2 With regard to the illustrative layout, the properties to the south-west would be close to the Devonshire Rock Garden tree line, which provides high amenity and ecological value, and which encloses the garden creating a secluded space for the community to enjoy. Garden fences running up to the boundary where the tree line starts would result in pressure for future pruning, which would have potential to ruin the tree line. Unit numbers should be reduced and pushed towards the east to create a buffer zone for the trees and their future growth. The path leading from the development into the Rock Garden is not beneficial as there is already a path through this area. The southern area of the Rock Garden is a meadow for the benefit of pollinator and butterfly conservation and an additional path would increase disruption. The scheme offers significant opportunities for tree planning, and a wildlife area could be located to the east, west or southwest. The planting scheme should take this into account.

**9.0 REPRESENTATIONS**

9.1 Press notice published: 17/10/2019 and 16/12/20

9.2 Site notice displayed: 11/10/19 and 15/12/20

9.3 Neighbours notified: 08/10/2019 and 15/12/20

9.4 Fifty-two representations have been received from the following properties:

- Bispham Road; 124, 134, 136-138 (x2)
- Bluebell Close; 1, 2
- Bracken Way; 3
- Chestnut Close; 5
- Headfort Close; 15

- Hurstwood Drive; 3
- Leys Road; 15, 26, 32, 50, 52, 56
- Meadow Close; 1, 2, 3, 4, 5, 19
- Regency Gardens; 1 (x2), 4, 5, 6 (x2), 9 (on behalf of five residents), 10, 14, 15, 20, 22, 23, 27, 29 (x2), 32, 34, 36
- Tower View; 3A, 4, 6, 9, 10, 11, 12, 14 (x2)
- Waterside; 4
- Department for Work and Pensions

9.5 These representations raise the following issues:

#### Principle

- Loss of open space
- Increased pressure on existing open space, especially the Rock Gardens
- Loss of the Rock Gardens
- Loss of greenspace, development should be directed to brownfield land
- Loss of Green Belt
- Impact on the character of the area
- Impact on Conservation Area
- Excessive scale of development/over-development
- Lack of employment opportunities to support new residents
- Lack of infrastructure e.g. school places, to support the development
- Increased social burden
- Retail development would be inappropriate
- Total housing number unclear
- Housing mix is unknown

#### Amenity/visual impacts

- Increase in noise and disturbance, including during construction
- Increase in traffic noise
- Loss of light
- Loss of privacy from over-looking
- Loss of privacy due to loss of cul-de-sac status
- Loss of privacy due to queuing traffic
- Visual impact
- Impact on the tidiness of the area
- Increased air pollution from traffic and BBQs
- Impact on human health

#### Highway issues

- Inappropriate access
- The access proposed would increase congestion
- All access should be from Bispham Road
- There should be access taken from Inver/Ardmore Roads
- Position of proposed roundabout would be dangerous for use of existing accesses

- Impact on highway safety
- Danger to pedestrians, particularly children
- Danger to animals
- Lack of adequate visibility
- Lack of capacity on the network for additional traffic
- Increased congestion
- Existing congestion on Leys Road
- Inadequate consideration of impact at peak times near Unity School
- Leys Road is used as a cut through and traffic-calming should be provided
- Regency Gardens would become a cut-through
- Regency Gardens and Leys Road not designed for the traffic proposed
- Regency Gardens and Leys Road not suitable for HGVs e.g. delivery vehicles
- Emergency services struggle to navigate Regency Gardens
- Inadequate existing parking (reducing road width and visibility)
- Inadequate parking provision
- Loss of parking provision for DWP staff
- The works should not impede DWP access
- Leys Road and Regency Gardens used for parking by DWP and Unity staff
- Impact/danger from construction traffic
- All construction traffic should be from Bispham Road only
- Submitted transport information is unreliable as it suggests car ownership would be below average
- Would result in mud on the highway

#### Drainage impacts

- Impact on drainage
- Increased flood risk
- Unclear how foul drainage would be managed

#### Ecological impacts

- Impact on wildlife/biodiversity
- Loss of habitats
- Loss of plant species
- Site should be Biological Heritage Site
- Loss of trees and hedgerows
- Trees not recorded properly in the information submitted
- Loss of space for dogs

#### Security/crime

- Impact on security due to increased pedestrian movement
- Increase in crime
- Increase in anti-social behaviour
- Risk of gang formation
- Use of Rock Gardens by young people
- Lack of dog-waste bins

### Other issues

- Loss of property value
- Council Tax should be reassessed
- Risk of subsidence and damage to private property and drains
- Loss of views
- LCC are ignoring resident concerns
- Inadequate consultation, letters not received by all residents
- Poor timing of consultation
- Inadequate time for responses
- The application is illegal as the site is improperly defined
- Inconsistencies/inaccuracies within the application
- Description of development lacks detail
- Ward Councillor presentation to Committee not available online
- No feedback from Committee 'site tour'
- Unknown who was consulted
- Violation of human rights

9.6 A joint representation has also been received from Ward Councillors Scott and Wing raising the following matters:

- The transport information does not address existing issues that would be compounded by the development;
  - Junction of Collins Avenue and Lowmoor Road
  - Need for a pedestrian crossing near the Post Office
  - Use of Leys Road as a cut-through
  - Danger to parents and children walking to Unity College
  - The local infrastructure has changed since the estate was first developed
  - Danger to highway safety
  - Danger from contractors access through Regency Gardens
  - The proposed access onto Regency Gardens should be reconsidered
- The houses should incorporate 'green' measures such as electric-car charging points and solar panels
- Loss of sports fields

9.7 The majority of these issues will be addressed in the main body of this report. The development would not result in the loss of any part of the Rock Gardens or Green Belt and the site is not in a Conservation Area. No retail development is proposed. The Committee is respectfully reminded that issues relating to loss of view and potential impact on property prices are not valid planning considerations. Furthermore, any damage to property arising from construction is a matter for private resolution. A representation has been received stating that Lancashire County Council (LCC) has ignored resident concerns relating to highway matters. Lancashire County Council is not the Local Highway Authority for the Blackpool area.

9.8 A number of comments have been received relating to inadequate publicity, the timing of the publicity, and the time for responses to be submitted. Members are advised that the application has been publicised in full accordance with statutory

requirements. There is no obligation for the Council to issue letters to householders, but nevertheless elects to do this in addition to the display of press and site notices as best practice. The standard 21 days for comments has been allowed and, as always, comments will be considered up until the point of determination. The fact that the consultation period has coincided with Christmas and the New Year is not considered to be unduly prejudicial. The description of the development and location is considered to be acceptable and the location plan submitted with the application clearly defines the boundaries of the site. A representation has queried why the resident presentation made to Committee in 2019 is not available online. This document/file has not been submitted to the Council. The lack of feedback from the Committee 'site tour' has also been queried, but the basis for this comment is unclear as Members are expected to familiarise themselves with the application site.

