

**Officer Report to Committee**

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<b>Application ref:</b>	20/0794
<b>Ward:</b>	INGTHORPE
<b>Application type:</b>	FULL
<b>Location:</b>	LAND AT RYSCAR WAY, BLACKPOOL
<b>Proposal:</b>	Erection of 51 private dwelling houses with associated access, parking and landscaping.
<b>Recommendation:</b>	Approve subject to conditions and a S106 agreement
<b>Case officer:</b>	Clare Johnson
<b>Case officer contact:</b>	01253 476224
<b>Meeting date:</b>	16 November 2021

**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 accords with both priorities and would deliver housing to help meet the Council’s housing requirements.

**2.0 SUMMARY OF RECOMMENDATION**

2.1 The scheme is considered to represent sustainable development and the housing proposed would make a notable contribution towards meeting the borough’s housing needs. The recommendation is therefore that the Committee resolves to support the application and grant planning permission subject to the signing of a Section 106 legal agreement relating to a financial contribution of £76,022.00 (£57,104.00 towards off site public open space and £18,918 towards an extension at St Pauls surgery and reconfiguration at Moor Park Health Centre).

**3.0 INTRODUCTION**

3.1 This application is before Members because it is a major housing proposal on Council owned land.

## **4.0 SITE DESCRIPTION**

- 4.1 The proposal relates to a 2.6ha site in Bispham to the north of Ryscar Way and to the west of Faraday Way. The site wraps around the former Bispham Hospital site (now a care home) to the south and abuts the north eastern corner of a housing development on Tennyson Drive (permission granted 2003). To the north of the site is housing development around Champagne Avenue which was granted permission in 1998 and to the west is housing development at Lowland Crescent which was granted permission in 1992 and 1970's residential development on Kinraig Place.
- 4.2 The site comprises semi-improved grassland which has historically been used for grazing. Established hedgerows border the site to the west and north and third bisects the site running north to south. The boundary with the care home to the south is largely screened by managed vegetation and the site is fenced and has intermittent shrub planting along the eastern boundary with Faraday Way. There is a pond to the south of the site which is linked to a wider pond network of the North Blackpool Pond Trail and Kinraig Nature Reserve (Bispham Marsh) and the application site falls within the potential impact zone for a number of local Biological Heritage Sites.
- 4.3 The western part of the site falls within flood zones 2 and 3 and there is a Public Right of Way bisecting the site along the western boundary through an area of protected public open space.
- 4.4 The site rises from west to east by around 2.5m, and also from north-west to south and south-east by around 3m. The site is currently accessed off Ryscar Way.
- 4.5 Excluding the protected public open space and flood zones 2 and 3 in the west, the site (approximately 2ha) is allocated for housing in the emerging Local Plan Part 2: Site Allocations and Development Management Policies document, which is expected to be examined in December 2021. No other designations or constraints have been identified.
- 4.6 The boundary between Blackpool and Wyre runs through the east of the site and the access off Faraday Way is in Wyre and hence a parallel application has been made to Wyre Borough Council.

## **5.0 DETAILS OF PROPOSAL**

- 5.1 The application seeks full planning permission for the erection of 51 dwellings. Of these, 35 would be accessed from Faraday Way and would be general market homes and 16 of the dwellings accessed off Ryscar Way, would be affordable housing. The majority of dwellings, 47 in total, would have two storeys and four would have a third storey in the roof space.
- 5.2 Nine of the affordable homes would have two bedrooms and seven would have three bedrooms, arranged in three semi-detached pairs, two terraces of three and a terrace of four dwellings.
- 5.3 Thirteen of the market homes would have three bedrooms and 22 would have four bedrooms. Detached dwellings would comprise 27 of the total and the remaining eight dwellings would be semi-detached.
- 5.4 All of the two bedroom dwellings would have two off street parking spaces, the three bedroom dwellings would have at least two spaces and the four bedroom dwellings would

have at least three off street parking spaces. Several of the detached properties would also have either integral or detached garages.

- 5.5 The market houses would be arranged around a central island of four detached dwellings and would occupy much of the site. The affordable homes would be located in the south east of the site, six would face Ryscar Way and ten dwellings would be arranged around a cul-de-sac and shared access with the existing care home.
- 5.6 The proposal would include a surface water storage/attenuation pond in the north east corner of the site.
- 5.7 The application is accompanied by the following documents:
- Indicative drainage details
  - Flood Risk Assessment
  - Construction Management Plan
  - Design and Access Statement
  - Interim Travel Plan
  - Noise Impact Assessment
  - Planning Statement
  - Transport Assessment
  - Ecological Appraisal
  - Tree Survey Report
  - Hedgerow Note x 2
  - Pond Note

## **6.0 RELEVANT PLANNING HISTORY**

- 6.1 94/1200 – Erection of 29 dwellings, associated car parking and access roads. Granted 01/04/1992 (Lowland Way to the west of the site off Ryscar Way).
- 6.2 99/0187 - Erection of residential development comprising 90 houses with private garages (74 in Blackpool and 16 in Wyre), and associated highway and landscaping works and Public Open Space. Granted 18 June 1998 (Bordeaux Crescent to the north of the site).
- 6.3 00/0215 – Outline planning permission for the erection of residential development, primary school expansion, retail foodstore, community facility, public open space and playground (included the application site and land to the south of Bispham Hospital) Granted 12 June 2000.
- 6.4 03/0448 – Reserved Matters permission for the erection of 154 dwellings. Granted 25 February 2004 (Tennyson Drive to the south of the application site).
- 6.5 19/0176 – Outline planning permission for up to 47 dwellings with vehicular access off Ryscar Way. Granted 2 July 2019 (the application site).

## **7.0 MAIN PLANNING ISSUES**

- 7.1 The main planning issues are considered to be:
- the principle of residential development
  - housing mix, standards and density

- residential amenity impact
- design and visual impact
- access and highway impact
- ecological and arboricultural impact
- drainage and flood risk
- environmental impact
- sustainability and planning balance appraisal

## **8.0 CONSULTATION RESPONSES**

**8.1 Environment Agency** – No objections to the original scheme but raised objections when amended plans were submitted and suggested a number of solutions to overcome the objections. The applicant submitted a revised Flood Risk Assessment and the Environment Agency subsequently withdrew their objections, and confirmed that insofar as it relates to their remit, that the development would be safe without exacerbating flood risk elsewhere if the proposed floor risk mitigation measures are implemented. The Environment Agency have confirmed that the development must proceed in strict accordance with the revised Flood Risk Assessment (ref.30458/SRG, Rev A, dated August 2021; Ironside Farrar) and the mitigation measures identified as it will form part of any subsequent planning approval. Any changes to the approved Flood Risk Assessment and/or the mitigation measures identified will require the submission of a revised Flood Risk Assessment.

Paragraphs 174 and 179 of the National Planning Policy Framework recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. We therefore recommend that opportunities to enhance biodiversity in and around the development are identified and incorporated into the development, with particular regard to the aquatic environment, in accordance with the latest Planning Practise Guidance on how biodiversity net gain can be achieved.

**8.2 Natural England** – For residential development in this area, proportionate assessment of recreational disturbance impacts on the coastal designated sites resulting from the development is required via the Screening stage of the Habitats Regulations Assessment, as required under the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations').

Under Regulation 63 of the Habitat Regulations the determination of likely significant effect is for the competent authority, in this case the Local Planning Authority. If your authority can be satisfied that the proposal can conclude no likely significant effects there is no further need to consult Natural England.

Officer comment: The site is a proposed housing allocation under the emerging Local Plan Part 2, and has already been assessed along with the other housing allocations in the Habitats Regulations Assessment Screening Report dated November 2020 by Arcadis. That Screening exercise concluded that none of the site allocations were considered to have a likely significant effect on any of the European sites alone, or in combination. Natural England were consulted on the publication of the Local Plan Part 2 including the Habitats Regulations Assessment Screening Report, and raised no concerns over this housing allocation.

**8.3 United Utilities** – In accordance with the National Planning Policy Framework and the National Planning Practice Guidance, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. Following our review of the submitted Flood Risk Assessment/Drainage Strategy, we can confirm the proposals are acceptable in principle to United Utilities.

United Utilities has requested that the standard three drainage conditions are imposed on the grant of planning permission, relating to the submission and agreement of a surface water drainage strategy, the management and maintenance of the drainage system and ensuring foul and surface water are drained separately.

**8.4 Electricity North West** – Provided guidance on avoiding danger from overhead power lines and underground services.

**8.5 Greater Manchester Ecology Unit (GMEU)** - This submitted ecological appraisal found the site to have some limited ecological interest, although there are three offsite ponds in the wider landscape that are of value.

The application area lies within the bespoke Site of Special Scientific Interest Impact Risk Zone for recreational disturbance. However, the Ecological Appraisal does not refer to this and therefore further information is required.

