

**Officer Report to Committee**

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**Application ref:** 21/01062  
**Ward:** Bispham  
**Application type:** FULL  
**Location:** LAND AT 8 NORBRECK ROAD, BLACKPOOL FY5 1RP  
**Proposal:** Erection of a part 4 storey part 5 storey building comprising 35 assisted living flats (affordable housing for rent) with shared residential areas and associated landscaping, car parking and external amenity space.  
**Recommendation:** Approve  
**Case officer:** Clare Johnson  
**Case officer contact:** 476224  
**Meeting date:** 26/07/2022

**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 as it would regenerate a long standing vacant site and provide affordable assisted living homes which meet an identified need.

**2.0 SUMMARY OF RECOMMENDATION**

- 2.1 The scheme is considered to represent sustainable development and the housing proposed would make a contribution towards meeting the borough's housing needs. The recommendation is therefore that the Committee grant planning permission, subject to conditions.

**3.0 INTRODUCTION**

- 3.1 This application is before Members because it is a major scheme of public interest.

**4.0 SITE DESCRIPTION**

- 4.1 The former Mariners public house was demolished in 2008 following extensive fire damage. The application site is around 0.19ha (1,900sqm) and is roughly triangular with a site frontage of some 40m along Norbreck Road. The site is located close to the junction with Queens Promenade and sits opposite Norbeck Castle.
- 4.2 The site is bisected by an alley gated access road connecting Norcliffe Road and Chatsworth Avenue. The front half of the site, where the pub was located, has been cleared and enclosed with hoardings for a number of years. The rear half of the site is hard surfaced and was previously used as a car park in association with the pub. An electricity sub-station sits adjacent the rear of the application site.

- 4.3 Other than the two/ three/ four/ six and seven storey scale Norbreck Castle with an extensive frontage onto Queens Promenade, and a designated local centre a short distance further up Norbreck Road, the character of the area is of one, two and three storey residential property.
- 4.4 The site is allocated for housing in the emerging Local Plan: Part 2 (site reference HSA1.1) and that allocation expects that 35 dwellings to be delivered on site. The site is within Flood Zone 1 and no other designations or constraints have been identified.

## **5.0 DETAILS OF PROPOSAL**

- 5.1 The application seeks full planning permission for the erection of a part 4 and part 5 storey assisted living development for people over the age of 55. The development would comprise 35 flats which would be let as affordable housing for rent. There would be a lobby, manager's office, buggy store and a communal lounge/kitchen on the ground floor along with 4 x 1-bed flats and a 2-bed flat. The first, second and third floors would each have 7 x 1-bed flats and a 2-bed flat and the fourth floor would comprise 5 x 1-bed flats and a 2-bed flat. All of the floors could be accessed by a passenger lift. The communal lounge would provide access to 2 shared, landscaped amenity spaces to the rear.
- 5.2 At the rear and across the back street, there would be a small enclosed, shared garden and 18 off-street parking spaces (including 2 accessible spaces) and an enclosed refuse store.
- 5.3 There would be vehicle access from Norbreck Road to the east of the development, which would connect to the back street and the car parking spaces, although the car parking spaces could also be accessed off Norcliffe Road or Chatsworth Avenue.
- 5.4 The building would have flat roofs with a maximum height of around 14.5m and would reduce in height to around 11.7m adjacent 14 Norbreck Road. On the front elevation, all of the windows would be full height including Juliet balconies. The glazing on the north-west corner would wrap around from the front elevation to the west elevation to create a glazed corner feature facing towards the Promenade.
- 5.5 Much of the glazing on the west elevation, closest to properties on the Promenade, would be obscure glazing to prevent loss of privacy for those properties. The south elevation would again include many full height windows and Juliet balconies to main living spaces. The east elevation would largely be blank, given its proximity to existing properties to the east.
- 5.6 In terms of materials, the elevations would be a mix of red brick slips and off white render on the main elevations and grey fibre cement cladding on the top floor.
- 5.7 A dwarf boundary wall would be erected along the Norbreck Road frontage with planting behind and 1.8m high fencing would enclose and secure the amenity spaces to the rear.
- 5.8 The application has been supported by:
- Planning Statement
  - Design and Access Statement
  - Affordable Housing Statement
  - Supporting Statement
  - Planning Statement

