

3. The proposed development provides insufficient and unsatisfactory car parking facilities for both proposed residents and visitors and would therefore result in on-street parking and additional congestion in the surrounding area to the detriment of pedestrian and highway safety and the residential amenities of existing and proposed residents.
4. The proposed development would have a significantly detrimental impact on the residential amenities of the surrounding residents on Carson Road and Newhouse Road by virtue of its massing and close proximity to the common boundaries, resulting in loss of privacy and an overbearing impact.
5. The proposal does not demonstrate a sufficiently wide mix of house types and sizes in order to ensure that a variety of housing needs would be accommodated as part of the development.
6. The means of access to the proposed development would be significantly detrimental to highway safety by virtue of the close proximity to the road junction of Carson Road with Sunningdale Avenue, which would be exacerbated by the higher than normal volume of through traffic, which uses Carson Road as a rat-run.

SITE DESCRIPTION

This 0.3 hectare site is currently the rear garden to a bungalow at 170 Preston New Road, a locally listed building. The site is bounded to the north by the bungalow on Preston New Road, to the west by semi-detached houses on Carson Road, to the south by terraced houses on Newhouse Road and to the east by the KFC / Pizza Hut on Cornelian Way. The area is one of fairly dense, residential development. There is a Tree Preservation Order (TPO) on eight trees within the application site, although permission has recently been given for the removal of six of these as they were diseased, subject to them being replaced (TPO permission 15/0192 refers).

DETAILS OF PROPOSAL

This application is an outline proposal for a residential development in the rear garden of 170 Preston New Road. Whereas on the previous scheme, vehicular access was proposed from Carson Road (following demolition of 15 and 17 Carson Road) the current proposal shows that access would be directly from Preston New Road via an altered existing access point for the bungalow. The present outline application is for the principle of residential development and reserves all matters for future consideration (previously layout and access were applied for). However because of the presence of a TPO on the site, an illustrative layout has been requested and submitted so that the impact on the trees can be assessed. The illustrative layout plans suggest that an "L" shaped block of properties could be accommodated in the south of the site, close to the rear of Newhouse Road properties and the eastern boundary with the KFC/Pizza Hut site.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- the principle of the proposal in terms of backland development
- the impact on protected species and TPO trees
- the impact on the locally listed building
- the impact on the amenities of neighbours
- the acceptability of the means of access proposed in terms of highway safety

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

CONSULTATIONS

Built Heritage Manager: 170 Preston New Road is a locally listed building and there are a number of trees which form an important part of its setting. I note from the previous application number 14/337 that a tree survey was undertaken. This indicated that a number of trees in the rear garden were diseased, but the survey did not include the tree at the side of the building which would have to be removed to create an access road. If you are minded to approve the application I would ask that consideration is given to reinstating some trees which will provide screening to the development and reproduce the green setting in time.

Blackpool Civic Trust: Objects - we consider that this would inappropriately add to the residential density in this area, would add significantly to the traffic (particularly causing difficulty on Preston New Road). We believe this type of building to be out of keeping with the other properties in the area.

Head of Transportation: The principal of access is acceptable however I have concerns regarding the size of development and the multitude of vehicle trips associated with this proposal. The proposal site is on the A583, Preston New Road, which is a well-trafficked, strategic route subject to a 30mph speed limit with traffic patterns and volumes being consistent for the majority of the time. The Illuminations period does see a peak in traffic movements along this corridor. The proposal aims to provide a total of 21 car parking spaces but no details provided for the actual number of individual flats. The single point of access is acceptable for an additional large domestic property within the grounds but not for one serving a block of flats. A high number of vehicle movements can be associated with 21 flats which will not be expected. Movements associated for a single dwelling equate to approximately eight a day, slightly less for flats, about four per flat. The single point of access cannot serve 84 vehicle movements per day in the format it has been presented. The access road does not have a passing place and this will result in vehicles having to reverse either within the confines of the site or onto Preston New Road leading to conflict with other road users to the detriment of highway safety and on this basis I am not prepared to support this proposal.