There are three ponds outside of the site, one to the west and two in the south. The southern ponds are currently connected to the western one through habitats present on the application site. However, the design of the proposals will result in this connection being lost, as there are no wildlife corridors in the proposed scheme. The conclusion in paragraph 6.3.19 that “the proposed development will not result in ... a substantial negative effect on any waterbodies or foraging areas linked to them” does not appear to have been made based on the proposed layout. We would therefore advise that the layout be redesigned to ensure that connectivity is maintained between the ponds in the wider landscape.

Officer comment: The site is a proposed housing allocation under the emerging Local Plan Part 2, and has already been assessed along with the other housing allocations in the Habitats Regulations Assessment Screening Report dated November 2020 by Arcadis. That Screening exercise concluded that none of the site allocations were considered to have a likely significant effect on any of the European sites alone, or in combination. Natural England were consulted on the publication of the Local Plan Part 2 including the Habitats Regulations Assessment Screening Report, and raised no concerns over this housing allocation.

Following the submission of amended plans, Greater Manchester Ecology Unit responded: The site plan has now been amended to include hedgerows which link the ponds in the south to that in the west. This is a welcome change, albeit the wildlife corridor will be very narrow. Measures will need to be put in place to ensure the corridor/hedgerows are retained in place and managed appropriately, so that occupiers of the new houses do not remove them.

Whilst the loss of hedgerows should always be avoided where possible, especially where they are well established, I am unsure if the loss of the ones on this site could be seen as reasons for a refusal of the application. From the description given the ones on this site appear to be largely hawthorn, which would be classified as species poor, although they will

clearly have value for other wildlife such as nesting birds and amphibians as well as a wildlife corridor function.

- 8.6 Lancashire County Highway Authority** - Highways do not have any objections regarding the proposed 54 dwellings and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity on highways under the control of Lancashire County Council.

The housing development is in the district of Blackpool with the site access onto Faraday Way being within the district of Wyre. The management and maintenance of Faraday Way from the South of Bispham Road was transferred to Blackpool in 2018 and as such the impact of the access onto Faraday Way is to be determined by Blackpool Council's Highway department.

- 8.7 NHS Clinical Commissioning Group** – This proposal for 51 houses will generate approximately 151 new patient registrations based on average household size of 2.4 Office for National Statistics 2017.

The proposed development falls within the catchment area of North Shore Surgery, Moor Park and also St Pauls surgery, Dickson Road. This need, with other new developments in the area, can only be met through the refurbishment and reconfiguration of the existing premises in order to ensure sustainable general practice.

The practices is located less than 1.1 miles and 3.0 miles from the development and would therefore be the practices where the majority of the new residents register for general medical services.

A sum of £18,918 towards an extension at St Paul's surgery and reconfiguration at Moor Park Health Centre is requested.

It is however important to note that general practice capacity would need to be created in advance of the growth in population so that both the infrastructure and workforce are in place. We would therefore be seeking the trigger of any healthcare contribution to be available linked to commencement of development.

- 8.8 NHS Foundation Trust** - Planning application is seeking to secure permission for the construction of 54 new dwellings. These dwellings will support a population increase of 119 new residents (assuming an average of 2.2 people per dwellings) all of whom will need to access health services.

It follows that without the provision of additional facilities and services it will not be possible to accommodate the health impact of the development within the existing provision which is available.

Whilst the Trust will, in due course, be able to obtain funding to meet the needs of the population which arises from the development, this funding will not be in place for approximately three years. Once in place, the funding will not be provided retrospectively, and as such the impact on the Trust for the initial period will not be met from any alternative source of funding.

We therefore request a contribution for this development in the sum of £150,831.00.

We would request such a contribution should be paid to the Council under the terms of the s.106 agreement, and should then be paid to the Trust. We would ask that any contribution be paid in full prior to first occupation of the development to allow for the necessary service provision to be in place to meet the demand which will arise as soon as the development is occupied.

Officer comments: The Courts have made it very clear that S106 funding cannot comprise a generalised tariff or compensate for budget deficits and the planning system cannot be used as a means to stop-gap public sector funding which should be covered by general taxation.

The request for £150,831.00 seeks the kind of stop-gap payment the Courts have deemed to be unacceptable as a planning obligation.

Planning obligations must be necessary to make the development acceptable in planning terms, directly related to the development and fair and reasonably related in scale and kind to the development.

The assumption set out in the request, is that new dwellings will result in a population increase that will increase demand on NHS services but this is not evidenced. It cannot be assumed that the new dwellings will necessarily be occupied by people migrating into Blackpool. It is well documented that Blackpool has a very high level of transience, with many people moving into, out of and around the town. In addition the town suffers from poor quality, cramped and over-occupied housing. Whilst the number of households are expected to increase by 0.4% in household numbers 2016-2041, as set out in the Council and NHS's Joint Strategic Needs Assessment, this Office for National Statistics data predicts the actual population of Blackpool will fall by 2.5% over this period from 140,000 in 2016.

It should also be noted that an identical planning application for the same site was submitted to Wyre (ref 20/01247/FULMAJ). The NHS Foundation Trust responded to both applications on the same day (6<sup>th</sup> January 2021) and based on the same number of houses, with the same assumed population increase of 119 residents or 2.2 people per dwelling. However, based on the same calculations, they have requested a sum of £150,831 in response to the consultation from Blackpool, but only £95,162.00 in response to the Wyre consultation. This is nearly £56,000 less than the request on the Blackpool application. It is assumed that the figures used are based on average costs of treating people in Blackpool compared to people in Wyre. However, notwithstanding the earlier comments regarding unacceptable requests to bolster short term budget deficits, it is considered unfair and unreasonable to ask the developer to pay for the same houses, twice. The fact that the NHS makes these calculations depending on which authority they consider the development to be in rather than considering the impacts of the development itself, is a levy or tariff rather than a contribution which is directly relevant to the development and fair and reasonably related in scale and kind.

As such, the officer recommendation is that Committee does not require the developer to make this contribution.

- 8.9 Blackpool International Airport** – 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.

- 8.10 Police Architectural Liaison Officer** – It is recommended that the development is designed and constructed to Secured by Design ‘Homes 2016’ security specification early in the design phase to mitigate any risk to crime. During the construction phase, the site should be secured by a 2.4m high weld mesh perimeter fence.

The advice includes general comments on secured by design principles. Elements of the advice that could be secured by condition include lighting, landscaping, fence positions and heights.

- 8.11 Local Lead Flood Authority** – The developer is limiting flows to the greenfield runoff rate so there should be little change to the existing system. In terms of the attenuation and surface water system, the plans look acceptable.

- 8.12 Head of Strategic Housing** - I would support the provision of 16 affordable houses for rent. I have been contacted by GPHA who are intending to partner with Create to deliver 16 affordable rent properties.

I would also add a concern regarding the site layout. The affordable homes all seem to be clustered together in a separate area, and as per planning policy should be more mixed.

- 8.13 Local Education Authority** – 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.

- 8.14 Environmental Protection** – I agree with the recommendations of the Phase 1 report and gas monitoring results. I agree with the recommendations of the noise impact assessment.

Further information is required regarding the elevated hydrocarbon concentrations in the pond and how this will be remediated. This can be dealt with by condition.

- 8.15 Head of Highways and Traffic Management Services** – There have been various comments and concerns with the access and layout of the scheme, which have been resolved subject to highway agreements. The final comments are summarised below:

I have no objection to the scale of the development or to the generality of the access arrangements. However, a number of minor issues are evident.

The access from Faraday Way would be subject to formal Highways Act agreements. I see no fundamental issue in the layout but would expect the design to be amended as necessary for technical approval and safety audit. I note Lancashire County Council’s comments. The safety audit should extend into the site to the second junction.

The detail of contrasting demarcation on initial entry to the site from Faraday Way needs to be dealt with in the negotiations for the s38 agreement and included in the safety audit.

There is obviously a need to require that they connect the footway from Lowland Way to the site on the north side of Ryscar Way. This too would necessitate a Highways Act agreement - so we would have two/three agreements (this, the access and the s38) or a hybrid. It should be shown on all approved drawings.

The linking footway needs a status defined. The detail as it meets the loop road needs to be amended because the two drives framing the two verges that frame the footway doesn't work and the verges will be over-run. Without a larger scale plan showing what will be private/shared/adopted and an indication of a maintenance regime there is little point in commenting further. I assume this will be resolved in conditions requiring material details, landscaping and maintenance intentions. There will also be sustainable drainage systems of course to be maintained.

The hatched area leading to plots 28-34 allows the pedestrian route to be followed without crossing the road, as requested. The mouth of the entry to the hatched area seems very wide and could, subject to swept paths, usefully be narrowed – for the comfort of pedestrians. The detail can be resolved with the other parts of the highways agreement. We also need to establish that access to the care home site is not compromised and the entrance to that should accommodate a turning width of 4.5m inside radius to 12.5m outside radius. Again to be resolved as a highway detail.