## **6.0 RELEVANT PLANNING HISTORY**

- 6.1 07/1092 – Erection of a part four, five and six-storey block comprising thirty-five, self-contained apartments, formation of refuse and cycle store, vehicular access and hardstanding for the parking of 37 vehicles. Approved 25/02/2008
- 6.2 19/0720 – Erection of a four/ five and six storey block 34 self-contained apartments including refuse store, cycle store, landscaping and vehicular access from Norbreck Road with car parking for 30 vehicles to the rear. Approved 23/01/2020

## **7.0 MAIN PLANNING ISSUES**

7.1.1 The main planning issues are considered to be:

- the principle of development
- housing mix, density and standards
- visual impact
- impact on residential amenity
- highway impact

## **8.0 CONSULTATION RESPONSES**

- 8.1 **Environment Agency** – No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.
- 8.2 **United Utilities** – The drainage plans are not acceptable to United Utilities because robust evidence has not been provided to demonstrate that the drainage hierarchy has been thoroughly investigated. The proposals are not in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems. UU request reasoning as to why the surface water sewer isn't a viable solution. Secondly, the proposed drainage strategy includes cover levels on the proposed network which are situated lower than the cover level on the receiving network (e.g. S1-1/5 & F1-1/5). UU recommend that all finished floor levels are set above the adjacent manhole cover level and all cover levels on site are set above the receiving cover level in order to minimise the risk to the proposed properties from surcharging sewers and the potential to introduce new hydraulic low points on our network. Should planning permission be granted, UU request the standard conditions are imposed.
- 8.3 **Electricity North West** – The development is shown to be adjacent to or affect Electricity North West's operational land or electricity distribution assets. The consultation response sets out their requirements from the developer and refers the developer to the relevant Health and Safety Executive publications.
- 8.4 **NHS Clinical Commissioning Group** – request £12,880 financial contribution towards the reconfiguration at Moor Park Health centre surgery for additional clinical capacity. Failure to secure the contribution requested would result in an objection to the application.
- 8.5 **Police Architectural Liaison Officer** – Raises concerns over security and lack of lighting and CCTV along the new access, lack of enclosure and lighting of the private amenity spaces. The car park should be lit and have formal surveillance. Gives general security advice regarding internal lighting, windows and doors and CCTV.

- 8.6 Officer notes – amended plans have been submitted indicating CCTV and lighting along the new access, lighting in the car park and a 1.8m high enclosure around the private amenity spaces.
- 8.7 **Head of Highways and Traffic Management** - no objection to the type of development or to the scale. No objection to the car parking numbers given the submitted evidence and the site is sufficiently accessible. A condition similar to condition 9 in the decision on 19/0720 is necessary. Whilst they do have a proposed access from Norbreck Road, the back street to the rear will be used both to/from the east and south on foot and by vehicles. The Council would adopt it on completion if the developer accepts the specification and an agreement. The developer may wish to consider waiting restrictions in the back street and the Council would support that. A CMP condition is required. The proposed access at Norbreck Road should have a dropped crossing. Any gate should be at least 6m clear of the back of footway and opening only inward.
- 8.8 **Head of Strategic Housing** – From a strategic housing / housing need perspective, the addition of 35 high quality homes for older people being developed in this location is supported in principle, due to this providing a more modern housing option, and appropriate local amenities critical to independent living. Ideally all homes should be developed to a fully accessible standard, to ensure future proofing, and for the homes to be ring-fenced to those with a Blackpool Connection, as per the local authority’s allocation policy. Nominations should/could also be considered. Rents should be genuinely affordable, both for residents in receipt of benefits, and those who are not.
- 8.9 **Adult Social Care** - No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.
- 8.10 **Lead Local Flood Authority** - No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.
- 8.11 **Environmental Protection** - No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.
- 8.12 **Waste** - No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.
- 9.0 REPRESENTATIONS**
- 9.1 Press notice published: 19/01/2022
- 9.2 Site notice published: 22/01/2022
- 9.3 Neighbours notified: 12/01/2022
- 9.4 No representations have been received at the time of preparing this report. Any representations that are received before the Committee meeting will be reported in the update note.