Head of Parks and Greens: 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.

Head of Environmental Services: 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.

Sustainability Manager: 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.

PUBLICITY AND REPRESENTATIONS

Press notice published: 04 June 2015

Site notice displayed: 10 June 2015

Neighbours notified: 02 June 2015

Objections received from 266, 270, 272, 280, 286 Newhouse Road; 3, 10, 12, 27 Carson Road; 168, 174 Preston New Road; 55 Rosefinch Way.

Relevant objections relate to:

NATIONAL PLANNING POLICY FRAMEWORK

Of the 12 core planning principles, those that are relevant to this proposal are summarised below:

- Proactively drive and support economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
- Always seek to secure high quality and a good standard of amenity for all existing and future occupants of land and buildings.
- Contribute to conserving and enhancing the natural environment and reducing pollution.
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land).

Part 6 - Delivering a wide choice of high quality homes.

Housing applications should be considered in the context of the presumption in favour of sustainable development. It is acknowledged that proposals for housing development should be looked upon favourably if a Local Planning Authority is unable to demonstrate a five year supply of housing land. Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

Part 7 - Requiring good design.

Planning decisions should aim to ensure that developments respond to local character and history. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It is proper to seek to promote or reinforce local distinctiveness.

Part 11 Conserving and enhancing the natural environment.

Planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

Part 12 - Conserving and enhancing the historic environment.

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the desirability of new development making a positive contribution to local character and distinctiveness.

In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006 and the majority of its policies saved by direction in June 2009. The following policies are most relevant to this application:

- LQ1 Lifting the quality of design
- LQ2 Site context

LQ3	Layout of streets & spaces
LQ6	Landscape Design & Biodiversity
LQ8	Energy & Resource Conservation
HN4	Windfall sites
HN6	Housing Mix
HN7	Density
BH1	Balanced and Healthy Community
BH3	Residential and Visitor Amenity
BH10	Open space in new housing developments
NE6	Protected Species
NE7	Sites and Features of Landscape, Nature Conservation and Environmental Value
NE10	Flood Risk
AS1	General Development Requirements
SPG11	Open Space: New Residential Development and the Funding System

EMERGING PLANNING POLICY

Blackpool Local Plan: Part 1 - Core Strategy: Proposed Submission

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive on 16th June 2014 and by full Council on 25th June 2014. The document was published for public consultation on 4th July 2014 for a period of eight weeks. The consultation has now ended and the document has been updated and was submitted to the Planning Inspectorate on 19 December 2014 for examination in Spring 2015. Paragraph 216 of the NPPF allows relevant policies to be given weight in decision-taking according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF. Overall, a limited number of representations were received to the Proposed Submission document. Of those representations made expressing concern with the proposed policies, it is not considered that the issues raised justify the need for modifications to be made to the policies prior to submission (other than minor modifications to improve clarity for example). Therefore, the Council considers that, due to the advanced stage of the Core Strategy all relevant policies to this development should be given considerable weight in decision making.

Emerging policies in the Core Strategy: Proposed Submission that are most relevant to this application are:

CS1: Strategic Location of Development - to create predominantly residential neighbourhoods on the edge of the Inner Areas. The focus of the Core Strategy is on regeneration of the Town Centre and Resort Core with supporting growth at South Blackpool. It recognises the important character and appearance of remaining lands at Marton Moss and the priority to retain and enhance its distinctive character.

CS2: Housing Provision - sets out Blackpool's housing provision with '*sites and opportunities identified to deliver around 4,500 new homes to meet Blackpool's housing need between 2012 and 2027.*'

CS6: Green Infrastructure - protect and enhance the quality, accessibility and functionality of green infrastructure.

CS7: Quality of Design - ensure amenities of nearby residents are not adversely affected by new development.

CS8: Heritage - seeks to safeguard listed buildings, conservation areas and locally listed buildings

CS9: Water Management - all new developments should ensure buildings are located away from areas of flood risk, incorporate mitigation measures and SUDS where possible, ensure there is no increase in the rate of run-off and reduce the volume of surface water run-off where possible.