The development will, if approved, require conditions dealing with off-site highway works and CMP.

The Head of Highways has also agreed in principle to off-site hedgerow planting along Faraday Way, subject to the agreement of a revised landscaping scheme. This offsite hedgerow planting scheme would be included in the s278 agreement.

**8.16 Head of Parks and Greens** - Hedgerow should be placed along the western boundary (of the Public Open Space) and join with the remaining hedgerow and we can specify a mix of trees to be planted within to create further habitat. In addition with the trees been planted as part of the planting scheme, there should be a good portion of tree cover benefitting the area.

**8.17 Waste** – 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.

**8.18 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.

## **9.0 REPRESENTATIONS**

9.1 Site notice published: 24/12/2020

9.2 Neighbours notified: 17/12/2020 and 27/07/2021

9.3 Ben Wallace Member of Parliament for Wyre and Preston North on behalf of the occupier of 47 Champagne Avenue,

- 1, 5, 7, 10 and 11 Bordeaux Crescent
- 47 Champagne Avenue
- 1, 3 and 42 Tennyson Drive

9.4 This representations raise the following issues:

Flood risk:

- The area is regularly affected by sitting surface water and the development will significantly increase the risk of flooding to neighbouring properties.
- Flood risk of river flooding is low, flood risk from surface water is high.
- Increases in hard surfaces will naturally make surface water run downhill towards our properties.
- The flood risk report doesn't show what we have seen where huge lakes form on the site in heavy rain.
- Even in moderate rain periods the ground quickly becomes sodden and large puddles quickly form. These puddles take longer and longer to dissipate.
- With more development there will be a loss to the potential run off areas. In effect, this application is proposing some limited flood protection to new homes at the direct expense of the existing properties.
- The properties will impact on amenity of residents on Bordeaux Crescent.
- Back to back gardens will lead to overlooking and invasion of privacy.
- Loss of natural light given proximity of new houses.

Ecology:

- No reference to the current hedgerow and trees which screen properties on Bordeaux Crescent.
- The ecology survey focuses on the direct site rather than wider area.
- There is a significant error in the Hedges Note dated 18/5/2021 which quotes that the height of the hedges running along the north edge of the land as being on average 1.5m tall when it is at least 2.5m above the 2.0m fence that runs along the northern boundary of the site.
- The application contains vague proposals about the treatment of the longstanding hedgerow along the north boundary to the site. Comments include 'pruning or removing this hedgerow' is an unacceptable throw away statement that completely disregards the impact of these actions. This impact is both in terms of the management of CO2 two emissions, the mental wellbeing of longstanding residents and the habitat of a large variety of birds that use it.
- To destroy this hedgerow is not acceptable. Hedgerow along northern boundary should be retained to support the abundance of wildlife.
- The proposals in the latest plan appear to indicate a buffer zone of around 0.7 metres between the boundary fence of the property adjacent to our fence. This is not acceptable, at least 2.0 metres should be allowed for this buffer zone along the full length this side of the development so that no hedges are removed and only minor pruning for overhang as a minimum.
- There is no indication of how you intend to preserve and limit the impact on the wildlife living in this area.
- The Council has a responsibility to protect the environment.
- There is no replacement hedgerow planting proposed along the northern boundary.
- The tree line is a haven for the birds which are under enough pressure with the destruction of their breeding grounds.
- Squirrels, foxes, owls, frogs, newts, field mice and hedgehogs will be lost as their habitat will be lost.

- Each and every year, these animals nest, breed their young and rest in the surrounding trees and bushes which border number 1, 3, 5, 7, 9 and 11 Bordeaux Crescent and the northern boundary line of the 51 dwellings.
- The new trees proposed are extremely sparse and would not encourage the nesting, protection and return of the birds that currently live here. This requires further research, consideration and should reflect the importance of retaining and supporting the local area and wildlife.
- There is proposed tree planting in the front of the new dwellings but not at the back.

#### Amenity:

- Increase noise and disturbance and will be visually overbearing.
- Loss of privacy and overlooking.
- Reduced natural light.
- There is no detailed consideration on the effect of the construction disruption to residents surrounding the proposed development.
- There should be proposals to limit the warning sounds that construction vehicles emit when reversing.
- The 51 dwellings will have a catastrophic impact on the character of the area, appeal to selling/purchasing property in the area.
- There has just been building work going on at the Bispham Hospital for the last year which has been very disruptive.
- The Council should replace my double glazing with triple glazing along the back of the house to mitigate this disruption.

#### Local services:

- Will the local GPs, schools, roads, etc. be able to accommodate the new residents? Bearing in mind that there have been many new dwellings built with half a mile.
- Has this been considered adding in 47 properties with only one shop close within walking distance, this brings back to the traffic accident that occurred near the only shop also increasing more chances of traffic accidents. Additionally, there are only two (small) local schools in the area.

#### Highway safety:

- Additional traffic will impact on the safety of pedestrians and pupils at Kincaig School.
- Traffic will be worse when the Norcross retail scheme goes ahead.
- The planned road on to Faraday Way will increase accidents due to the high speed at which people drive along Faraday Way.
- Increase wear and tear on the road at Faraday which is already crumbling and a very busy route.
- The July 2021 layout adversely affects road safety at the junction of Tennyson Drive and Ryscar as this is a dangerous junction with vehicles travelling at speed westwards round the bend from Tennyson Drive into Ryscar Way without being able to see driveways round the bend. The July 2021 layout puts more traffic hazards into this area from plots 19 - 24, with vehicles manoeuvring on and off driveways, visitor and delivery vehicles standing at the kerb, and distractions in drivers eyeline.
- Visitor parking is already sparse as the whole area is double yellow lines, due to the junction.
- There are no other options for visitors to park legally. Therefore, when visitors or delivery drivers park on the double yellow lines at the roundabout there is huge potential to cause a serious road traffic accident.
- Children could run out onto Ryscar Way.

- The December 2020 layout kept driveways for plots 17 - 22 (Dec 2020 numbering) away from the danger area and these six properties should revert to the December 2020 layout for better road safety.
- A fatal road traffic accident occurred on the road leading off Ryscar Way a couple of years ago and more traffic only increases the risk of further accidents, increased noise, pollution and congestion in the area
- The traffic report is very scant on detail and implies an average car ownership in Blackpool as being very low compared with national figures. This conclusion I can only assume is based on ownership in predominantly central areas of Blackpool. From walking round FY5 the car ownership is more than one per household and this increases for the newer developments.
- I would like to see more evidence on the car ownership figures the actual area of the development, not 'Blackpool'.

Environment:

- Additional pollutants, including noise, which is already significant from Faraday Way.
- There are very few open spaces left in this borough and I would appeal to the Planning Authority's concern for the future, in a world that is already in grave danger of warming to an irrecoverable level due to the presence of CO2 in the atmosphere.
- Reduce air quality due to increase in CO2 and other pollutants such as tyre and brake particles that it will produce for us to inhale.
- The site should be used as a recreational area that is wooded with the planting of trees to break up the buildings and concrete that is rapidly expanding

Other:

- The previous plans submitted showed an easement which I believe you are not allowed to build on. On the most recent plans this easement is no longer on the drawings
- I purchased my house a year ago which looks out over the field that was part of the reason why I bought it.
- There are two new housing estates very close to this area, White Carr Lane (McDermott Homes) & Warren Drive (Lovell Homes). I find it difficult to for the need of another estate when these two haven't sold yet.

Comments have also been received from the occupiers of 3 Tennyson Drive

- If the houses fronting Ryscar Way are 2 and 4 Ryscar Way signage needs to make clear the houses opposite are 1 and 3 Tennyson Drive

## **10.0 RELEVANT PLANNING POLICY**

### **10.1 National Planning Policy Framework**

10.1.1 The National Planning Policy Framework was adopted in July 2021. 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 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

## **10.2 National Planning Practice Guidance**

10.2.1 The National Planning Practice Guidance expands upon and offers clarity on the points of policy set out in the National Planning Policy Framework. The following sections are most relevant to this application:

- Air quality
- Design
- Flood risk and coastal change
- Health and well-being
- Natural environment
- Noise
- Open space, sports and recreation facilities, public rights of way and local green space
- Planning obligations
- Travel plans, transport assessments and statements
- Water supply, wastewater and water quality

## **10.3 Blackpool Local Plan Part 1: Core Strategy 2012-2027**

10.3.1 The Core Strategy was adopted in January 2016. The following policies are most relevant to this application:

- CS1 Strategic Location of Development
- CS2 Housing Provision
- CS6 Green Infrastructure
- CS7 Quality of Design
- 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)**

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 for continued use in the absence of an adopted part 2. The following policies are most relevant:

- LQ1 Lifting the Quality of Design
- LQ2 Site Context
- LQ3 Layout of Streets and Spaces
- LQ4 Building Design
- LQ6 Landscape Design and Biodiversity
- HN4 Windfall Sites
- BH3 Residential and Visitor Amenity
- BH4 Public Health and Safety
- BH5 Protection of Public Open Space

- BH10 Open Space in New Housing Developments
- NE6 Protected Spaces
- NE7 Sites and Features of Landscape/Nature/Conservation and Environmental Value
- AS1 General Development Requirements (Access and Transport)

## **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 formal consultation earlier this year and has been submitted for examination in December 2021. At this point in time limited weight can be attached to the policies proposed, especially as the application was submitted prior to the earlier consultation. Nevertheless, the following draft policies in Part 2 are most relevant to this application:

- DM1 Design Requirements for New Build Housing Development
- DM17 Design Principles
- DM21 Landscaping
- DM31 Surface Water Management
- DM35 Biodiversity
- DM36 Controlling Pollution and Contamination
- DM41 Transport requirements for new development

## **10.6 Other Relevant Policy and Guidance**

10.6.1 Supplementary Planning Document Note 11 (SPG11): Open Space: New Residential Development and the Funding System was adopted in 1999 and sets out open space requirements in residential development.