## **10.0 RELEVANT PLANNING POLICY**

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

10.1.1 The NPPF 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

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

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

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

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

- 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 until the Local Plan Part 2: Site Allocations and Development Management Policies has been produced. The following saved policies are most relevant to this application:

- BH3 Residential Amenity
- BH4 Public Health and Safety
- BH10 Open Space in New Housing Developments
- LQ1 Lifting the Quality of Design
- LQ2 Site Context
- LQ4 Building Design
- LQ6 Landscape and Biodiversity

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

10.5.1 The Blackpool Local Plan Part 2 (Part 2) was the subject of independent Examination in Public in December 2021. The Inspector has now issued his comments. As such, weight can be attached to the emerging policies in accordance with the provisions of paragraph 48 of the NPPF. The following emerging policies in Part 2 are most relevant to this application:

- DM1 Design Requirements for New Build Housing
- DM3 Supported Accommodation and Housing for Older People
- 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 Guidance**

10.6.1 Fylde Coast Strategic Housing Market Assessment 2014 and the Council's Housing Plan for the Ageing Population 2017 – 2020.

10.6.2 Blackpool Council declared a Climate Change Emergency in June 2019 and is 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 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.

10.6.5 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.

10.6.6 DCLG National Technical Housing Standards – this document was published in March 2015 and sets out the national minimum standards for new homes. This partially supersedes some of the standards in the Council's New Homes from Old Places SPD guidance.

10.6.7 The Environment Act 2021 makes provision for all planning permissions to be conditional on the provision of biodiversity net gain. Whilst there is, as yet, not requirement set out in

statute, the Government's clear intention is a material planning consideration. The Council will therefore seek to secure biodiversity net gains where practicable in advance of this becoming a statutory requirement.

## **11.0 ASSESSMENT**

### **11.1 Principle**

11.1.1 The principle of re-developing this vacant site for residential use was established with the granting of planning permission for 35 apartments in February 2008 under ref: 07/1092 and again for 34 apartments in January 2020 under ref: 19/0720. Furthermore, since January 2020, the Blackpool Local Plan, Part 2 (Part 2) has been published and was the subject of independent Examination in Public in December 2021 and Part 2 allocates this site for housing for 35 dwellings. As such, the principle of residential continues to be acceptable, subject to other policy requirements.

11.1.2 The previously approved schemes were for market homes whereas this application proposes assisted living flats for those over the age of 55, which would be let on an affordable rent basis and managed by a registered provider.

11.1.3 Part 5 of the NPPF requires Local Authorities to address the needs of groups with specific housing requirements. Saved Policy BH24 sets out that community care residential developments will be permitted in appropriate locations subject to the type of use proposed, a demonstration of local need, the intensity of use and its effect on adjacent properties, the suitability of the premises and the location and a management plan for the operation of the premises. BH24 also states that no community residential uses meeting similar specialist needs will be permitted within 400m of existing properties meeting similar needs.

11.1.4 Emerging Policy DM3 largely reiterates BH24 but also requires applications to be supported by the relevant commissioning managers, that sites are accessible, and that proposals maintain or enhance residential character and that there are sufficient good quality and accessible landscaped amenity areas.