9.9 It has been suggested that the application contains inconsistencies and inaccuracies. Some additional information has been received since the application was last presented to Committee to address a number of the issues and concerns raised. Overall the application is considered to be sufficient in terms of content to enable a suitable robust determination. Where additional information is considered necessary, this can be secured through conditions imposed on any permission granted.

## **10.0 RELEVANT PLANNING POLICY**

### **10.1 National Planning Policy Framework (NPPF)**

10.1.1 The NPPF was adopted in February 2019. It sets out a presumption in favour of sustainable development. The following sections are most relevant to this application:

- Section 5 - Delivering a sufficient supply of homes
- Section 8 - Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

### **10.2 National Planning Practice Guidance (NPPG)**

10.2.1 The NPPG expands upon and offers clarity on the points of policy set out in the NPPF.

### **10.3 Blackpool Local Plan Part 1: Core Strategy 2012-2027 (hereafter referred to as Core Strategy)**

10.3.1 The Core Strategy was adopted in January 2016. The following policies are most

relevant to this application:

- CS2: Housing Provision
- CS5: Connectivity
- CS6: Green Infrastructure
- CS7: Quality of Design
- CS8: Heritage
- CS9: Water Management
- CS11: Planning Obligations
- CS12: Sustainable Neighbourhoods
- CS13: Housing Mix, Density and Standards
- CS14: Affordable Housing
- CS15: Health and Education

#### **10.4 Blackpool Local Plan 2011-2016 (saved policies) (hereafter referred to as Local Plan)**

10.4.1 The Blackpool Local Plan was adopted in June 2006. A number of policies in the Local Plan have now been superseded by policies in the Core Strategy but others have been saved until the Local Plan Part 2: Site Allocations and Development Management Policies has been produced. The following saved 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
- LQ5: Public Realm Design
- LQ6: Landscape Design and Biodiversity
- HN4: Windfall Sites (for housing development)
- BH3: Residential and Visitor Amenity
- BH4: Public Health and Safety
- BH5: Protection of Public Open Space
- BH7: Playing Fields and Sports Grounds
- BH10: Open Space in New Housing Developments
- NE5: Other Sites of Nature Conservation Value
- NE6: Protected Species
- AS1: General Development Requirements (Transportation)
- AS2: New Development with Significant Transport Implications

#### **10.5 Blackpool Local Plan Part 2: Site Allocations and Development Management Policies (emerging policies)**

10.5.1 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 policies proposed. Nevertheless, the following draft allocations/designations and policies in Part 2 are most relevant to this application:

- Potential Housing Sites (the application site is identified as site H3)
- DM2: Housing for Older People
- DM5: Design Requirements for New Build Housing Development
- DM20: Landscaping
- DM21: Public Health and Safety
- DM25: Public Art
- DM28: Locally Listed Buildings and Other Non-Designated Heritage Assets
- DM29: Archaeology
- DM32: Development in the Countryside
- DM33: Biodiversity
- DM36: Community Facilities
- DM39: Transport Requirements for New Development

## **10.6 Other Relevant Policy Guidance**

10.6.1 Blackpool Playing Pitch Strategy (PPS) – this document was adopted in 2016. The strategy aims to safeguard playing fields and increase their quantity and quality where deficiencies exist. The strategy is informed by the Open Space, Sport & Recreation Audit and Position Statement. A new playing pitch strategy is currently being updated to support the emerging Local Plan.

10.6.2 Blackpool Open Space Assessment – this document was produced in 2019 and is an assessment of the quantity, accessibility, quality and value of open space across Blackpool.

## **11.0 ASSESSMENT**

### **OUTLINE ELEMENT OF THE APPLICATION**

#### **11.1 Principal**

11.1.1 The part of the site subject to the outline element of the proposal comprises three areas, each of which present a different range of planning considerations. These must variously be balanced against the more general considerations that relate to the site in part or as a whole.

#### **Former Bispham High School site – loss of playing pitches**

11.1.2 The former Bispham High School site is safeguarded on the Proposals Map to the Local Plan as Playing Fields and Sports Grounds. This area of the site runs westward from Bispham Road and takes an hour-glass shape due to the presence of a pinch-point to the rear of the Department for Work and Pensions site.



11.1.3 Sport England is a statutory consultee as a result of this designation and has objected to the proposal. The Council cannot grant a planning permission in the face of an objection from Sport England without first referring the matter to the Secretary of State for his consideration. Sport England will only support the loss of provision where one of five criteria are met. In summary these are:

- (i) there is an excess supply and the loss would not be of special significance
- (ii) the development is for ancillary facilities and the quantity or quality of sports provision would not be adversely affected
- (iii) the development would only affect land that cannot form a pitch or would not compromise use of a pitch
- (iv) the playing field to be lost would be appropriately replaced by new prior to that loss
- (v) the development would be for indoor facilities of sufficient benefit to justify the loss

11.1.4 Given its designation, paragraph 97 of the NPPF, Policy CS6 of the Core Strategy, and Policy BH7 of the Local Plan are most relevant.

11.1.5 The NPPF makes it clear that sports pitches and playing fields should not be built on unless:

- (i) an assessment has been undertaken that clearly shows the provision to be surplus to requirements;
- (ii) the loss would be replaced by equivalent or better provision (in terms of both quantity and quality) in a suitable location; or
- (iii) the development is for alternative sports and recreational provision, the benefits of which outweigh the loss.

11.1.6 Policy CS6 of the Core Strategy defers to the NPPF on this issue.

11.1.7 Policy BH7 of the Local Plan is an older policy that sets out a number of criteria that must be met in order for the loss of a playing field to be permissible. None of the listed criteria would be met by the scheme proposed. However, saved Policy BH7 is considered to be out of date as it does not align with the NPPF or the more recently adopted Core Strategy Policy CS6 and the NPPF. As such little weight can be attached to it and any conflict with it carries little weight in the planning balance.

11.1.8 In terms of the Sport England criteria, (ii), (iii) and (v) do not apply. Criterion (i) broadly parallels the first criterion of the NPPF and criterion (iv) reflects criterion (ii) of the NPPF. In terms of the NPPF, and by extension Policy CS6, the proposal cannot meet criterion (iii). To satisfy both Sport England and planning policy, therefore, the existing pitches must either be surplus to requirements or appropriately replaced elsewhere for their loss to be acceptable.

