

## **MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 25 JANUARY 2022**

### **Present:**

Councillor Owen (in the Chair)

Councillors

Baker	Kirkland	Robertson BEM
Hunter	O'Hara	R Scott

### **In Attendance:**

Lennox Beattie, Executive and Regulatory Support Manager

Jenni Cook

Clare Johnson, Assistant Planner

Clare Lord, Legal Officer

Susan Parker, Head of Development Management

Latif Patel, Network Planning and Projects Manager

### **1 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **2 MINUTES OF THE MEETING HELD ON 14 DECEMBER 2021**

**Resolved:** That the minutes of the Planning Committee held on 14 December 2021 be approved and signed by the Chair as a correct record.

### **3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED**

The Planning Committee considered a report on planning and enforcement appeals lodged since the last meeting. Two appeals had been lodged, one appeal had been allowed and one appeal had resulted in a split decision.

**Resolved:** To note the update.

### **4 PLANNING ENFORCEMENT UPDATE REPORT**

The Planning Committee considered a report on planning enforcement activity in Blackpool between 1 December 2021 and 31 December 2021. During that period 18 new cases had been registered for investigation in December 2021 and as at 31 December 2021, there were 446 "live" complaints outstanding.

**Resolved:** To note the update.

## **MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 25 JANUARY 2022**

### **5 PLANNING APPLICATION AND APPEALS PERFORMANCE**

The Planning Committee considered the report in relation to Government targets and performance in the third quarter of the 2021/22 financial year. In respect of major applications 100% had been determined within 13 weeks or an agreed extension of time and 90.2% of non-major applications had been determined within eight weeks or an agreed extension of time.

**Resolved:** To note the update.

### **6 ARTICLE 4 DIRECTION: DWELLINGS (C3) TO SMALL HOUSES OF MULTIPLE OCCUPATION (HMO'S) (C4)**

The Planning Committee considered a report which sought approval to confirm the non-immediate Article 4 Direction made on 1 October 2021 to remove permitted development rights across the Blackpool borough for dwellings (Class C3 of the Town and Country Planning Use Classes Order) to be converted into small Houses of Multiple Occupation (HMOs) (Class C4 of the aforementioned Order) without the need for planning permission.

Miss Susan Parker, Head of Development Management, outlined the public consultation that had taken place and noted that the Article would not be applied retrospectively.

**Resolved:** To recommend that the Cabinet Member confirms the non-immediate Article 4 Direction to approve to prevent change of use from Class C3 (dwellings) to Class C4 (small HMOs) without planning permission.

### **7 PLANNING APPLICATION 20/0794: LAND AT RYSCAR WAY, BLACKPOOL**

The Planning Committee considered application 20/0794 for the erection of 51 private dwelling houses with associated access, parking and landscaping at Ryscar Way, Blackpool.

Ms Clare Johnson, Principal Planning Officer, outlined the report and provided a summary of the application details, planning history and scale of the development. The application was a major housing proposal situated on Blackpool Council owned land and the boundary between Blackpool Council and Wyre Borough Council ran through the east of the site, with the access being off Faraday Way within the area covered by Wyre Borough Council. A corresponding application had been made to Wyre Borough Council.

The application had been deferred from the November 2021 Planning Committee to allow a traffic and speed survey to be carried out and for any necessary mitigation to be considered.

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 25 JANUARY 2022

Outline planning permission had been granted and the site was allocated for housing in the Emerging Local Plan Part 2 and the application was considered to be acceptable in principle. The application proposed 51 houses with 16 being affordable homes for rent situated in the south-east corner of the site, accessible off Ryscar Way. The remaining properties would be accessed via a new junction off Faraday Way. Ms Johnson noted that Emerging Policy DM1 of the Local Plan Part 2 stated that affordable housing should not be clustered. This application had been submitted before Part 2 had been published, and she further noted that Part 2 had not yet been adopted, meaning that little weight could be given to Policy DM1 with regards to this application. The application did, however, meet the affordable housing provision requirements of Core Strategy Policy CS14.