#### Demonstration of local need

11.1.5 Section 4 of the submitted Affordable Housing Statement (AHS) deals with need and makes reference to Fylde Coast Strategic Housing Market Assessment 2014 (SHMA), which confirms that the population of people over the age of 65 in Blackpool, is expected to increase by 19.4% by 2030. The SHMA also states that the growth forecast of people over the age of 85 will necessitate the provision of specialist accommodation to meet specific housing requirements and this demonstrates that there is a need generally in Blackpool for housing suitable for older people.

11.1.6 The SHMA also identifies that older people tend to under-occupy housing that would be suitable for families with children and that these homes could become available for family occupation through the provision of appropriate accessible dwellings which match the aspirations of a growing older person cohort. The SHMA indicates that there is also a growing need for affordable housing for all age groups, with the greatest need for affordable housing with one, two or three bedrooms.

- 11.1.7 The AHS also refers to the latest Housing Topic Paper which refers to the need for good quality affordable housing across the borough and the Blackpool Housing Affordability Study, which indicates that there is a need for affordable homes which better meet the needs of particular groups, like older people with limited mobility. The Housing Affordability Study concludes that there is a gap in Blackpool's current housing stock which meets the needs of the borough's older population and residents with support needs.
- 11.1.8 The AHS confirms that the northern wards of Blackpool (Bispham, Anchorsholme, Norbreck, Ingthorpe, Warbreck and Greenlands) have a larger than average number of older people and a significant number of those older people are classified as being deprived, with poorer health and lower life expectancy than the national average.
- 11.1.9 In terms of the allocation of these dwellings, the applicant has confirmed that they are content to work with the Council to ensure that the proposed units meet the local needs for affordable homes, including through receipt of nominations from the local authority.
- 11.1.10 As such, it is considered that the proposed would meet an identified need and conditions requiring that the development can only be occupied by a person over the age of 55 and that the accommodation must be affordable homes for rent (as defined in the NPPF), will ensure that the development continues to meet a local need.

#### Intensity of use and its effect on adjacent properties

- 11.1.11 The proposed development would have the greatest impact on 2 and 14 Norbreck Road. As the rear elevation of the development would be at least around 23m away from properties fronting Chatsworth Avenue and at least 28m from properties fronting Norcliffe Road, and would be to the north of those properties, it would not have an unacceptable impact on residential amenity for any occupants of those properties.
- 11.1.12 The detached building would be around 7.6m away from the rear/side elevation of 2 Norbreck Road and would be around 0.7m closer to that elevation and approximately 2.4m taller on that corner than previously approved. There would be some loss of sunlight in the early mornings in the summer months for the rear gardens and rear elevations of 2 Norbreck Road and 344 Queens Promenade which does weigh against the scheme. However, the impact is not considered to be significantly worse than the impact that was found, on balance, to be acceptable in the previously approved schemes. There are windows in the west elevation which face the rear elevations of 2 Norbreck Road and properties on Queens Promenade. However, the closest windows would be obscure glazed so would not impact on privacy. These obscure glazed windows would either afford light to circulation spaces or to main living spaces which have outlook through other windows facing north or south.
- 11.1.13 The development would be between around 4.5m and 10.8m from the boundary with 14 Norbreck Road which is no closer than the previously approved scheme and around the same height. There would be some loss of light to the side elevation of 14 Norbreck Road in the late evening in the summer months. However, this impact is no worse than the previously approved schemes. There are no windows on the upper floors on the east elevation closest to the side elevation of 14 Norbreck Road. Towards the rear, the east elevation is set in and there are upper floor windows to bedrooms and main living spaces. These windows would be around 10.8m away from the rear amenity space at 14 Norbreck Road but would not face any habitable room windows.

11.1.14 The development would have some impact on the amenities of the neighbouring properties, but similar impacts have, on balance, been found to be acceptable in previously approved schemes. The identified impacts are not considered to be unacceptable in this instance.

11.1.15 There is no reason to assume that the occupants of the new development would generate unacceptable levels of noise.