11.1.9 Bispham High School closed in November 2015 and there has been no use of the playing pitches since. The school buildings themselves have subsequently been demolished. The 2016 Playing Pitch Strategy (PPS) confirmed that the school playing pitches were not available for general community use. As such, no existing sporting activity or teams would be displaced by the development proposed. In terms of

future requirements, the Playing Pitch Strategy is currently being updated as part of the preparation of the Evidence Base to the emerging Local Plan Part 2. It is anticipated that the new PPS will demonstrate that the provision on site is not required in order to meet future needs. However, until the updated Playing Pitch Strategy is published, criterion (i) for both the Sport England guidance and the NPPF cannot be considered to be met.

11.1.10 The scheme does not propose any appropriate replacement provision within the scheme to compensate for that which would be lost. It is understood that the applicant is prepared to fund or part-fund such provision off-site. The Council's Parks Service Manager has previously confirmed an intention to replace the sand-dressed hockey pitch at Stanley Park with a full sized, 3G football pitch. Stanley Park is an accessible, central location, and it is anticipated that this would sufficiently replace the existing provision on the site. However, until the Playing Pitch Strategy is published, this cannot be confirmed. A scheme of appropriate replacement must be clearly established and agreed with Sport England before they will withdraw their objection in accordance with their criterion (iv). If the Playing Pitch Strategy does provide the necessary confirmation, but the Council fails to secure agreement from Sport England, the matter can be referred to the Secretary of State. Nevertheless, at the time of writing, criterion (ii) of the NPPF and (iv) of the Sport England guidance cannot be met. The loss of the existing playing pitch provision is therefore contrary to planning policy and this weighs heavily against the scheme.

#### **Protected Public Open Space (POS) – land to the rear of the former Bispham High School site and the south of Inver Road and Corrib Road**

11.1.11 This area of land is protected by Policy BH5 of the Local Plan in addition to Policy CS6 of the Core Strategy and paragraph 97 of the NPPF. Together these policies preclude loss of protected public open space unless exceptional circumstances can be demonstrated. The parameters plan submitted with the application shows that the existing area of public open space would be retained. This is also shown on the illustrative layout plan and in the supporting information and could be secured through condition. As such, the retention of this space as proposed would accord with planning policy.

#### **Unallocated area of land to the north of Regency Gardens**

11.1.12 The third parcel of land is unallocated on the Proposals Map to the Local Plan and sits to the south of the Public Open Space and school site, and to the north of Regency Gardens. This land was originally intended to be developed as the second phase of the Regency Gardens development. Planning permission was granted under ref. 99/0927 for the erection of 105 dwellings on the site although this was never implemented. There are no planning policies that would preclude the residential development of this land in principal.

### **Effective use of brownfield land**

11.1.13 The area of the site formerly occupied by the school buildings constitutes brownfield land. As such, efficient re-use of this land to provide residential development to meet an identified need for homes would accord with paragraphs 117 and 118 of the NPPF. This weighs notably in favour of the application.

### **Housing land supply**

11.1.14 The scheme would make a substantial quantitative contribution of 176 new dwellings towards Blackpool's housing requirement. Policy CS2 of the Core Strategy identifies a requirement for 4,200 new dwellings over the plan period from 2012-2027.

11.1.15 Although the Bispham High School site has been protected as Playing Fields and Sports Grounds under Local Plan Policy BH7 since 2006, the site was identified in the 2014 Strategic Housing Land Availability Assessment (SHLAA) as having potential to meet the borough's housing needs. The area of land to the north of Regency Gardens was also included within this 2014 assessment. The site as a whole is proposed for housing development under allocation H3 in the emerging Local Plan Part 2, but as this document remains at a relatively early stage in its development, little weight can be attached to this.

11.1.16 Section 5 of the NPPF supports the government's objective of significantly boosting the supply of homes. Local Planning Authorities are required to identify a five-year housing land supply. Where such a supply cannot be identified, paragraph 11 of the NPPF makes it clear that planning permission for residential development should be granted unless the NPPF itself provides a clear reason for refusal, or unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This 'tilted' planning balance reflects the very great weight the government places on the delivery of new homes.

11.1.17 In terms of the Council's housing land supply, which includes the application site, the Council can demonstrate a 5.4 year housing land supply. Excluding the site would give a 5.0 year housing land supply. As such, a 'tilted' planning balance would not be engaged in respect of this scheme. Nevertheless, the application is a large site which is relatively rare in Blackpool, and it is in a sustainable location for new housing. As such the quantitative contribution the scheme would make towards meeting Blackpool's housing requirements would still weigh heavily in favour of the proposal.

### **Scale of Development**

11.1.18 It has been suggested that the proposal would be excessive in scale and represent over-development. This will be assessed below.

## **11.2 Housing mix**

11.2.1 Policy CS13 of the Core Strategy requires all sites of more than 1 hectare in area to

provide a housing mix of no more than 10% one-bed properties, at least 20% two-bed properties, and at least 20% of properties offering three-beds or more. As the application is made in outline with all matters reserved, no details of housing mix have been provided. A condition would therefore have to be imposed on any permission granted to require an appropriate housing mix.

### **11.3 Planning obligations**

- 11.3.1 The proposed housing would generate its own requirement for public open space in accordance with Policy BH10 of the Local Plan. As the housing mix is not known at this stage, the level of public open space that would be required cannot be accurately calculated. It is noted from the submitted parameters plan that some additional areas of public open space are proposed within the development. The areas of public open space indicate pedestrian linkages within the site between the western and eastern halves of the application site and with adjoining areas including Bispham Road, the Rock Gardens, Regency Gardens and Inver Road and Ardmore Road to the north. This would encourage use of the public open space, encourage journeys on foot, improve accessibility within and around the site, and also increase natural surveillance and therefore public safety. However, the detailed layout of the site would not be agreed until reserved matters stage and so the amount of new public open space to be provided as part of the development would not be known until that point. To accord with Policy BH10 of the Local Plan, any shortfall in provision on-site would have to be compensated for by a financial contribution towards the provision or improvement of off-site public open space. A condition should therefore be attached to any permission granted to require a scheme for the provision of public open space to be agreed.
- 11.3.2 Policy CS14 of the Core Strategy requires proposals of this scale to provide affordable housing equivalent to 30% of the total development. This should either be made on site, or via a financial contribution if this would be more appropriate in accordance with the provisions of the policy. Any financial contribution would be directed towards development within the defined Inner Area to assist with the Council's regeneration ambitions and to support the aim of providing more balanced and healthy communities. However, as this is an outline application with all matters reserved, no details of affordable housing provision have been provided. As such a condition should be imposed on any permission granted that would secure the necessary planning obligation towards affordable housing.
- 11.3.3 Policy CS15 of the Core Strategy makes it clear that financial contributions will be sought towards local education and health care provision where this is required to meet the needs generated by the development. In this case the Local Education Authority has requested a total contribution of £1,895,066 towards local education provision. This would be made up of £84,914 towards the creation of 58 primary school places, and £1,010,151 towards the provision of 44 secondary school places. The local NHS Clinical Commissioning Group has requested £52,994 towards the extension of St. Paul's Medical Centre and the reconfiguration of Moor Park Health Centre to increase capacity. These contributions would be secured through a section 106 legal agreement