No issues with respect to flooding or drainage had been identified by responsible authorities, subject to the provision of a detailed drainage strategy. A loss of hedgerow along the north and west boundary of the site did weigh against the scheme, however a replacement planting scheme sufficiently mitigated this loss and further ecological enhancements could be secured by condition.

The applicant had agreed to enter into a Section 106 agreement to secure financial contributions of £57,000 towards off-site public open space and £19,000 towards an extension to St Paul's Surgery and reconfiguration of Moor Park Health Centre.

Ms Johnson provided the Committee with details of the speed survey that had been undertaken and published in December 2021. More detail on this would be provided by Mr Latif Patel, Network Planning and Project Manager, at the appropriate point of the meeting.

Since publication of the survey an objection had been received that the survey had not included vehicle speeds or safety issues at the roundabout on Ryscar Way. The Committee was informed that the appropriate methodology had been followed and if they were minded to grant approval then concerns could be addressed through condition and the Update Note contained proposals to provide two vehicle activated signs on Faraday Way along with amendments to the roundabout to reduce vehicle speeds.

The proposed development was considered to be constitute sustainable development and the Committee was recommended to approve the application subject to conditions and the signing of a Section 106 Agreement.

Mr Brian Holt spoke in objection to the application and raised road safety concerns regarding the blind bend to the mini-roundabout from Tennyson Drive onto Ryscar Way, high entry and exit speeds and concerns regarding vehicles moving on and off driveways. He stated that the mini-roundabout had not been included within the speed survey, which he had raised with officers that the speed monitor was in the wrong place and that in his view no consideration had been given to the road safety issues at the mini-roundabout that he had raised at the Planning Committee held on 16 November 2021. Speeding vehicles remained a concern, particularly for existing residents exiting their driveways should six more houses and their additional vehicles be placed in this exit area.

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 25 JANUARY 2022

Mr Holt was of the view that the Update Note had not provided clear information on the redesign of the mini-roundabout and that speed bumps were an effective way to limit speed and this would require consultation to be carried out. Parking spaces on the proposed development were also raised as a concern along with traffic flow from Kincraig Road being forced onto the wrong side of the road on a busy road next to a blind bend, and he suggested that the houses be placed on a less busy road. Mr Holt concluded that the proposed development would seriously affect road safety on Ryscar Way and asked the Committee to refuse the application.

Mr Scott Williams, sharing the public speaking time with Mr Holt, also spoke in objection to the application and raised flooding concerns particularly with regard to the pond which also give rise to other issues such as stagnant water, smells, insects and vermin. Mr Williams noted that the flooding report had been carried out in September when no flooding was present and suggested that the report was revisited. He informed the Committee that the flooding around his property was severe and was approximately two to three feet deep for around six months of the year and his fencing had been piled into the ground to avoid collapse. Speeding on Faraday Way was also raised as a concern by Mr Williams.

The Chair invited Mr Latif Patel, Network Planning and Projects Manager, to comment on the issues raised by Mr Holt and Mr Williams. Mr Patel acknowledged the concerns raised by the objectors and noted that although both streets had been identified as having issues with speed, Ryscar Way was below the normal level for intervention. Faraday Way was within the level for intervention and the issues could be controlled by enforcement and temporary signage and addressed by the steps outlined by the Lancashire Road Safety Partnership. Further traffic calming measures would require addressing by statutory processes. Mr Patel outlined that the issues raised by local residents in their written objections and verbally during the Planning Committee meetings represented valid concerns, but stated that in his professional opinion these concerns would be addressed if the Committee approved the application, subject to the amended condition 19 as included in the Update Note, which included the following:

- 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.
- Two vehicle-activated speed signs on Faraday Way.
- Alterations to the roundabout on Ryscar Way to reduce traffic speeds at that point in the highway.