11.1.16 In terms of the intensity of the use, the proposal is for 35 units of accommodation which is similar to previously approved schemes and the site is allocated for 35 dwellings in the emerging Part 2. The development cannot therefore be considered to be too intense and the use would not have an unacceptable impact on adjacent properties.

#### Suitability of the premises and the location/accessibility

11.1.17 The apartments would meet or exceed the floorspace standards in the Nationally Described Space Standards and would all be accessible and adaptable (M4(2) of the Building Regulations) or wheelchair accessible (M4(3) of the Building Regulations). There would be two passenger lifts which would access all floors and a buggy store would be provided on the ground floor to allow the secure storage of mobility scooters and bicycles.

11.1.18 The site is in an accessible location, close to shops, services and on good public transport routes.

11.1.19 As such, the proposed development and the location is suitable for the intended occupants.

#### Management plan

11.1.20 No Management Plan has been submitted, although the Supporting Statement states that there will be an on-site manager and the apartments would be fitted with a 24 hour emergency alarm. A more detailed Management Plan could be required by condition should Members feel this is necessary. However, given the nature of the proposed users and the fact that the proposed building is detached and with on-site management, officers do not consider that a Management Plan is necessary in this instance.

#### Residential character

11.1.21 With the exception of the Norbreck Castle to the north and the local centre to the east, the area is residential in character. Given the scale of the development and the material palettes proposed, the development, would not be out of character with the area, subject to agreeing the materials on site. The provision of a dwarf boundary wall and planting along the Norbreck Road frontage would introduce residential character.

#### Good quality landscaped amenity areas

11.1.22 There would be three separate landscaped amenity areas to benefit residents, along with landscaping along the west and front of the site. Whilst there are no current standards in place, this amenity space provision is considered to be sufficient. A detailed landscaping scheme would be agreed by condition.

### Other specialist facilities meeting similar needs within 400m

- 11.1.23 There is a small sheltered housing development to the east at 88-90 Norbreck Road but this development is understood to comprise 10 rented rooms with shared facilities and one self-contained flat and so represents a different type of housing for older people than the self-contained apartments proposed.
- 11.1.24 No other facilities meeting similar needs have been identified within 400m of the site.
- 11.1.25 The Head of Strategic Housing supports the principle of the addition of 35 apartments for older people in this location and a condition can be imposed requiring that the development can only be occupied by people with a local connection and who are nominated by Blackpool Council as per the local authority's allocation policy. On this basis and on balance, the provision of this type of specialist housing in this location would meet the requirements of Saved Policy BH24 and emerging Policy DM3 and is therefore acceptable in principle and would support the aims and objectives set out in the Council's Older Persons Strategy.

## **11.2 Housing Mix**

- 11.2.1 Policy CS13 requires that 70% of the accommodation coming forward in flat developments, should have two or more bedrooms. Out of the 35 apartments proposed, only 5 would have 2 bedrooms (14.3%) and this weighs against the scheme in the planning balance. However, the development would not conflict with wider efforts for the provision of balanced and healthy communities. Given that the development would be for the over 55s and the accommodation would be accessible and adaptable or wheelchair accessible and the provision of communal spaces and facilities, it is not considered that the lack of two bedroom units in this case would warrant refusal of the application.
- 11.2.2 In terms of the other requirements of Policy CS13, the scheme makes the most efficient use of land with the optimum density as set out in the sites' housing allocation. The development would contribute towards the Council's housing supply and bring a long standing vacant site back into beneficial use and this weighs more heavily in the planning balance than the lack of two bedroom units in this instance.

## **11.3 Planning Obligations**

- 11.3.1 The development would provide 100% affordable housing for rent and they would be conditioned as such. Therefore there is no conflict with Policy CS14 which relates to affordable housing provision.
- 11.3.2 No Public Open Space is proposed on the site and none could be provided. A contribution of £18,920 for the provision or enhancement of off-site public open space it therefore required, as calculated under SPG11 (the Greening Blackpool SPD had not been adopted at the time of the submission of the planning application).
- 11.3.3 The NHS Clinical Commissioning Group are also requesting a £12,880 financial contribution towards the reconfiguration at Moor Park Health centre surgery for additional clinical capacity.
- 11.3.4 This totals £31,800 and would normally be secured by a Section 106 agreement in advance of the granting of planning permission.