## **11.4 Visual impact and impact on character of the area**

- 11.4.1 It is inevitable that a development of this scale will have a noticeable visual impact. However, the site does not comprise any particularly sensitive or designated landscapes, and is enclosed by the urban fabric of the town with existing housing and business premises to the north, south and east. As the site is surrounding by established residential areas, new residential development would not compromise the character of the area.
- 11.4.2 The development would be on land adjoining the Rock Gardens which are a locally listed park. As such it would affect the setting of a non-designated heritage asset. The Council's Built Heritage Manager has reviewed the proposal and recommended that an extended buffer zone should be provided along the western boundary of the site to preserve this setting. As the application is made in outline, the details of layout are not for determination at this stage. A suitable buffer, either comprising a physical separation or landscaping, could be secured at reserved matters stage.
- 11.4.3 In terms of detailed visual impact, as the application is made in outline with all matters reserved, no design details of the properties proposed are available. However, it is considered that suitable designs reflecting the architectural styles and materials palettes of the area could be secured at reserved matters stage. Appropriate landscaping, communal areas and boundary treatments could also be agreed.
- 11.4.4 It is acknowledged that the existing site is both bound and cross-cut by trees and lengths of hedgerow. These features soften the appearance of the site and provide a valuable visual buffer, as well as offering ecological value. The layout of the site is not a matter for consideration at this stage, but it is considered that an appropriate layout that adequately retains and protects existing trees and hedgerows could be secured at reserved matters stage. The submitted Tree Survey indicates that most of the healthy specimens would be retained, including three groups of trees that offer particular benefit along the boundaries with the Rock Gardens, Bispham Road and DWP complex. Any loss of landscaping features would have to be compensated for as part of the wider landscaping strategy for the site, which would also be agreed as a reserved matter.

## **11.5 Amenity Impact**

- 11.5.1 It must be accepted that any development of currently undeveloped land will give rise to new activity. Given the residential character of the wider area, there is no reason to suppose that new residential development would result in unacceptable levels of noise or disturbance, including from increased traffic.

- 11.5.2 A number of concerns have been raised relating to loss of light and loss of privacy. Layout and scale are not matters for assessment at this stage. It is considered that an adequate layout providing suitable separation distances, and appropriate building scales, could be approved at reserved matters stage. An increase in traffic or stationary traffic would not result in unacceptable loss of privacy.
- 11.5.3 Residential amenity could be adequately protected during the construction period through the agreement of a Construction Management Plan. Construction could be conditioned to be undertaken from Bispham Road only to prevent use of Regency Gardens by heavy construction vehicles.

## **11.6 Highway Impact**

- 11.6.1 It is proposed that the development would be served by two vehicular access points; the first would be from Bispham Road and would serve up to 120 dwellings, the second would be from Regency Gardens and would serve up to 56 dwellings.
- 11.6.2 Members will recall that the application originally proposed that up to 88 dwellings would use each access point. This was considered acceptable on the basis that the road network of the Regency Gardens estate was designed in accordance with standards that remain in use today, and was intended to support both the existing houses and a further phase of development up to a total of around 200 homes. This second phase has never been delivered. The use of the access by an additional 88 home would have been within the original design limits and notably less than the phase 2 scheme approved in 2000. Nevertheless, Members agreed with local residents concerns and indicated a preference for a larger proportion of properties to be accessed from Bispham Road.
- 11.6.3 The application has been supported by a Transport Assessment. A Technical Note has been submitted to reflect the change in the proportion of homes that would utilise the two access points. These have been reviewed by the Head of Transportation and their assumptions and findings are considered to be reasonable. The assessment demonstrates that the existing highway network would not be unduly impacted upon by the scheme and that major improvement works are not required. Smaller scale interventions should be delivered, however, to ensure that existing problems are not unacceptably exacerbated. These would include the provision of traffic calming measures and crossing provisions. Such measure would address local concerns relating to the use of Leys Road and Regency Gardens as a cut-through. It must be noted that no vehicular access would be available from Bispham Road through to Regency Gardens. As such the proposal would have no unacceptable impacts upon general highway capacity or safety.
- 11.6.4 Although access is not a matter for detailed consideration at this stage, a plan illustrating a mini-roundabout junction on Bispham Road has been submitted. Whilst this design is not considered to be acceptable, it does demonstrate that a mini-roundabout is a suitable junction type and that an appropriate design could be achieved. The existing loop in the road would be removed but access to the existing houses would be retained. The existing pedestrian crossing refuge to the north could

be retained or relocated as required and a second refuge to the south provided. It is noted that local residents on Bispham Road have raised concerns over the safety of egressing existing driveways. The detailed design of a mini-roundabout junction would be expected to address such concerns and any such junction would slow traffic speeds. This would likely result in fewer and less serious collisions.

- 11.6.5 The internal layout of the site would be determined at reserved matters stage but the indicative layout plan indicates that the scheme could be supported by conventional highways infrastructure. An appropriate layout and adequate car parking provision could be secured at reserved matters.
- 11.6.7 It is noted that local residents have suggested that access be taken from Inver Road or Ardmore Road. This has been considered by the Head of Transportation but has been discounted as a less favourable option in terms of safety and traffic movement. Local residents have raised concerns relating to visibility and parking on the existing streets which compromises traffic flow, particularly for larger vehicles. The Head of Transportation is aware of these comments and is familiar with the site and locality, but maintains that the proposal would not have an unacceptable impact upon highway safety and function. It is stated that the site is used for car parking by DWP staff and that its loss would increase pressure on on-street parking provision. Whilst it is accepted that this could cause inconvenience for local residents, as the DWP site was in use long before the site became available for parking, and as the parking was unauthorised in planning terms, it carries little weight in the planning balance. Agreement of a Construction Management Plan through condition should prevent the deposit of mud on the highway.