10.6.2 Blackpool Council declared a Climate Change Emergency in June 2019 and are committed to ensuring that approaches to planning decision are in line with a shift to zero carbon by 2030.

10.6.3 Blackpool Council adopted the Blackpool Green and Blue Infrastructure (GBI) Strategy in 2019. The GBI Strategy sets out six objectives for Blackpool in terms of green infrastructure:

- Protect and Enhance GBI i.e. protecting the best and enhancing the rest
- Create and Restore GBI i.e. greening the grey and creating new GBI in areas where it is most needed
- Connect and Link GBI i.e. making the links, improving connectivity and accessibility of GBI
- Promote GBI i.e. changing behaviour, promoting the benefits of GBI and encouraging greater uptake of outdoor activity and volunteering.

10.6.4 National Design Guide (January 2021) recognises the importance of good design and identifies the ten characteristics that make up good design to achieve high-quality places and buildings. The guide articulates that a well-designed place is made up of its character, its contribution to a sense of community, and its ability to address the environmental issues affecting climate.

10.6.5 National Model Design Code (July 2021) provides guidance to promote successful design and expands on the ten characteristics of good design set out in the National Design Guide.

10.6.6 Department for Communities and Local Government Technical Housing Standards – Nationally Described Space Standards – this document was published in March 2015 and sets out the national minimum standards for new homes, although these standards have yet to be adopted for new build dwellings in Blackpool. However, they are a useful tool to assess the quality of housing development coming forward.

## **11.0 ASSESSMENT**

### **11.1 Principle**

11.1.1 The Core Strategy confirms that provision will be made for the delivery of 4200 new homes in Blackpool between 2012 and 2027.

11.1.2 The majority of the site is currently unallocated but the emerging Local Plan Part 2: Site Allocations and Development Management Policies document (Part 2) allocates this site for housing with an expected delivery of around 47 units. Part 2 underwent public consultation earlier this year and there were no objections to the allocation of the site for housing. Part 2 has been submitted for examination which is expected to take place in December 2021. Given the lack of objections to the housing allocation as a result of the consultation, weight can be given to the fact that the site is an emerging housing allocation in Part 2.

11.1.3 Furthermore, historically the site has had outline permission for housing on two separate occasions in 2000 (reference 00/0215) and 2019 (reference 19/0176). Permission ref. 19/0176 remains extant. There has been an update to the National Planning Policy Framework (July 2021), but there has been no material shift in local or national policy or changes to the site circumstances which would suggest that residential development is no longer acceptable in terms of land use. However, the Council has since adopted a Green and Blue Infrastructure (GBI) Strategy and Action Plan and declared a Climate Emergency (2019) and these are material considerations in assessing the application. The GBI Strategy gives greater emphasis on the need to protect and enhance green and blue infrastructure and trees and to increase biodiversity.

11.1.4 There is a mix of uses around the site and in the wider area but the land to the west of this section of Faraday Way is predominantly residential in character. As such, the development of the land to provide residential accommodation is considered to be acceptable in land use terms.

11.1.5 The western part of the site is protected as public open space and also includes a public right of way. This same area also falls within flood zones 2 and 3 and includes a public sewer that is subject to a 6m easement. Paragraphs 159-166 of the National Planning Policy Framework require new housing development to be located in accordance with the sequential and exceptions tests where appropriate. This means that new housing should not be permitted within flood zones 2 or 3 if there is available land that could accommodate the development within flood zone 1. As the site is a housing allocation in the emerging Local Plan Part 2, a sequential test was undertaken as part of the updated Strategic Flood Risk Assessment. The developer does not therefore need to demonstrate compliance with the sequential test and there have been no material changes in site circumstances since the Strategic Flood Risk Assessment was undertaken, which would suggest that the applicant would need to apply the exception test. Given that the houses would be located in flood zone 1, the development is not considered to be at risk of flooding. Therefore the main flood risk issue is ensuring that the proposed development does not cause flooding elsewhere. The application is

accompanied by a Flood Risk Assessment and issues related to drainage and off-site flood risk are discussed in the Drainage and Flood Risk section of this report.

- 11.1.6 In terms of the five year housing land supply, current indications are that the Council can identify a 14.2 year housing land supply and so the tilted balance would not apply in this case. However, Ryscar Way is identified in the Council's housing land supply and the scheme would support the Council in meeting its housing requirement set out in the Core Strategy and this weighs in favour of the application.
- 11.1.7 Policy CS14 relates to affordable housing and for developments of 15 or more houses, outside of the Inner Area, this policy requires housing developments to provide 30% of the total number of dwellings to be affordable housing. The scheme would deliver 16 affordable homes for rent which equates to 31% of the total number of dwellings created on the site being affordable and this weighs in favour of the scheme. The case officer shared concerns with the applicant that all of the affordable housing provision is clustered together in one corner rather than being tenure blind and dispersed throughout the development. However, this policy requirement is in emerging Policy DM1 which at the time of the submission of the application, had not been published for consultation. As such, this factor holds limited weight in the planning balance. The phasing of the affordable housing would be agreed by condition, in consultation with the Housing Manager.

## **11.2 Planning Obligations**

- 11.2.1 Policy CS6 requires development to incorporate new or enhance existing green infrastructure and confirms that financial contributions will be sought from development for open space and green infrastructure. Saved Policy BH10 requires developments of three or more residential units to make a financial contribution towards the provision or improvement of off-site public open space. The Supplementary Planning Guidance 11: Open Space (SPG11) sets out the public open space requirements in new housing development, until it is replaced by the draft Greening Blackpool Supplementary Planning Document. No new open space is proposed on the site and the existing protected public open space within the site is already serving the local population. As such, a commuted sum of £57,104.00 would be required in order to upgrade public open space off site.
- 11.2.2 The NHS Clinical Commissioning Group have requested a £18,918 towards an extension at St Paul's surgery and reconfiguration at Moor Park Health Centre in order to help accommodate the needs of the residents of the development. This request is for physical infrastructure required as a result of this development, appears reasonable and would appear to meet the tests set out in paragraph 57 of the National Planning Policy Framework.
- 11.2.3 In terms of education provision, the Local Education Authority has not provided a detailed response to the consultation, or indicated that there is a shortfall in capacity at nearby schools. As such, no contribution towards education provision is sought.
- 11.2.4 These commuted sums would be secured through a S106 agreement prior to the issuing of a decision notice.

### **11.3 Housing Mix, Density and Standards**

- 11.3.1 Policy CS13 requires new residential development to provide an appropriate mix of quality homes which would help to rebalance Blackpool's housing supply, having regard to the specific character, location and viability of the site and making the most efficient use of land. The development would deliver a housing mix of 2, 3 and 4 bedroom dwellings of various sizes and this is considered to be an appropriate housing mix in this area.
- 11.3.2 The smaller 2 and 3 bedroom houses (23 units) would not meet the floorspace standards set out in the Nationally Described Space Standards in terms of gross internal floorspace and some bedroom sizes and some of the larger dwellings would have secondary bedrooms which don't meet the space standards. However, there is no adopted policy requirement that new dwellings must adhere to the Nationally Described Space Standards and the emerging Policy DM1 only requires 20% of new dwellings to meet the space standards. The smaller houses would be of a reasonable size and so there would be no conflict with Policy CS13 in this respect.
- 11.3.3 In terms of density, the developable area of the size is just over 2 hectares so the scheme would achieve a density of 25.5 dwellings per hectare (51 dwellings/2ha). Recently approved schemes in Blackpool have achieved between 25 and 30 dwellings per hectare, so the density of the scheme is not unusual and, given the character of the area, the density is considered to be acceptable and there would be no conflict with Policy CS13 in this respect.