- 11.3.5 However, the Council accepted viability arguments with the previously approved scheme for 34 market homes and waived the need for the scheme to provide a contribution towards off-site affordable housing. A condition was imposed however, requiring the payment of £21,844 towards off-site public open space provision or enhancement. It is understood that the approved scheme for market homes will not now be brought forward.
- 11.3.6 A full viability assessment has not been submitted for assessment by the Council's viability consultants. However, if there were viability issues for market homes coming forward, a scheme for affordable housing is likely to experience similar issues. The applicant has submitted a breakdown of how the costs of bringing the development forward have increased and states that the construction industry is facing unprecedented price and supply issues with respect to the labour and material market. When the site was first assessed, it was estimated that the works would cost £5.4 million but this has risen to nearly £6.5 million and costs are still rising.
- 11.3.7 The applicant asserts that the financial challenges of delivering the development at this time, will only further be exacerbated by any requirement to make the required contributions.
- 11.3.8 The development not being able to make the required contributions weighs heavily against the scheme and the NHS CCG have confirmed that if the Council do not secure the contribution they have requested, they object to the proposal.
- 11.3.9 However, given how long this site has stood vacant, previous permissions have not been implemented and that the scheme presents an opportunity to provide good quality, affordable and accessible homes for our older population, for which there is a demonstrated need, it is considered that this should be afforded more weight in the planning balance than the lack of developer contributions in this instance.

#### **11.4 Visual Impact**

- 11.4.1 The scheme has been amended since first submission to set the top floor back and for it to be clad in a contrasting material in order to reduce the bulk of the building visually, and to create visual interest. The elevations are staggered and have sufficient articulation and more detailed profiles could be agreed by condition, to ensure that the elevations have sufficient texture and depth.
- 11.4.2 The entrance would be off Norbreck Road and would be accessed under a projecting canopy. Amended plans have been requested to include a further design detail around the entrance to further define it. The amended details will be reported through the Update Note.
- 11.4.3 In terms of the scale of the building, a plan has been submitted which shows the development in comparison to the outlines of the two previously approved schemes and the Mariners public house which once stood on the site, when viewed in the Norbreck Road streetscene. The proposed building is generally not as tall as the previously approved schemes, with the exception of the north west corner and west elevation, which is approximately 2.4m taller.
- 11.4.4 Materials, boundary treatments and landscaping could all be agreed by condition.

## **11.5 Access, highway safety and parking**

- 11.5.1 There is an existing vehicle access along the east of the site and this would be widened and gated. The Head of Highways and Traffic Management has stated that the new access gate needs to be set back 6m clear of the back of footway and opening only inward. An amended site layout plan has been requested showing the gate set back and such amendments will be reported in the update note.
- 11.5.2 The Head of Highways and Traffic Management has requested a condition similar to condition 9 on the 19/0720 permission which would involve the upgrade of the rear access road to adoptable standards, upgraded street lighting at the new entrance onto Norbreck Road and at the rear access from Norcliffe Road and works associated with widened crossing onto Norbreck Road.
- 11.5.3 In terms of car parking, there would be 18 spaces which is well short of the required spaces if these were to be apartments for general occupation. The previously approved application, ref. 19/0720, proposed 30 spaces for 34 apartments. The layout now proposed shows significantly more garden amenity space for the enjoyment of residents. This is considered to be a better use of the space given the proposed occupation of the building. In addition, the parking standards in Appendix D1 of Part 2 states that for sheltered housing schemes, one parking space for every two dwellings is required and the number of parking spaces complies with this requirement. Furthermore, the Supporting Statement indicates that the proposed registered provider has 224 other similar developments and on average, only 40% of their households have a car. As such and on balance, the parking provision is considered to be appropriate and the Head of Highways and Traffic Management Services has raised no objection subject to the submission and agreement of a Construction Management Plan, which could be secured by condition.
- 11.5.4 A Travel Plan should be secured by condition, to encourage travel to and from the site by sustainable transport modes.