## **11.7 Flood risk and drainage**

- 11.7.1 The site falls within flood zone 1 and so there is no requirement for the applicant to demonstrate compliance with the sequential or exceptions test. However, due to its size, a Flood Risk Assessment (FRA) has been submitted. This has been considered by the Council's drainage officer and is judged to be acceptable. It is recommended that three conditions be imposed on any permission granted. These would require foul and surface water to be drained separately; agreement of a drainage strategy and detailed drainage scheme for the site; and agreement of a maintenance plan for that drainage solution. The drainage strategy would have to be based on sustainable drainage principals and include sustainable drainage features integrated into landscaped areas. Subject to these conditions it is considered that appropriate drainage for the site could be provided and that the development would not exacerbate flood risk.
- 11.7.2 A main sewer runs across the site between Kylemore Avenue to the north and Meadow Close to the south, and an appropriate easement for maintenance access must be maintained. This is not a planning matter but it could pose a constraint to site layout at reserved matters stage should outline permission be granted.
- 11.7.3 The drainage and management of foul water is the responsibility of United Utilities.

## **11.8 Ecological impact**

- 11.8.1 A number of local residents have expressed concern over potential ecological impact. The application has been supported by an ecological appraisal and this has been reviewed by Greater Manchester Ecology Unit on behalf of the Council.
- 11.8.2 The development would not unduly impact upon any areas afforded special protection. The Rock Gardens are a Local Nature Reserve that supports a rare butterfly, but area already subject to a high level of public disturbance. As such increased activity arising from the development would be unlikely to have an unacceptable impact. Habitat suitable for the butterfly should be provided on site as part of a scheme of ecological enhancement measures to be agreed and secured through condition.
- 11.8.3 Ecologically the application site can be split into three areas; the bare but re-colonising land of the former school buildings; the former amenity grassland associated with it which is now overgrown; and the remaining, undeveloped land. The first two have low nature conservation value. The third area comprises tall-ruderal and scrub vegetation with mature and semi-mature trees. This is of moderate value and could support nesting birds, as could the hedgerows and trees. It is proposed that the most important tree lines would be retained and this could be secured through the agreement of layout at reserved matters stage. Mature trees and hedgerows should be suitably safeguarded during construction, and no vegetation clearance should take place during bird nesting season. This could be secured through condition.
- 11.8.4 In terms of protected species, the site offers low to negligible potential to support anything other than nesting birds and foraging bats. Loss of habitat on site would be very unlikely to affect the local nature conservation status of either if new landscaping is provided. Although no signs of badgers have been recorded, there could be some use of the site by badgers and so precautionary surveys should be carried out prior to commencement.
- 11.8.5 The scheme would present opportunities for new tree and shrub planting. This should include elm to provide habitat enhancement. Further ecological enhancement should be sought through inclusion of features such as species-rich grassland, shrub beds, bat roosting boxes/features and bird nesting boxes. This could be secured through condition.
- 11.8.6 The proposals have also been reviewed by the Council's tree officer. The comments relating to the Arboricultural Impact Assessment and the requirements relating to tree protection are noted and would be secured through condition should permission be granted. The concern relating to the proximity of the dwellings to the trees of the Rock Garden boundary, as shown on the illustrative layout, reflect those of the conservation officer and could be addressed through the agreement of layout at reserved matters stage. The position of pedestrian access routes would also be agreed as part of the layout.



- 11.8.7 Local residents have raised concerns that trees on site have not been recorded properly. This has been addressed in the technical note to the ecological appraisal. It has been suggested that the site should be established a Biological Heritage Site, but this falls outside of the consideration of this application. The loss of open space for use by domestic dogs has also been raised, but this in itself is not a biodiversity concern.
- 11.8.8 The format of the existing cadet building does not lend itself to use by nesting birds or roosting bats. As such its demolition would not have a material impact on biodiversity.

## **11.9 Environmental quality**

- 11.9.1 The site is not within or near to an Air Quality Management Area. No concerns have been raised by the Council's Environmental Protection Manager. There is no reason to suppose that traffic or emissions generated by the development would have an unacceptable impact upon air quality. However, to limit environmental impact and encourage more sustainable travel, a condition should be attached to any permission granted to secure electric-vehicle charging provision.
- 11.9.2 With regard to land contamination, phase I and II geo-technical reports have been submitted. These have been reviewed by the Council's Environmental Protection team. No further information is required and no concerns are raised. There is no reason to suppose that the development would generate a risk from land contamination.
- 11.9.3 Water quality could be adequately safeguarded through the imposition of conditions requiring agreement of a Construction Management Plan and drainage scheme.

## **11.10 Other issues**

- 11.10.1 Potential for reduced security and an increase in crime and anti-social behaviour has been raised as a concern due to increased pedestrian movement and activity. There is no reason to suppose that residential development would have this consequence and it is expected that the Police Architectural Liaison Officer would provide advice at detailed design stage. Increased use of the Rock Gardens by young people would not be unacceptable as the park is intended for public use.
- 11.10.2 A lack of dog-waste bins has been raised. Given that the proposal would increase use of the Rock Gardens and result in the loss of open land for dog-walking, it would be reasonable for the scheme to fund additional provision and this could be secured through a S106 legal agreement.
- 11.10.3 There is no reason to suppose that residential development of the site would have a detrimental impact upon general human health.

11.10.4 There is no reason to suppose that inadequate employment opportunities exist to support future residents of the site.

11.10.5 If granted, the outline permission would allow for the demolition of the existing cadet hut building. However, this could not be carried out until all reserved matters have been agreed. Any intended demolition of the cadet hut in the interim would therefore have to be subject to a prior approval application.

11.10.6 It has been suggested that a determination made by the Council in respect of a Council scheme represents a conflict of interest. However, the Local Planning Authority operates as an independent entity in this respect and the recommendation put forward through this report has been reached by a professional officer who is bound by a professional code of conduct. The ultimate decision is to be made by the Council's Planning Committee which is comprised of democratically elected Members who represent both the Council and the constituents of the borough. As such, no prejudicial conflict of interest is identified.

### **11.11 Sustainability and planning balance appraisal**

11.11.1 Economically, the proposal would have limited impact. It would not result in a loss of employment or agricultural land and would not unduly compromise the operation of any existing businesses. Future residents would help to support local shops and services and employment opportunities would be generated during construction.

11.11.2 Environmentally, and subject to the imposition of appropriate conditions, the scheme would not have an unacceptable impact on ecology, drainage or environmental quality. The application is within a sustainable location close to local shops, schools, public transport, public open space and other local services and facilities. The inclusion of pedestrian linkages within and around the site will maximise the sustainability of the location. Whilst there is an inevitable visual impact there is nothing to suggest that the proposal will detract unduly from the amenity of the area. Appropriate landscaping and ecological enhancement could be secured.