### **11.4 Residential amenity impact**

- 11.4.1 A number of objections have been received from local residents in relation to anticipated impacts on residential amenity. In particular, concerns have been raised relating to potential loss of privacy and loss of daylight, and increased noise and disturbance.
- 11.4.2 The rear elevations of the proposed dwellings along the northern boundary would be at least 21m away from the rear elevations of properties fronting Bordeaux Crescent at first floor level and this is a standard separation distance which would sufficiently protect privacy. Site cross sections have been submitted which indicate that the proposed houses would be no higher than the existing houses on Bordeaux Crescent. Furthermore, conditions requiring the submission of fencing and landscaping details are considered necessary and there is the opportunity to provide a wire fence set off the shared boundary with properties on Bordeaux Crescent and replacement hedgerow planting behind, similar to the arrangement shown between the proposed houses and care home to the south of the site. This would reduce the depth of the rear gardens along this boundary, but not to an unacceptable degree. Once matured, the replacement hedgerow would create a narrow wildlife corridor as well as providing screening. Elsewhere, separation distances between the development and existing houses are met.
- 11.4.3 Windows in the side elevations of the proposed houses at first floor, or in rear elevations which are located close to side elevations at first floor, would only serve bathrooms or stairwells. The front elevation of plot 32 is angled towards, and in close proximity to, the rear elevation of plot 31. In order to safeguard the privacy of the occupiers of plot 31, the bathroom window which was located on the rear elevation, would now be located on the site elevation. No other issues with separation distances have been identified and unacceptable levels of overlooking or loss of privacy are not anticipated for the future occupiers of the development.

- 11.4.4 Each property would have a private rear amenity space, some of which would not reach the typically required length of 10.5m, particularly on the southern side of the development and the affordable dwellings. However, this standard is partly required to ensure adequate separation distances are provided. On balance the gardens are considered to be of sufficient size to meet the needs of the future occupiers.
- 11.4.5 Most of the dwellings would have a front garden area of sufficient size to provide green infrastructure to act as an amenity, to soften the appearance of the development, to act as a soakaway and to provide benefits to biodiversity. Some of the smaller dwellings would have little in terms of a front garden area as the space is taken up by car parking provision. Nonetheless, tree planting is indicated in the submitted landscaping plans which would help soften the appearance of the development. A condition which removes permitted development rights would safeguard the amenity spaces.
- 11.4.6 The submitted noise survey recommends the installation of 2.4m high acoustic fences around dwellings in the north east corner of the site to mitigate noise in private amenity spaces. Two dwellings are affected (plots 46 and 47) and the proposed boundary treatment fronting Faraday Way for those plots would comply with the recommendations in the noise report. For reasons set out in the Ecology and Arboriculture section of the report, the boundary treatments would be agreed by condition.
- 11.4.7 There would be an increase in noise and disturbance for the occupiers of nearby dwellings during the construction process and this is unfortunate but unavoidable. However, a Construction Management Plan would be required by condition and that would contain working hours, dust mitigation measures, vehicle routing, placement of site compounds etc. in order to keep the disturbance to a minimum. Once the development is occupied, noise and disturbance would be no greater than in any other housing estate.
- 11.4.8 Conditions are proposed which would prevent the houses from being used as anything other than C3 dwellings for permanent occupation and these conditions would further safeguard neighbour amenity.
- 11.4.9 In light of the above, no unacceptable impacts on residential amenity are anticipated.

## **11.5 Design and visual impact**

- 11.5.1 The site is currently undeveloped greenfield land and therefore any development of any scale on the land would have a detrimental visual impact on the immediate area and this weighs against the proposal. However, the area is residential in character, the majority of views across the site are against a back drop of other buildings and the site is not a prominent feature from the road network.
- 11.5.2 The properties fronting Kinraig Place would view the site against the backdrop of the fields on the eastern side of Faraday Way. However, the existing public open space along the western boundary of the site nearest to these properties would be retained and enhanced by landscaping which would form a buffer which would adequately mitigate any visual impact.
- 11.5.3 Within the public open space there is a public right of way which bisects the space and follows the line of the western boundary. It runs from Ryscar Way to the south and links into a network of footpaths to the north. At present it is screened from the main body of the site by a substantial hedgerow. Indicative layout plans on the previously approved outline

application (19/0176) retained this hedgerow and a condition was imposed on the permission requiring it to be bolstered with native species in order to screen the right of way from the development and to safeguard the appearance, character, quality and function of the public right of way. However, in this application, the hedgerow would be lost in its entirety in order to accommodate the layout of the development and to facilitate the construction process. The loss of this hedgerow as an amenity in the public open space and from the public right of way weighs against the scheme in the planning balance. However, indicative landscaping plans show replacement native hedgerow planting in the public open space alongside tree planting. Over time, as the replacement hedgerow matures, it would screen the development and mitigate the loss of the existing hedgerow, in terms of visual amenity.

- 11.5.4 In terms of the development itself, the house types proposed are well designed with multi-brick elevations, grey concrete roof coverings, artstone window cills and headers and plinth detailing, and some of the larger detached dwellings would have decorative vertical tiling on front gable features.
- 11.5.5 The dwellings would incorporate sufficient articulation and design detailing such as porch and gable features to provide visual interest and the larger houses would have bay windows with artstone detailing.
- 11.5.6 The range of dwelling types and designs on the site would provide character and interest and the consistent use of materials would provide a coherent development. The house types proposed are not dissimilar to those used on the developments to the north and south and so they wouldn't be out of character with the area.
- 11.5.7 There are two houses which turn their back to Faraday Way and their rear gardens would be enclosed by timber fencing which would punch forward of the building line. However, both housing estates to the north and south turn their back on Faraday Way and additional off site planting could screen the fences, as has been done elsewhere along Faraday Way and these details would be agreed by condition and implemented as part of the required S278 agreement.
- 11.5.8 As you turn into the estate off Faraday Way, there would be a small amenity space with tree planting which would be a positive feature in the streetscene. Tree planting is proposed in front garden areas and the trees would soften the development visually and provide additional interest.
- 11.5.9 There is sufficient space in rear gardens or in garages to store refuse bins and a condition stating that refuse bins are not to be stored at the front of the properties other than on collection day is considered necessary, in the interests of visual amenity.
- 11.5.10 The open plan layout is considered to be reasonable. A condition requiring that the estate remains open plan is considered necessary to maintain the open feel of the estate and prevent walls and fences being erected around the curtilages of individual front gardens in a piecemeal and uncoordinated fashion. Overall, subject to conditions, the layout and design of the development proposed is considered to be acceptable and once replacement hedgerow planting in the public open space has matured, no undue visual impacts are anticipated in the longer term.

## **11.6 Access and highway impact**

- 11.6.1 The site is effectively split in two with the affordable homes accessed off Ryscar Way and a cul-de-sac shared with the care home, and the market homes accessed off a new road off Faraday Way.
- 11.6.2 The road off Faraday Way would circle around an island of four dwellings with houses accessed off it and an access spur would provide access to four properties fronting Faraday Way. A pedestrian/cycle route through the site would link Ryscar Way to Faraday Way.
- 11.6.3 In terms of car parking, the two bedroom dwellings would have two off street parking spaces, the three bedroom dwellings would have at least two spaces and the four bedroom dwellings would have at least three spaces. All garage spaces would have internal dimensions of 6m x 3m which is sufficient to park a family sized car and store refuse bins and cycles. Given that the car parking provision complies with the existing and emerging car parking standards, it is considered that there would be sufficient car parking spaces to serve the development. Conditions which removes permitted development rights would safeguard the parking provision on the driveways and the garages.
- 11.6.4 A number of objections have been received from local residents in relation to anticipated impacts on highway safety. In particular, concerns have been raised relating to the development leading to more accidents on Faraday Way and at the Tennyson Drive junction with Ryscar Way and how average car ownership has been calculated.
- 11.6.5 The submitted Transport Assessment states that records indicate that there are no significant concentration of vehicle collisions in the area that would suggest there are existing safety issues which would be exacerbated by the development. The Assessment states that the proposed development would not have severe residual impact on the surrounding highway network in accordance with National Planning Policy Framework. The proposal has been considered by the Head of Highways and Traffic Management as the Local Highway Authority, and by Lancashire County Council as the neighbouring Local Highway Authority. Lancashire County Council Highway Authority have raised no objections to the scheme. There have been lengthy discussions between the Head of Highways and Traffic Management and the applicant in relation to the access and layout of the scheme. Following the submission of amended plans, subject to conditions, various highway agreements, safety audits and the agreement of the finer details of the highway works, the Head of Highway and Traffic Management has no objection to the scheme.
- 11.6.6 A Construction Management Plan has been submitted but it refers to a superseded layout plan and does not include working hours. The document states that the site would be built using one access from Ryscar Way. However, the Head of Highways and Traffic Management Services has indicated that access should be from Faraday Way, the arrangement of sales and parking is unacceptable and the wheel wash should be inside the site and the road leading from there to Faraday Way should be surfaced and drained with silt traps. The contractor will be required to provide the Council with contact details for road sweeping and confirm their authority for the Council to call out the contractor if considered necessary. As such, the submission of a revised Construction Management Plan is required by condition.
- 11.6.7 A Travel Plan has been submitted and the contents are acceptable but lack the required details. As such, the submission of a detailed Travel Plan should be secured by condition.