Miss Susan Parker, Head of Development Management, addressed the flooding concerns that had been raised by Mr Williams. The Flood Risk Assessment had been carried out to assess the prevailing situation and the application included positive drainage measures to address the flooding issues on site, and conditions had been offered within the Committee Report.

Ms Johnson confirmed to the Committee that the data gathered in the speed survey had been published on 24 December 2021 and it was also appended to the application.

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 25 JANUARY 2022

Mr Andrew Booth, acting on behalf of Create Homes, spoke in support of the application and noted that the developer had been working with the planning officers and other statutory bodies to ensure that the scheme brought forward for consideration had taken measures to understand and address the concerns raised by residents. The previous outlined consent had granted permission for 47 dwellings to have Faraday Way as the main access, rather than the 16 currently proposed and the developer was committed to delivering suitable solutions. The proposed design was compliant with existing regulations, however the developer was happy to work with the Council to implement the measures proposed in condition 19 to include interactive speed signs on Faraday Way and additional works around the mini-roundabout.

The developer was aware of flood issues on the site, given the underlying ground conditions, and the proposed included detailed surface water drainage measures that had been approved by the relevant authorities. Mr Booth noted that additional concerns had been raised regarding the affordable housing offer in respect where the 16 affordable houses would be located. The house types, tenure and location had been influenced by the requirements and preferences of the registered provider partner, Great Places and the proposals were the basis upon which support had been obtained from the Council's Strategic Housing Service and Homes England. However, the developer was aware that the Council was planning to implement an updated emerging planning policy with regards to clustering of affordable homes and was prepared to work with the Council to mitigate these concerns. Planning officers had, that day, been supplied with examples of design changes that could be made to disperse the affordable units, to bring in line with the spirit of the emerging policy. Mr Booth asked the Committee to support the application in line with the recommendation.

Councillor Jo Farrell spoke on the application as the Ward Councillor and stated that she had intended to speak against the application on the basis of objecting to clustering of the affordable homes on the site. She welcomed the alternative proposals that the applicant had put forward and urged the Committee to ensure that the affordable houses were not clustered on one part of the site.

The Committee discussed the application and acknowledged the potential need for additional traffic calming measures as identified by the speed survey and that the additional condition proposed in the Update Note that would provide two vehicle activated signs on Faraday Way along with alterations to the roundabout on Ryscar Way. The Committee noted the developer's alternative proposals for locating the 16 affordable homes so that the application would accord with the Council's emerging policy.

A proposal was moved and seconded to approve the application.

Miss Parker shared the developer's proposals to disperse the affordable homes around the site and noted that if the Committee wanted to approve the application with these proposals, then the matter could be delegated to the Head of Development Management to resolve.

## **MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 25 JANUARY 2022**

After discussions on the Committee's preferred option and clarification on voting procedures from the Chair, an amendment was moved and seconded that alongside approving the application in principle with the conditions in the Committee Report and Update note, that the layout would be amended so that the affordable homes were not clustered in the south east corner. On that basis, Committee delegated authority to the Head of Development Management to issue planning permission once that matter had been resolved to her satisfaction in broad accordance with the illustrative drawings displayed at the Planning Committee on 25 January 2022.

Voting took place on the amendment which was successful and the amendment became the substantive motion. Voting took place on the substantive motion.

**Resolved:**

That the application be approved subject to the Head of Development Management being satisfied as to the siting of the affordable houses, the Section 106 agreement and conditions in the Committee Report and the additional conditions proposed in the Update Note.

### **8 DATE OF NEXT MEETING**

**Resolved:** To note the date of the next meeting as 22 March 2021.

**Chairman**

(The meeting ended at 6.55 pm)

Any queries regarding these minutes, please contact:  
Jenni Cook Democratic Governance Senior Adviser  
Tel: (01253) 477212  
E-mail: [jennifer.cook@blackpool.gov.uk](mailto:jennifer.cook@blackpool.gov.uk)