11.11.3 Socially, it is considered that an appropriate layout could ultimately be agreed to avoid unacceptable impact on residential amenity. No unacceptable impacts on the value of heritage assets, highway safety or flood risk are identified. Appropriate contributions towards affordable housing provision, public open space and local education provision would be secured. The existing protected Public Open Space would be retained. The scheme would deliver up to 176 new dwellings. This would make a substantial quantitative contribution towards meeting the boroughs identified housing need and this weighs heavily in favour of the application. The scheme would, however, result in the loss of protected playing fields, and this weighs heavily against the application. This, then, is the crux of the planning assessment.

11.11.4 Blackpool is a tightly constrained borough with little open land for future development. Large sites that can deliver significant numbers of new homes are rare and therefore make a particularly important contribution towards meeting the borough's housing requirement. The application site has long been considered to

have potential for residential development and counts towards our current calculation of supply. Nevertheless, based on latest calculations, the loss of its capacity would not compromise the Council's ability to meet identified local needs.

11.11.5 As stated in paragraph 11.1.9, as the playing fields on site have been out of use for 5yrs, it is future rather than current need for provision that is the concern. There is potential for equivalent or better facilities to be provided in a suitable location at Stanley Park to mitigate the loss of provision on site, and it is understood that the applicant is prepared to make an appropriate contribution to fund this. It is expected that the emerging Playing Pitch Strategy will demonstrate that the existing provision is no longer required and/or that appropriate replacement provision could be made. This document is expected to be published in advance of the Committee Meeting.

11.11.6 In light of the above, on balance, and because it is anticipated that the conflict with paragraph 97 of the NPPF and Policy CS6 can be resolved, the quantitative contribution the scheme would make towards meeting Blackpool's housing requirement is considered to be the over-riding factor. As such and by virtue of this benefit, the scheme is judged to constitute sustainable development and no other material planning considerations have been identified that would outweigh this view.

## **FULL ELEMENT OF THE PROPOSAL**

### **11.12 Principle**

11.12.1 The replacement cadet hut would be sited on land formerly occupied by a now demolished school building. As such there are no planning policies that would preclude the relocation of the cadet hut in principle.

11.12.2 A separate planning permission for the relocation of the cadet hut has been granted under ref. 20/0236 but, as this permission has not been implemented, it has been considered reasonable to proceed with the inclusion of this element of the scheme in the current hybrid application.

### **11.13 Amenity impact**

11.13.1 The cadet hut would sit to the side of a residential property and would face onto The Squirrel Public House site. Given this relationship, its modest height and the separation distances involved, it would have no amenity impacts on existing properties in terms of over-looking, over-shadowing or an over-bearing presence. The layout of the residential development to the rear could be agreed at reserved matters stage to ensure that there would be no unacceptable amenity impacts on future properties. The existing facility has operated for many years without complaint. As such there is no reason to suppose that the use would have an unacceptable impact by virtue of noise or disturbance.

## **11.14 Visual impact**

11.14.1 The design of the building would be relatively simplistic and functional. It would be rectangular in shape and the narrower end would face onto Bibby's Lane. There are a mix of commercial and residential uses in the immediate locality and so the building would not appear unduly incongruous. A high-level, inset band of a different material is proposed around the building and this would introduce some visual interest. An area of soft landscaping is proposed along the Bibby Land frontage and appropriate planting would soften the appearance of the development. The design is therefore considered to be acceptable

## **11.15 Other issues**

11.15.1 The Head of Transportation has reviewed the scheme. The access onto Bibby Lane is considered to be acceptable and the level of parking proposed would be adequate for the use. As such no highway safety, capacity or parking issues are identified.

11.15.2 Subject to the imposition of appropriate conditions, there is no reason to suppose that the scheme would have any unacceptable impacts on drainage or flood risk.

11.15.3 The existing site has negligible biodiversity benefit and adequate enhancement could be provided through the provision of landscaping.

11.15.4 Given the scale and nature of the proposal, it would have no unacceptable impact on air quality and there are no land contamination concerns. Water quality could equally be safeguarded through condition.

## **11.16 Sustainability and planning balance appraisal**

11.16.1 Sustainability comprises economic, environmental and social considerations. Economically, the relocation of the cadet hut would have little impact. Environmentally, it would be visually acceptable and would have no unacceptable impacts on drainage, biodiversity or environmental quality. Socially, the scheme would retain a community facility and would have no unacceptable impacts on amenity, highway safety or flood risk. As such the proposal would constitute sustainable development and planning permission should be granted.

## **12.0 GENERAL CONSIDERATIONS**

12.1 The application has 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 (as amended).

12.2 Under Article 8 and Article 1 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. This application does not raise any specific human rights issues.

### **13.0 FINANCIAL CONSIDERATIONS**

- 13.1 The provision of up to 176 new homes would have the potential to generate Council tax revenue. However, this is not a planning consideration and carries no weight in the planning balance.
- 13.2 Any planning permission would be subject to a section 106 legal agreement to secure £1,895,066 towards local education provision and £52,994 towards local health provision. The agreement would also secure a contribution to provide additional refuse facilities within the Rock Gardens and the cost of this will be detailed through an update note. The agreement could also be used to secure a contribution to fund or part-fund the provision of replacement sports facilities in an appropriate location to compensate for the loss of playing field on the site.

### **14.0 CONCLUSION**

- 14.1 In light of the above, the proposal is judged to constitute sustainable development and no material planning considerations have been identified that would outweigh this view. As such, the application is considered to be acceptable and planning permission should be granted.

### **15.0 RECOMMENDATION**

- 15.1 In light of the above, Members are respectfully recommended to resolve to support the application and authorise the Head of Development Management to grant outline planning permission for the erection of up to 176 new homes, and full planning permission for the relocation of the existing cadet hut, subject to the following:
- (i) The emerging Playing Pitch Strategy being published before the Planning Committee meeting and confirming that the provision on-site is no longer required to meet identified needs and/or that equivalent or better facilities could be provided in a suitable location to compensate for the loss on-site (along with measures to secure such provision);
  - (ii) Sport England withdrawing their objection OR confirmation from the Secretary of State that he does not wish to call the application in for his own determination; AND
  - (iii) Completion of a section 106 legal agreement to secure the financial contributions set out under section 13.0.
- 15.2 It is also recommended that any permission granted be subject to the following conditions:

## OUTLINE PLANNING PERMISSION

1 (i) Approval of the following details (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority:

- Layout
- Scale
- Appearance
- Access
- Landscaping

(ii) Applications for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason for (i) and (ii): This is an outline planning permission and these conditions are required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended).