11.6.8 A condition requiring the developer to provide the infrastructure to enable future occupiers to easily install electric vehicle charging points is considered necessary to enable and encourage the uptake of zero emission vehicles, and to ensure that the development is accessible by sustainable transport modes, in accordance with paragraph 112 of the National Planning Policy Framework.

11.6.9 In light of the above, and subject to conditions and highway agreements, no unacceptable impacts on highway safety or function area anticipated.

## **11.7 Ecological and Arboricultural impact**

11.7.1 In accordance with paragraph 174 of the National Planning Policy Framework, new developments should minimise impacts on and provide net gains for biodiversity. The Environment Agency have also recommended that opportunities to enhance biodiversity in and around the development are identified and incorporated into the proposed development, with particular regard to the aquatic environment.

11.7.2 The site is bounded to the north and west by established hedgerow and there is a fragmented hedgerow which bisects the site north to south. The supporting Ecological Appraisal confirms that none of the hedgerows around the site perimeter were considered important under the Hedgerow Regulations (1997). However, all hedgerows are a UK Biodiversity Action Plan habitat.

11.7.3 The Appraisal states that the hedgerow along the north are species poor and contain a low diversity of woody plant species and the hedgerow running through the west of the site has a slightly higher diversity of woody plant species. The Appraisal states that these hedgerows should be retained in any proposed scheme and where lengths need to be lost, they should be transplanted or new hedges planted as compensation.

11.7.4 The Appraisal confirms that the hedgerow which bisects the site is defunct and species poor and has a low ecological value. Should this be lost, new shrub/ scrub planting would be suitable compensation for its loss.

11.7.5 In relation to bats, the Appraisal states that the site provides foraging habitat for bats, although this is not an optimum site and bat species are highly unlikely to rely on the site for feeding. The Appraisal states there would be no significant degradation of foraging habitat as a result of the proposal so long as the hedgerows and trees are retained or their loss is compensated for in any landscaping scheme.

11.7.6 In terms of birds, the Appraisal states that the hedgerows offer potential habitat for feeding and nesting birds, and the scattered scrub and overgrown grassland offers some feeding potential and that edges should be retained wherever possible.

11.7.7 There is a pond to the south of the site, to the east of the care home and this is not within the site boundary. It is however currently linked to a wider pond network to the south and west which support common frogs and toads (Biodiversity Action Plan species). Initially, the site layout proposed dwellings to the north of the care home with timber fences along the boundary of the care home which would have eliminated the connectivity between these ponds. Amended plans have been submitted showing a narrow strip of native hedgerow to the north of the care home, outside of residential curtilages which would maintain pond linkages. A condition requiring the submission of fence positions is considered necessary in

order to ensure that the connectivity is maintained. As shown, a section of existing fence would be retained which would block that connectivity.

- 11.7.8 The fencing plan also indicates the use of concrete gravel boards under timber infill panels around the rear gardens associated with the affordable housing and this would effectively block amphibians and small mammals roaming between and through rear gardens. Hedgerows between wire fencing would enable the passage of wildlife and should be prioritised and where this isn't possible, timber fences with gaps under would be appropriate and these boundary details would be agreed by condition. A condition requiring details of ecological enhancements is also considered necessary, which includes the requirement to submit details of public awareness measures to be undertaken to educate residents in appropriate non-damaging behaviour to wildlife, such as retaining gaps under fences and retaining hedgerow and soft landscaping.
- 11.7.9 The site plan indicates that the existing hedgerows will be 'trimmed/removed where necessary' and this is very misleading. Following officer concerns about the impact of the development on the hedgerow along the north and west of the proposed houses, additional plans were sought which would indicate the root protection areas for the hedgerow, to ensure that much of the hedgerow could be retained alongside the proposed houses. Such plans were not forthcoming and instead, a Hedgerow Technical Note was submitted on the 18 May 2021, which confirms that due to the extent of the proposed development footprint, the proposed erection of a security fence along the centre-line of the western boundary along with necessary engineering works to consolidate the sloping topography in that area, will render it impossible to retain any of the hedgerow.
- 11.7.9 This is disappointing and was not agreed in principle in the outline permission, where the hedgerow along the north and west of the proposed houses was to be retained and bolstered by native species.
- 11.7.10 A number of objections have been received with regards the loss of the hedgerow in terms of loss of habitat for wildlife in the area including birds, small mammals and amphibians.
- 11.7.11 Policy CS6 states that the loss of green infrastructure will only be acceptable in exceptional circumstances where it is allowed for as part of an adopted Development Plan Document; or where provision is made for appropriate compensatory measures, mitigation or replacement; or in line with national planning policy. Policy CS6 also talks about the need to enhance, create and connect green infrastructure and that all development should incorporate new or enhance existing green infrastructure. Saved Policy NE7 states that the Council will protect and retain sites and features of landscape, nature, conservation and environmental value, with particular importance attached to groups of trees and hedgerow that contribute to public amenity and/or are of nature conservation importance.
- 11.7.12 The Hedgerow Technical Note indicates that a total of 2,938 sqm of hedgerow would be lost, 2,696 sqm of it along the north and west of the proposed housing. The complete loss of the hedgerow along the north and west of the proposed housing would be contrary to policies CS6 and NE7 unless provision is made for appropriate compensatory measures, mitigation or replacement and this weighs against the application in the planning balance.

- 11.7.13 As a result of officer concerns, a landscaping scheme has been submitted which indicates that approximately 1,100 sqm of replacement hedgerow, comprising a variety of native species would be planted to the west of the proposed houses, within the public open space. Further planting to the north east corner of the site would provide approximately 140 sqm of replacement hedgerow. Whilst it is accepted that the existing hedgerow is species poor, it is well established and mature and the replacement hedge planting is considered to be insufficient and further planting is necessary in order to compensate for the loss of the hedgerow on the site. Additional planting could take place along the entire western boundary of the proposed dwellings and a narrow hedge could be reinstated along the northern boundary, behind a wire fence as is proposed along the southern boundary with the care home, providing an additional wildlife corridor around the site. Additional, off site planting along the Faraday Way frontage (which is Council owned) could be secured as part of the S278 works along with other necessary highway works, in full consultation with the Head of Highways and Traffic Management, to ensure planting is done without impacting on driver visibility. As such, additional hedgerow planting should be included in a revised landscaping scheme which would be agreed by condition.
- 11.7.14 The indicative landscaping scheme also includes the provision of 101 heavy standard trees of 17 different varieties including English Oak, Field Maple and crab apple and the replacement planting prioritises native species. It is considered that the tree planting proposed, along with an increase in hedgerow provision would sufficiently mitigate and compensate for the loss of the hedgerow on the site and this weighs in favour of the scheme as these trees and replacement planting would provide habitat for a more diverse range of species than currently exists.
- 11.7.15 A Tree Survey Report confirms that there is just one tree on the site which is a category C sycamore which would be unsuitable for retention within the scheme and a more appropriate replacement is recommended, and is shown on the indicative landscaping plans. There is a Willow tree within the curtilage of the care home and the Report recommends that root protection measures are put in place during the construction process and this can be secured by condition.
- 11.7.16 The development would incorporate a sustainable drainage system which includes a basin planted up with aquatic species. This would provide biodiversity benefits as well as managing surface water and this weighs in favour of the proposal.
- 11.7.17 Subject to an amended landscaping scheme which provides more hedgerow planting, and phasing details in relation to the removal of the hedgerow and phasing of replacement planting, it is considered that the proposal would satisfy Policy CS6 in terms of green infrastructure provision, mitigation and replacement and would ensure some continuity of habitat.
- 11.7.18 Further ecological enhancement measures could be included throughout the development such as bird and bat boxes and features to support small mammals and amphibians and these details could be agreed by condition. A condition should also be imposed to prevent vegetation clearance during the main bird nesting period.
- 11.7.19 A condition requiring that the development is to be carried out in accordance with the recommendations and mitigation measures in the Ecological Appraisal is also considered necessary along with the standard environmental safeguarding condition.

11.7.20 Subject to the imposition of appropriate conditions and additional replacement hedgerow planting, no unacceptable impacts on biodiversity are anticipated.

## **11.8 Drainage and flood risk**

11.8.1 The footprint of the proposed houses would be in flood zone 1, but some rear gardens along the boundary with the public open space would be in flood zones 2 and 3 and would need to be raised to ensure they achieve adequate gradients. In order to compensate for raising the levels in flood zones 2 and 3, some re-profiling in the public open space would take place so that there is no loss in flood storage capacity in flood zones 2 and 3. This has been found to be acceptable by the Environment Agency as long as the development proceeds in strict accordance with the revised Flood Risk Assessment and the mitigations therein and this would be required by condition.