## **11.6 Drainage and flood risk**

- 11.6.1 The application site is within Flood Zone 1 and, given that the site is a housing allocation in Part 2, it has been assessed for flood risk in the Strategic Flood Risk Assessment in consultation and agreement with the Environment Agency. As such, the applicant does not need to demonstrate compliance with the sequential or exceptions test.
- 11.6.2 An indicative drainage strategy has been submitted but United Utilities have found it to be unacceptable as it does not demonstrate that the drainage hierarchy has been thoroughly investigated and the proposals are not in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems. United Utilities have made further recommendations and are requiring the imposition of their standard drainage conditions so that the details can be agreed in advance of the commencement of development.
- 11.6.3 On this basis, the development is not considered to be a risk of flooding, and subject to the submission and agreement of a satisfactory drainage strategy which is agreed by United Utilities, the proposal should not increase flood risk off-site.

## **11.7 Biodiversity impact**

- 11.7.1 The site is largely filled with rubble and the rear part of the site is hard surfaced, although vegetation is growing through. The site is not considered to be particularly ecologically sensitive and so no ecological appraisal has been required.
- 11.7.2 However, a landscaping scheme and provision for other ecological enhancements should be agreed by condition in order to provide biodiversity benefits.

## **11.8 Other issues**

- 11.8.1 No unacceptable environmental impacts on air, water or land quality have been identified and there are no heritage assets on or immediately around the site.
- 11.8.2 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).
- 11.8.3 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.
- 11.8.4 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.

## **11.9 Sustainability and planning balance appraisal**

- 11.9.1 Sustainability comprises economic, environmental and social components.
- 11.9.2 Economically the scheme would have a very limited impact but the creation of new affordable residential units would help to support local shops and services and some employment would be generated during construction.
- 11.9.3 Environmentally, no ecological issues are anticipated and the development would not be expected to unacceptably impact upon air, land, water quality or drainage. Following the amendments made to the design of the development, the design of the proposal is considered to be acceptable. The proposal is considered to be environmentally sustainable.
- 11.9.4 Socially, the scheme would provide good quality affordable and accessible accommodation for Blackpool's older population and would make a contribution towards the Council's housing supply. Planning obligations would not be met and this weighs heavily against the scheme, but is considered to be sufficiently outweighed by the benefits the scheme would deliver in terms of bringing a long-derelict site back into beneficial use to meet a recognised housing need. No adverse impacts with regard to flood risk and highway safety have been identified, subject to the conditions.

## **12.0 FINANCIAL CONSIDERATIONS**

- 12.1 The development proposed would generate Council Tax receipts. However, this consideration has no weight in the planning balance.

## **13.0 CONCLUSION**

- 13.1 In light of the above and on balance, the development proposed is considered to constitute sustainable development and no other material planning considerations have been identified that would outweigh this view.

## **14.0 RECOMMENDATION**

- 14.1 Members are respectfully recommended to grant planning permission subject to the conditions listed below:

- 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 recorded as received by the Council on 16/12/2021*

*Proposed site layout plan and Ground Floor Plan ref. JBA506-PL-002 Rev D (subject to amendments)*

*Proposed First and Second Floor Plan ref. JBA506-PL-003 Rev B*

*Proposed Third and Fourth Floor Plan ref. JBA506-PL-004 Rev B*

*Proposed North Elevation ref. JBA506-PL-005 Rev D (subject to amendments)*

*Proposed East Elevation ref. JBA506-PL-006 Rev D*

*Proposed South Elevation ref. JBA506-PL-007 Rev D*

*Proposed West Elevation ref. JBA506-PL-008 Rev E*

*Proposed Norbreck Road Context Elevation ref. JBA506-PL-010 Rev C*

Proposed Surfacing Layout ref. E2333 C-1300 S4-P2 dated 13/12/2021

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

- dust mitigation measures during the construction period
- control of noise emanating from the site during the construction period
- hours and days of construction work for the development
- contractors' compounds and other storage arrangements
- provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the demolition/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.