2 (a) Access to the site shall be taken from Bispham Road for no more than 120 dwellings;

(b) Access to the site shall be taken from Regency Gardens for no more than 56 dwellings.

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

3 The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided and retained in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

(i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units/bed spaces;

(ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

(iii) the arrangements for the transfer of the affordable housing to an affordable housing provider (if no RSL involved) ;

(iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

(v) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure the adequate provision and delivery of affordable housing in accordance with the provisions of Policy CS14 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027. This scheme must be agreed prior to the commencement of works on as it would fundamentally dictate the nature of development.

- 4 Prior to the commencement of development, a scheme for the provision of or improvements to off-site public open space shall be submitted to and agreed in writing by the Local Planning Authority together with a mechanism for delivery.

For the purpose of this condition the scheme shall comply with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development".

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).

- 5 Residential development on the site shall comply with the following housing mix:

- no more than 10% one-bedroom properties
- at least 20% two-bedroom properties
- at least 20% three-bedroom or larger properties

Reason: In order to ensure that an appropriate mix of house sizes are provided on site in order to support the formation of balanced and healthy local communities in accordance with Policy CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

- 6 The accommodation shall be used for permanent residential occupation within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) only and for no other purpose.

Reason: In order to safeguard the living conditions of the occupants of nearby residential properties and the character of the area in accordance with Policies CS7,

CS12 and CS23 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies BH3 of the Blackpool Local Plan 2001-2016.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no change of use from Use Class C3 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 CS7, CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies BH3 and HN5 of the Blackpool Local Plan 2001-2016.

- 8 Prior to the commencement of development a scheme of off-site highway improvement works shall be submitted to and agreed in writing by the Local Planning Authority, and this agreed scheme shall be implemented in full and in full accordance with the approved details before any of the development hereby approved is first occupied.

For the purpose of this condition, this scheme shall include:

- traffic calming on Regency Gardens
- traffic calming on Leys Road
- traffic calming on Collins Avenue
- traffic calming on Low Moor Road
- provision of controlled pedestrian crossing facilities at the junction of Bispham Road and Salmesbury Avenue
- provision of controlled pedestrian crossing facilities at the junction of Leys Road and Warbreck Hill Road
- replacement of nearest northbound bus stop on Bispham Road to full standard
- upgrade of nearest southbound bus stop on Bispham Road to full standard

Reason: In the interests of highway safety in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016. This scheme must be agreed prior to the commencement of works on site in order to ensure that appropriate access is available once the scheme is operational.

- 9 Construction access for the site for vehicles shall be taken from Bispham Road only.

Reason: the residential roads to the north and south of the western part of the site are considered to be unsuitable for significant numbers of construction vehicles. As such this condition is required in accordance with Policies BH3 and AS1 of the Blackpool Local Plan 2001-2016.



10 No development shall take place until a Demolition/Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Demolition/Construction Management Plan shall include and specify the provision to be made for the following:

- dust mitigation measures during the demolition/construction period
- control of noise emanating from the site during the demolition/construction period
- hours and days of demolition/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 demolition/construction period
- arrangements during the demolition/construction period to minimise the deposit of mud and other similar debris on the adjacent highways
- measures to prevent contamination of surface and sub-surface water bodies during the demolition/construction period
- routing of construction traffic

The demolition/construction of the development shall then proceed in full accordance with the approved Demolition/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.

11 The development shall proceed in full accordance with the flood risk assessment prepared by Ironside Farrar Limited and ref. 30333/RG.

Reason: In order to ensure that the site is safe from flood risk and to prevent increased flood-risk off site in accordance with the provisions of Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and section 14 of the NPPF.

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

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

13 (a) Prior to the commencement of any development, a surface water drainage strategy, based on the hierarchy of drainage options in the National Planning Practice Guidance and in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards shall be submitted to and approved in writing by the Local Planning Authority.

(b) Prior to the commencement of any development, the design for a surface water drainage scheme, based on the approved strategy and in compliance with the hierarchy of drainage options in the National Planning Practice Guidance and in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following:

(i) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;

(ii) Surveys and appropriate evidence to establish the position, capacity, ownership and interconnection of all bodies of water, watercourses, drains and sewers within the application site and those outside of the site into which a direct or indirect connection is proposed;

(iii) A determination of the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change - see EA advice 'Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development and as appropriate during construction), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in metres AOD;

(iv) A demonstration that the surface water run-off would not exceed the equivalent greenfield rate;

(v) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing watercourses, culverts and headwalls or removal of unused culverts where relevant);

(vi) Flood water exceedance routes, both on and off site;

(vii) Existing and proposed ground and other surface levels demonstrating that run-off to adjacent land and highways will not occur except in the exceedance conditions and the exceedance routes as approved;

(viii) A timetable for implementation, including phasing where applicable;

(ix) Details of water quality controls.

(c) Unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the adopted sewerage system or to any privately owned sewerage either directly or indirectly.

(d) The scheme agreed pursuant to part (b) of this condition shall be implemented in full and in full accordance with the approved details before the development hereby approved is first brought into use.

(e) The developer shall provide as built drawings and certification of the completion of the drainage system as approved by a competent person.

Reason: To promote sustainable development, secure proper drainage of sewage and surface water and to manage the risk of flooding and pollution in accordance with the provisions of the NPPF and NPPG and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and the Blackburn, Blackpool and Lancashire Flood Risk Management Strategy.

14 Prior to commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Site Management Company;
- b) Evidence of arrangements to transfer responsibility to other parties in the event of the demise of any management company, for example by means of covenants;
- c) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) to include elements such as:
  - (i) on-going inspections relating to performance and asset condition assessments
  - (ii) operational costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- d) Means of access for maintenance and easements where applicable.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan. The developer shall provide to the Planning Authority, if requested, certification of the condition of the drainage system by a competent person.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development in accordance with Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

15 Prior to the commencement of any above ground construction, a scheme of ecological enhancement shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with this approved scheme. For the purpose of this condition, the scheme of ecological enhancement shall include:

- Provision to bolster existing hedgerows with native species
- Native tree planting to include elm to provide butterfly habitat
- Planting of species-rich grassland
- Provision of bird nesting and bat roosting features on the buildings and boxes on trees
- Features to facilitate roaming of small mammals and amphibians

Reason: In order to safeguard and enhance biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ6 of the Blackpool Local Plan 2001-2016.