11.8.2 The revised Flood Risk Assessment confirms that the development itself would not be at risk of flooding from any source.

11.8.3 A number of objections have been received over fears that the development would increase flood risk for properties on Bordeaux Crescent. However, the submitted cross sections show the houses would be on slightly lower land than properties fronting Bordeaux Crescent and so these properties would not be at risk of flooding from surface water runoff from the development. Condition 2 requires that the development proceeds in accordance with the submitted cross sections.

11.8.4 Indicative drainage details have been submitted and are also included in the Flood Risk Assessment. The drainage scheme would include an attenuation pond in the north east corner, which will hold surface water before discharging to Royals Brook to the north at an attenuated rate of 11.6 litres per second, which is the equivalent greenfield run off rate. The Drainage Officer has confirmed that this is acceptable. However, the Flood Risk Assessment confirms that the final details of the proposed drainage system will be developed with United Utilities and the Local Lead Flood Authority to ensure that flooding to other areas is not exacerbated. On this basis, it is considered that three standard drainage conditions are required. The first would require foul and surface water to be drained separately. The second would require a surface-water drainage scheme to be agreed and implemented, and the third would require the agreement of a management plan for the surface-water drainage scheme. In order to be acceptable, a surface-water drainage strategy would have to adhere to sustainable principles.

11.8.5 In light of the above, and subject to the imposition of appropriate conditions, it is considered that the site could be appropriately drained and that the development would not be at undue risk from flooding and would not unduly increase floor-risk off-site.

## **11.9 Environmental impact**

11.9.1 The site is not close to a designated Air Quality Management Area and so, given the scale of development, no unacceptable impacts on air quality would be expected once the properties were occupied. A Construction Management Plan would be agreed through condition to prevent dust nuisance and safeguard air quality during construction. The proposal has been considered by the Council's Environmental Protection team and further information is required regarding elevated concentrations of hydrocarbons on part of the site and how they will be remediated and these details would be required by condition.

11.9.2 Water quality could be adequately safeguarded during construction through the agreement of a Construction Management Plan, and during the lifetime of the development through the agreement of an appropriate surface-water drainage strategy. On this basis, no unacceptable risks from or impacts on environmental quality area anticipated.

#### **11.10 Other issues**

11.10.1 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).

11.10.2 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.

11.10.3 Through the assessment of this application, Blackpool Council as a public authority has had due regard to the Public Sector Equality Duty ("PSED") under s.149 of the Equality Act and the need to eliminate unlawful discrimination, advance equality of opportunity between people who share a protected characteristic and those who do not, and to foster or encourage good relations between people who share a protected characteristic and those who do not. The application is not considered to raise any inequality issues.

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

11.9.1 Sustainability comprises economic, environmental and social components.

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

11.9.3 Environmentally, conditions could be imposed to prevent any unacceptable impacts on air, land or water quality. In terms of biodiversity, the loss of the hedgerow weighs against the proposal. However, biodiversity could be enhanced through additional landscaping, the planting of native trees and other ecological enhancements such as bird and bat boxes and limiting solid boundary fencing. Subject to landscaping and tree planting, the development would not have an unacceptable visual impact and the design and layout of the properties is in keeping with surrounding development.

11.9.4 Socially, the scheme would provide good quality accommodation that would contribute towards the borough's housing provision and 31% of the dwellings would be affordable homes to rent and this weighs in favour of the application. The development would not be at risk of flooding and conditions could be imposed to ensure that the development would not exacerbate flood risk elsewhere. No unacceptable amenity impacts are anticipated and no undue impacts on highway safety are expected.

11.9.5 In terms of planning balance, the development proposed is considered to constitute sustainable development. No other material planning considerations have been identified that would outweigh this view.

## **12.0 FINANCIAL CONSIDERATIONS**

- 12.1 The Council would benefit financially from the development through the receipt of Council Tax payments. However, this has no weight in the planning balance and does not influence the recommendation to Members.

## **13.0 CONCLUSION**

- 13.1 As set out above, the scheme is judged to represent sustainable development and no other material planning considerations have been identified that would outweigh this assessment. On this basis, planning permission should be granted.

## **14.0 RECOMMENDATION**

- 14.1 In light of the above the Committee is respectfully recommended to resolve to support the application and defer it to the Head of Development Management to grant planning permission subject to the following conditions and the signing of a S106 agreement for commuted sums of £76,022.00 (£57,104.00 towards off site public open space and £18,918 towards an extension at St Pauls surgery and reconfiguration at Moor Park Health Centre).

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority including the following plans and information:

Location plan LP01 recorded as received by the Council on 15 December 2020

Proposed Site Layout 0002 Revision H dated April 2021

House types:

Plot 31 PL-31 dated October 2021  
NW-OPP-001 dated July 2020  
NW-OPP-002 dated July 2020  
EL-AS-002 dated July 2020  
EL-AS-002 dated April 2021  
SA-OPP-001 dated July 2020  
Ingol-As-001 dated January 2021  
ING-AS-001 dated January 2021  
ING-AS-ALT-001 dated January 2021  
Bar-As-001 dated January 2021  
HT-COT dated April 2021  
GRI-As-002 dated February 2021  
GRI-As-001 dated January 2021  
SH-AS-001 dated July 2020  
CAT-AS-002 dated June 2021  
CAT-AS-001 dated January 2021  
BRO-AS-002 dated January 2021

BRO-AS-001 dated January 2021  
HAI-As-002 dated June 2021  
HAI-As-001 dated July 2020  
WH-AS-002 dated February 2021  
WH-AS-001 dated July 2020  
NW-OPP-001 dated July 2020  
NW-OPP-002 dated July 2020  
EL-AS-001 dated July 2020  
EL-AS-002 dated April 2021  
SG01 dated October 2020  
DG01 dated October 2020

Materials Schedule MA01 dated July 2021

Streetscene and Site Sections SS01 Revision A dated June 2021

Hard Landscaping Plan HL01 dated July 2021

Land Disposal Plan LD01 dated July 2021

Waste Management Plan WM01 dated July 2021

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.

- 3 Prior to the commencement of development;
- (a) further information regarding the elevated hydrocarbon concentrations in the infilled pond and details of how this will be remediated shall be submitted to and agreed in writing by the Local Planning Authority; and
  - (b) the remediation agreed pursuant to part (a) of this condition shall be carried out in full and a validation report confirming the works shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027. This information is required to be submitted and agreed prior to commencement in order to ensure that the development hereby approved proceeds safely.

- 4 The development should be carried out in full accordance with the recommendations in the submitted Ground Investigation Report dated February 2021 (Wardell Armstrong).

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy BH4 of the Blackpool Local Plan 2001-2016.

- 5 Prior to the commencement of development the following details shall be submitted to and approved in writing by the local planning authority;

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

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

(ii) 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.

The affordable housing shall be affordable housing for rent.

Reason: To ensure the adequate provision and delivery of affordable housing needs 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 phasing of development.

- 6 Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:
- dust mitigation measures during the construction period
  - control of noise emanating from the site during the construction period
  - hours and days of construction work for the development
  - contractors' compounds and other storage arrangements
  - provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
  - arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways
  - measures to prevent contamination of surface and sub-surface water bodies during the construction period
  - routing of construction traffic

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

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

- 7 (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 and 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 **OR** a rate evidenced to be first agreed in writing by United Utilities.

(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.

- 8 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.

- 9 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.

- 10 The development hereby approved shall proceed in full accordance with the mitigation measures identified in the revised Flood Risk Assessment by Ironside Farrar Limited ref 30458/SRG Rev A dated August 2021.

Reason: In order to ensure that the development doesn't increase flood risk elsewhere in accordance with paragraph 167 of the NPPF and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and the Blackburn, Blackpool and Lancashire Flood Risk Management Strategy.

- 11 The development hereby approved shall proceed in full accordance with the reasonable avoidance measures and recommendations set out in the Ecological Appraisal by Envirotech recorded as received by the Council on 15 December 2020 and the Pond Buffer and Connection note by Envirotech dated 8 July 2021.

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 Saved Policies LQ6 and NE6 of the Blackpool Local Plan 2001-2016.

- 12 Prior to the commencement of any above ground construction:
- (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 accompanied by a planting phasing plan and hedgerow removal phasing plan;
  - (c) 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
  - (d) 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, to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall and to safeguard and enhance biodiversity in accordance with Policies CS6, CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ1, LQ6 and NE6 of the Blackpool Local Plan 2001-2016.

- 13 Prior to the commencement of any development on site, the tree protection measures indicated in the Tree Survey Report by Cameron S Crook and Associates dated October 2020, shall be put in place and shall be retained for the duration of the site preparation and construction period.