CS10: Sustainable Design and Renewable and Low Carbon Energy - mitigate the impacts of climate change where possible.

CS11: Planning Obligations - development will only be permitted where existing infrastructure, services and amenities are already sufficient or where the developer enters into a legal agreement.

CS12: Sustainable Neighbourhoods - seeks to provide a better quality of life for residents, with high quality housing and enhancing the appearance of important existing buildings and their settings.

CS13: Housing Mix, Density and Standards - on sites where flats are permitted no more than 30% of the flats should be less than 2 bedroom flats.

CS14: Affordable Housing - where developments comprise 3-14 dwellings then a financial contribution towards off-site affordable housing is required. The contribution will be set out in a SPD.

CS15: Health and Education - contributions will be sought towards provision of school places and healthcare facilities where the development would impact on existing provision.

ASSESSMENT

Principle of backland development

Regarding the principle of residential development in this location, outline planning permission was granted in 2000 (00/0744 refers) for a residential development comprising six, two-bedroomed flats in one two-storey block across the middle of the site. This was renewed in 2003 (reference 03/1038), however the permission lapsed in 2008. The principle of residential development on this garden site has therefore been established. A condition of the approval was that there was no vehicular access from Preston New Road.

In order to be more in keeping with the character of the area, I consider that family houses are preferable to flats and as the site is over 0.2 hectares in area, policy HN6 requires a mix of house types and sizes in order to ensure that a wide variety of housing needs would be accommodated as part of the development. Although the indicative layout appears to show a block of flats, this issue could be addressed at Reserved Matters stage as the layout has not been applied for.

Biodiversity / TPO trees

A neighbour has commented that there are house sparrows resident in some of the trees; house sparrows are protected under the Wildlife and Countryside Act 1981, which makes it illegal to intentionally kill, injure or take a house sparrow, or to take, damage or destroy an active nest or its contents. The provision to control house sparrows under a general licence was removed from the Act in early 2005 in England, making the species fully protected in England. Development of the garden site could take place outside the breeding season so that there was no conflict in that respect.

The site currently contains sixteen individual trees, two domestic hedges and three groups of trees. A TPO originally applied to eight individual trees and one group of trees. Of those eight trees, permission has recently been granted for six to be removed as they were hazardous and a condition was imposed requiring their replacement in accordance with a scheme to be agreed. The scheme could be designed to take account of any new building proposed, should planning permission be forthcoming on this application.

Locally listed building

In terms of the impact of on 170 Preston New Road, the proposed scheme would not be particularly visible from Preston New Road as there would still be a sizeable garden attached to the bungalow. The impact on the locally listed building would be the widening of the access road to the side of the property to facilitate access to the site, which would mean removal of part of the boundary wall. This would not have a significant impact on the setting of the property, and although Blackpool Civic Trust has objected, I do not consider their objection to hold sufficient weight and justify refusal of the application on this basis.

Amenity

With regard to the impact on the amenities of neighbours, the indicative layout would put properties close to the rear boundary with Newhouse Road dwellings and there would be potential for overlooking. However design and layout is not for consideration at the present time and any privacy, outlook or loss of sunlight issues could be designed out at Reserved Matters stage.

I do not consider that the noise and disturbance generated by the proposed residents would have a significant impact on the quality of life in the existing private rear gardens around the site. However, there has been concern expressed by the neighbour at 168 Preston New Road, the bungalow immediately adjacent to the proposed access road into the site. In addition to the additional vehicular traffic, there would be pedestrian traffic immediately adjacent to her property and those at 1, 3 and 5 Carson Road. Issues with overlooking could be overcome by the use of a suitable boundary screen. However, as pointed out by the Head of Transportation, there could also be 84 daily vehicle movements at the side/rear of her property where she is entitled to expect peace and quiet (in addition to any service vehicles, deliveries etc.). This would be particularly exacerbated if the vehicles were queuing or reversing to allow other vehicles through the long, narrow access. I consider that the noise and disturbance generated by the proposed vehicles would be sufficient to justify refusal.