4 Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;

(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);

(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;

(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and

(v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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.

- 5 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.

- 6 No development shall be commenced until a scheme of off-site highway works has been submitted to and agreed in writing with the Local Planning Authority. No flat shall be

occupied until this scheme has been implemented in full. For the purposes of this condition the works shall include :-

- upgrade of the rear access from Norcliffe Road up to junction of rear access road with Chatsworth Avenue to adoptable standards (to include speed cushions)
- street lighting to be upgraded at new entrance onto Norbreck Road and rear access entrance from Norcliffe Road
- provision of a vehicle and pedestrian access off Norbreck Road and the re-instatement of pavement in place of any redundant crossing

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.

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

(i) 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

(iii) 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 dwellings shall be affordable housing for rent as defined in Annex 2 of the National Planning Policy Framework 2021.

Reason: In order to meet the identified affordable housing needs of the borough and because it is the affordable nature of the accommodation that has weighed sufficiently in the planning balance as to justify the grant of planning permission for this scheme as detailed in the approved plans, in accordance with the provisions of the NPPF and Policy CS14 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027. These details must be agreed prior to the commencement of works on as it is fundamental to the acceptability of the development.

8 No apartment shall be occupied other than be a person of 55 years of age or over, or as part of a household where at least one person is of 55 years of age or over.

Reason: In order to meet the identified housing needs of the borough and because the nature of the accommodation that has weighed sufficiently in the planning balance as to justify the grant of planning permission for this scheme as detailed in the approved plans, in accordance with the provisions of the NPPF and Policies CS12, CS13 and CS14 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and emerging Policy DM3 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies Document.

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

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

- 10 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 Policies LQ1 and LQ4 of the Blackpool Local Plan 2001-2016.

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

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

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

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

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

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

Reason: To ensure that the site is satisfactorily landscaped in the interests of visual amenity, to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall and to promote biodiversity in accordance with Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and LQ6 of the Blackpool Local Plan 2001-2016.

13 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:

- Native hedge and tree planting
- Provision of bird and bat boxes
- Features to facilitate roaming of small mammals

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

14 Details of the location of two 7kW (as a minimum) electric vehicle charging points to serve the development shall be submitted to and agreed by the Local Planning Authority. Prior to first occupation of any of the apartments, the agreed provision of electric vehicle charging infrastructure shall be provided in full and shall thereafter be retained and maintained as such.

Reason: In order to ensure that adequate EV charging provision is available to meet the needs of the development, to facilitate the transition to more sustainable, low carbon modes of transport and in the interests of highway safety, in accordance with paragraph 110 part e) of the National Planning Policy Framework, Policy CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, Saved Policy AS1 of the Blackpool Local Plan 2001-2016 and emerging Policy DM41 of the Blackpool Local Plan, Part 2: Site Allocations and Development Management Policies document.

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

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

16 (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.

- 17 The glazing in the west elevation as identified on plan ref. JBA506-PL-008 Rev E shall be at all times obscure glazed to a level of 5 (where 1 is entirely transparent and 5 is entirely obscured).

Reason: In order to safeguard the privacy of nearby residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy BH3 of the Blackpool Local Plan 2001-2016.

- 18 Before the development hereby approved is first brought into use:

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

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

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

- 19 Prior to the installation of any external 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 and to safeguard the amenities of nearby residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

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

Reason: In order to safeguard the living conditions of the occupants of nearby residential properties and the character of the area in accordance with Policies CS7, CS12 and CS23 of

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