Reason: To secure the protection, throughout the time that the development is being carried out, of trees growing within or adjacent to the site which are of amenity and biodiversity value to the area, in accordance with Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ6 and NE7 of the Blackpool Local Plan 2001-2016.

- 14 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 of bird and bat boxes
- Features to facilitate roaming of small mammals
- Opportunities to enhance biodiversity with particular regard to the aquatic environment
- public awareness measures to be undertaken to educate residents in appropriate non-damaging behaviour to wildlife, such as retaining gaps under fences, retaining hedgerow and soft landscaping

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 Saved Policies LQ6 and NE6 of the Blackpool Local Plan 2001-2016.

15 The following measures shall be adhered to throughout the 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 Saved Policies LQ6 and NE6 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 Saved Policies LQ6 and NE6 of the Blackpool Local Plan 2001-2016.

17 The hedgerow proposed between plots 6 - 18 and the care home to the south shall be planted in advance of the occupation of those dwellings and shall thereafter be retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to safeguard biodiversity, including protected species, by maintaining a green linkage between the pond to the south of the site and the wider pond network in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ6 and NE6 of the Blackpool Local Plan 2001-2016.

18 Prior to the commencement of any above ground construction, the details of the design, finishing materials and cross sections of the retaining wall between the public open space and the developable site hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with these agreed details.

Reason: In the interests of the appearance of the site and in order to safeguard biodiversity in accordance Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ1, LQ4 LQ6 and NE6 of the Blackpool Local Plan 2001-2016.

- 19 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:

- footway connection between Lowland Road and the site on the north side of Ryscar Way
- native hedge planting on the landscaping strip between the site and Faraday Way

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.

- 20 (a) Prior to the commencement of development a plan to identify those areas of the site proposed to be adopted by the Local Highway Authority and those areas proposed to be managed and maintained by third parties shall be submitted to and agreed in writing by the Local Planning Authority.

(b) Prior to the commencement of development a Highway Management Plan to for those areas of the site to be managed and maintained by third parties shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall:

- Identify the third parties responsible for management (e.g. Site Management Company)
- Set out a regime/timetable for inspections and regular repair or maintenance works
- Explain how issues can be reported, assessed and resolved

(c) The Highway Management Plan hereby approved shall be implemented in full at all times when any part of the area to which it relates is occupied or in use.

Reason: In order to ensure that safe and convenient access is available to the development by a range of transport modes in accordance with the provisions of Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and saved Policy AS1 of the Blackpool Local Plan 2001-2016.

- 21 (a) The development hereby approved shall not be occupied until a travel plan has been submitted to and agreed in writing by the Local Planning Authority.

The travel Plan shall include:

- appointment of a travel co-ordinator
- proposals for surveying
- production of travel audits
- establishment of a working group
- an action plan
- timescales for implementation
- targets for implementation

(b) The development hereby approved shall then proceed and be operated in full accordance with the approved Travel Plan.

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

- 22 Prior to the development hereby approved being first brought into use, the parking provision shown on the approved plans 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 Saved Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

- 23 No dwelling shall be occupied in advance of the installation of a charging cable to a dedicated socket fixed to that dwelling or in a garage associated with that dwelling, of sufficient capacity to enable a 7kW electric vehicle charging point to be installed.

Reason: To facilitate sustainable transport by ensuring there is adequate infrastructure to enable the charging of plug-in and other ultra-low emission vehicles in accordance with paragraph 112 part e) of the National Planning Policy Framework.

- 24 Prior to the installation of any external lighting including street lighting, details of the lighting 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, the details shall include the form, design, materials and technical specification of the lighting and a lux plan to show the resulting area of light-spill.

Reason: In the interest of the appearance of the site and locality, to safeguard the amenities of nearby residents and to safeguard biodiversity in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, BH3 and NE6 of the Blackpool Local Plan 2001-2016.

- 25 Prior to the commencement of any above ground construction, a scheme for the provision of boundary treatments to include their layout, 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 and to safeguard and enhance biodiversity in accordance with Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ1, LQ6 and NE6 of the Blackpool Local Plan 2001-2016.

- 26 The external materials to be used on the development hereby approved shall be as specified on the Materials Schedule MA01 dated July 2021 unless otherwise first submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any above ground construction.

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 Prior to the commencement of any above ground construction, the profile details of the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with these agreed details. For the purpose of this condition, the profile details shall show to the extent of recession or projection of windows, doors and other architectural features of the building.

Reason: In order to secure appropriate visual articulation and interest in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ1 and LQ14 of the Blackpool Local Plan 2001-2016.

- 28 No bins or refuse shall be stored forward of the front elevation of the building other than on the day of presentation for collection.

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 Saved Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

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

- 30 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), no enlargement of the dwellings the subject of this permission shall be carried out without the written approval of the Local Planning Authority.  
Reason: In order to safeguard the amenities of nearby residents and to ensure the dwellings have sufficient amenity space in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policy BH3 of the Blackpool Local Plan 2001-2016.

- 31 Notwithstanding the definition of development as set out under section 55 of the Town and Country Planning Act 1990 or the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), the garages shall not be used for any purpose that would preclude its use for the parking of a vehicle.

Reason: In order to ensure that appropriate car parking provision is available to meet the needs of the property in the interests of public amenity, highway safety and the appearance of the streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ1, BH3 and AS1 of the Blackpool Local Plan 2001-2016.

- 32 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no walls, fences or gates shall be erected within any part of the curtilage of any dwellinghouse that fronts a highway.

Reason: The development has been designed around an open-plan layout and the erection of a variety of different boundary treatments would significantly detract from the quality, character and appearance of the streetscene. This condition is therefore required in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policy LQ1 of the Blackpool Local Plan 2001-2016.

- 33 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no hardstanding shall be installed within curtilage of the dwelling-house forward of the front elevation of the dwelling-house.

Reason: In order to maintain soft landscaping in the interests of the appearance of the site and streetscene and in the interests of sustainable surface-water drainage in accordance with the provisions of Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ1 and LQ2 of the Blackpool Local Plan 2001-2016.

- 34 The dwellings 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 Saved Policy BH3 of the Blackpool Local Plan 2001-2016.

- 35 (a) Prior to the commencement of any above ground construction, a plan to identify those areas of the site proposed to be private residential curtilage and those landscaped areas proposed to be managed and maintained by third parties shall be submitted to and agreed in writing by the Local Planning Authority.

(b) Prior to the commencement of any above ground construction, a Landscaping Management Plan for those areas of the site to be managed and maintained by third parties shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall:

- Identify the third parties responsible for management (e.g. Site Management Company)
- Set out a regime/timetable for inspections and regular repair or maintenance works
- Explain how issues can be reported, assessed and resolved

(c) The development shall proceed in full accordance with the approved Landscape Management Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the site's landscaping is satisfactorily managed in accordance with the provisions of Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and saved Policies LQ1, LQ6 and NE6 of the Blackpool Local Plan 2001-2016.

## ADVICE NOTES TO DEVELOPERS

1. The grant of planning permission will require the developer to enter into an appropriate Legal Agreement with Blackpool Borough Council acting as Highway Authority. The Highway Authority may also wish to implement their right to design all works within the highway relating to this proposal. The applicant is advised to contact the Council's Highways and Traffic team via email to [highwaysandtraffic@blackpool.gov.uk](mailto:highwaysandtraffic@blackpool.gov.uk) or by telephone on 01253 477477 in the first instance to ascertain the details of such an agreement and the information provided.
2. Please note that any address changes or new addresses needed as a result of this development must be agreed by the Council. Please contact the Council on 01253 477477 for further information.
3. Please be advised that, as applicant, it is your responsibility to ensure the works carried out to trees and hedgerow do not disturb or cause harm or injury to protected species. Nesting birds and roosting bats are both protected. It is a criminal offence to intentionally disturb or cause harm or injury to protected species under the Wildlife and Countryside Act 1981.  
If you propose to fell a tree or trees, you may require a felling licence. Further details can be found here: <https://www.gov.uk/guidance/tree-felling-licence-when-you-need-to-apply>.
4. Blackpool Council operates a refuse collection and recycling service through the use of wheeled bins. Developers of new residential properties, including conversions, will be required to provide these bins. Contact should be made with the Council's Waste Services team via email to [waste@blackpool.gov.uk](mailto:waste@blackpool.gov.uk) or by telephone to 01253 477477 for further advice and to purchase the bins required.
5. Condition 12  
  
For the purposes of condition 12, further hedgerow replacement is required in the public open space along the western boundary of the development, hedgerow behind a wire fence is required along the northern boundary of the development and hedgerow planting is required on the landscaping strip between the development and Faraday Way. The storage pond should be planted with mix of appropriate native species to create a habitat area, in order to maximise the benefits to biodiversity.
6. Condition 24  
  
For the purposes of condition 24, the use of concrete gravel boards under timber panels will not be acceptable. Hedgerows between wire fencing should be used and where this isn't possible, timber fences with gaps under would be appropriate, in order to enable the passage of wildlife.