The indicative layout does not provide for any private amenity space, however this could be addressed at Reserved Matters stage.

Highway Safety, Parking and Accessibility

The Head of Transportation considers that a development could be accessed from the side driveway to 170 Preston New Road. However, he is concerned that the access road does not have a passing place and this will result in vehicles having to reverse either within the confines of the site or onto Preston New Road leading to conflict with other road users to the detriment of highway safety. Whilst one additional dwelling would not have significant impact, an indicative 21 parking spaces have been shown and he considers that the 84 traffic movements (four per parking space) which would be generated every day would be detrimental to highway safety.

Other Issues

With regards to surface water drainage and flooding, the Ordnance Survey map shows a land drain running east-west across the bottom (south) of the site; however the Environment Agency flood maps do not indicate that the site is at potential risk of flooding from rain or tidal sources. Any new hard surfaces could be the subject of a condition requiring them to be permeable. With regard to noise and cooking smells from the fast-food outlets, if these became a nuisance, they could be controlled through the use of Statutory Nuisance powers by Environmental Protection colleagues.

CONCLUSION

The NPPF states that housing applications should be considered in the context of the presumption of sustainable development, which means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Relevant policies for the supply of housing should not be considered up-to-date where the Council is unable to demonstrate a five-year supply of deliverable housing sites. However, this is not applicable as the 2013 SHLAA update demonstrates that Blackpool has a five-year supply against the proposed housing requirement. Therefore, the emerging Core Strategy policies are a material consideration along with relevant saved policies in the current Blackpool Local Plan.

The proposal is in outline only with all matters (scale, siting, layout, access, landscaping) reserved for future consideration, although the location of the access has been stated. The site is in a sustainable location and any adverse impacts arising from the development i.e. on the amenities of the local residents in terms of close proximity, overlooking, site layout, parking provision for future occupiers of the development, private amenity space etc., could be designed out at a later date. The exception is the vehicular access point into the site, which because of its narrowness and length would give rise to highway safety issues and impact on the peaceful enjoyment of the residential occupants of the host property and the neighbour at 168 Preston New Road. Without significant improvement to the access (which has not been applied for) the scheme should be refused on highway safety and noise grounds.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

Policy BH10 sets out that all new housing developments should either physically provide or financially contribute to the full rate of provision of 24 sq.m of open space per person. SPG Note 11, *Open Space Provision for New Residential Development and the Funding System*, provides more detailed guidance, with the policy applying to all new residential developments of 3 or more dwellings.

Since no open space capable of being utilised as play area has been provided, there is a requirement for the developer to provide a commuted sum in lieu of open space provision, which could be secured by means of an appropriately worded condition, if permission was forthcoming.

HUMAN RIGHTS ACT

Under Article eight and Article one of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. In this instance, it is felt that those rights have been compromised to such an extent as to recommend refusal of the proposal.

CRIME AND DISORDER ACT 1998

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

ADDITIONAL DOCUMENTS

- **Location Plan**

Recommended Decision: Refuse

Conditions and Reasons

1. The means of access to the proposed development would be significantly detrimental to highway safety both for pedestrians and vehicles, by virtue of the inadequate width and excessive length. In addition this would cause loss of residential amenity to the adjacent residents from vehicle movements (particularly due to standing and reversing). The intensity of development proposed would make these matters worse and the proposal would therefore be contrary to Policies AS1 and BH3 of the Blackpool Local Plan 2001 - 2016, Policies CS7, CS12 and CS13 of the Blackpool Local Plan - Part 1: Core Strategy and paragraphs 14 and 17 of the National Planning Policy Framework.
2. **ARTICLE 31 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)**

The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors - conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan 2001-2016 and Blackpool Local Plan - Part 1: Core Strategy - which justify refusal.

Advice Notes to Developer

Not applicable