16 No trees or hedgerows shall be felled or cleared during the main bird nesting season (March to September inclusive) unless written confirmation of the absence of nesting birds by a suitably qualified and experienced ecologist has been submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to safeguard biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ6 of the Blackpool Local Plan 2001-2016.

17 Prior to the commencement of development a precautionary badger survey undertaken by a suitably qualified and experienced ecologist shall be carried out, submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall subsequently proceed in accordance with the details and any recommendations of the approved survey.

Reason: In the interests of safeguarding biodiversity in accordance with the provisions of paragraphs 170 and 175 of the NPPF and Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 as the application site supports some habitat suitable for use by badgers

18 The following measures shall be adhered to throughout the demolition/construction period of the development hereby approved:

- all materials will be covered and stored on raised pallets only
- means of escape for amphibians and small mammals shall be provided from any excavation (i.e. solid plank providing access from the base of the excavation to ground level)
- construction and storage areas to be inspected at the start of each working day for amphibians and small mammals
- in the event that a protected species is found on site, works should immediately cease and a suitably qualified and experienced ecologist consulted

- any non-protected species found on site should be carefully removed and placed under cover on the other side of the site boundary.

Reason: In order to safeguard biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ6 of the Blackpool Local Plan 2001-2016.

- 19 (a) Prior to the commencement of any development on site, a tree and hedgerow protection plan and Arboricultural Method Statement shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with these approved details.

For the purpose of this condition, this protection plan shall:

- (i) identify the trees and hedgerows to be retained on or adjacent to the site;
- (ii) identify relevant Root Protection Areas
- (iii) detail the position, height and format of protective fencing to be erected around the trees/hedgerows to be retained; and
- (iii) confirm that no excavation, materials storage, waste disposal or other activities shall take place within the fenced-off area.

(b) The protective fencing agreed pursuant to part (a) of this condition shall remain in place for the duration of the site preparation and demolition and/or construction period.

Reason: To secure the protection, throughout the time that the development is being carried out, of trees and/or hedgerows growing within or adjacent to the site which are of amenity value to the area, in accordance with Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ6 of the Blackpool Local Plan 2001-2016.

- 20 Prior to or concurrent with the submission of a reserved matters application to agree layout, a scheme for the provision of 3kW+ vehicle charging points within the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then proceed in full accordance with this approved scheme which shall thereafter be retained and maintained as such.

Reason: In order to minimise the environmental impact of the development and promote renewable/low-carbon energy use in accordance with the provisions of Policy CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

- 21 A) No demolition/development shall take place/commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- (i) The programme and methodology of site investigation and recording
- (ii) The programme for post investigation assessment
- (iii) Provision to be made for analysis of the site investigation and recording
- (iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation
- (v) Provision to be made for archive deposition of the analysis and records of the site investigation
- (vi) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure and safeguard the investigation and recording of matters of archaeological/historical importance associated with the development.

This is in accordance with National Planning Policy Framework paragraph 199: "Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible".

- 22 Prior to or concurrent with the submission of an application for reserved matters to agree the matters of scale and/or layout, a plan or plans showing proposed ground and finished floor levels shall be submitted to and agreed in writing by the Local Planning Authority and the development shall proceed in full accordance with these agreed details.

Reason: In the interests of the appearance of the site, the amenities of neighbours and appropriate drainage in accordance with the provisions of Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

- 23 No development shall commence on the former school playing fields until details of the design, layout and timetable for completion of a replacement playing field at Stanley Park equivalent or better to the existing playing field on site has been submitted to and approved in writing by the Local Planning Authority. The replacement playing field shall subsequently be constructed in accordance with the approved details and timetable and shall be retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the development makes satisfactory provision to meet the future sporting and recreational needs of the community in accordance with Policies BH5 and BH7 of the Blackpool Local Plan 2001-2016 and Policies CS12 and CS15 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

### **FULL PLANNING PERMISSION**

- 24 The development of the air cadet building 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).

- 25 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 and information:

Air Cadet Training Centre plan ref. 18 0740 P01

The development shall thereafter be retained and maintained in accordance with these approved details.

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

- 26 The external materials to be used on the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any above ground construction and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and LQ4 of the Blackpool Local Plan 2001-2016.

- 27 The surfacing materials to be used in the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the laying down of any final surfacing and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ1 of the Blackpool Local Plan 2001-2016.

- 28 Prior to the first occupation or use of the development hereby approved:

(a) a landscaping scheme shall be submitted to and agreed in writing by the Local Planning Authority. This scheme shall include a full planting schedule detailing plant species and initial plant sizes, numbers and densities;

(b) the landscaping scheme agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details; and

(c) Any trees or plants planted in accordance with this condition that are removed, uprooted, destroyed, die or become severely damaged or seriously diseased within 7 years of planting shall be replaced within the next planting season with trees or plants of similar size and species to those originally required unless otherwise first submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that 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 in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and LQ6 of the Blackpool Local Plan 2001-2016.

29 Before the development hereby approved is first brought into use:

(a) details of refuse storage provision to include size, design and materials shall be submitted to and agreed in writing by the Local Planning Authority; and

(b) the refuse storage agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details.

Reason: In the interest of the appearance of the site and locality and to safeguard the amenities of nearby residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

30 Before the development hereby approved is first brought into use:

(a) details of cycle storage provision to include the type of cycle stand and the form and materials of a waterproof cover and enclosure shall be submitted to and agreed in writing by the Local Planning Authority; and

(b) the cycle storage agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details.

Reason: In order to encourage travel to and from the site by a sustainable transport mode in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

31 Prior to the commencement of any above ground construction, a scheme for the provision of boundary treatments to include their position, height, materials and



design, shall be submitted to and agreed in writing by the Local Planning Authority. These agreed boundary treatments shall then be provided in full and in full accordance with the approved details before the proposal hereby approved is first brought into use.

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ1 of the Blackpool Local Plan 2001-2016.

- 32 Prior to the development hereby approved being first brought into use, the parking provision shown on the approved plan(s) shall be provided and shall thereafter be retained as such.

Reason: In order to ensure that adequate parking provision is available to meet the needs of the development in the interests of the appearance of the area and highway safety in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

- 33 Notwithstanding the information shown on the approved plan and prior to the commencement of development;

- (a) full technical details of the access into the site shall be submitted to and agreed in writing by the Local Planning Authority; and
- (b) this agreed access shall be provided in full and in full accordance with the approved details.

Reason: In order to ensure safe access to and egress from the site is available in the interests of highway safety in accordance with the provisions of Policies CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.