

**Blackpool Council
Development Management**

Officer Report to Committee

Application ref:	21/1085
Ward:	Stanley
Application type:	Full
Location:	
	Land to rear of 65-71 Moss House Road, Blackpool
Proposal:	Erection of 52 houses with associated public open space, landscaping, infrastructure and access from Moss House Road.
Recommendation:	Approve
Recommendation Summary:	The application fails to meet all relevant policy expectations and standards and does not provide the full range of planning obligations. However, the applicant has sought to demonstrate that full compliance would not be financially viable. As the site is allocated for strategic housing delivery, the provision of 52 new homes is considered to weigh sufficiently in favour of the proposal to justify the grant of planning permission.
Meeting date:	
	26 April 2023
Reason for bringing to Committee:	The application is a major proposal that is of general public interest, particularly given the recommendation to approve in the face of conflicts with adopted policy.
Case officer:	Susan Parker
Case officer contact:	01253 476228

1.0 SITE DESCRIPTION

- 1.1 The application relates to a 1.6ha site to the north of Moss House Road. It has a frontage of some 40m to Moss House Road before wrapping around the backs of nos. 65 and 71 on either side and stretching back to Florence Street, Harold Avenue and the properties fronting Kincardine Avenue to the rear. To the east the site is bound by properties fronting Midgeland Road. The land to the west forms part of the Redwood Point residential scheme.
- 1.2 The site includes a central area of hard-surfacing with amenity grassland fronting the road. Otherwise it comprises rough grassland with a number of trees along the boundaries, particularly to the north, west and front.
- 1.3 The site is within the allocated South Blackpool Housing Growth Site under the Core Strategy. It falls within the Airport Safeguarding Zone and Flood Zone 1. No other specific designations or constraints have been identified.

2.0 PROPOSAL

- 2.1 The application seeks full planning permission for the erection of 52 houses. A single estate road would lead in from Moss House Road and would then split at an area of public open space to create two spur roads. The open space would include an attenuation pond for

drainage alongside a pumping station. A second area of public open space would be provided at the northern end of the site adjacent to Florence Street.

2.2 Of the 52 houses, the housing mix would be as follows:

- Detached: 27 (52%)
- Semi-detached: 18 (35%)
- Terraced: 7 (13%)

- 2-bed: 7 (13%)
- 3-bed: 27 (52%)
- 4-bed: 18 (35%)

2.3 The applicant has submitted a viability appraisal seeking to demonstrate that it is not possible for the scheme to meet relevant planning obligations.

2.4 The application has been supported by:

- Planning Statement
- Design and Access Statement
- Transport Statement
- Drainage strategy and information
- Flood Risk Assessment
- Ecological Appraisal
- Tree Survey
- Geo-environmental Report
- Refuse strategy
- Financial viability appraisal and cost plan

3.0 RELEVANT PLANNING HISTORY

3.1 21/0804 – reserved matters approval granted for erection of 14 dwellings on part of the current application site (related to outline approval ref. 18/0410).

3.2 20/0495 – outline permission granted for the erection of 4 dwellings on land fronting Moss House Road.

3.3 18/0410 – outline permission granted for the erection of 14 dwellings on part of the current application site.

3.4 17/0095 – reserved matters approval granted for 422 dwellings on land at Moss House Road including part of the application site (Redwood Point). The remainder of the site at the time of this application was to be used by United Utilities as part of their wider drainage strategy for the area (application ref. 17/0105).

3.5 14/0480 – variation of condition approved to vary condition 15 on permission ref. 09/0740 (Redwood Point).

3.6 14/0052 – removal of condition application approved to remove condition 6 on permission ref. 09/0740 (Redwood Point).

3.7 13/0378 – reserved matters approval granted for 479 dwellings on land at Moss House Road including the application site (Redwood Point).

3.8 09/0740 – outline planning permission granted on appeal for the development of 584 dwellings on land at Moss House Road including the application site (Redwood Point).

4.0 RELEVANT PLANNING POLICY/GUIDANCE/LEGISLATION

4.1 National Planning Policy Framework (NPPF)

4.1.1 The National Planning Policy Framework was adopted in July 2021. It sets out a presumption in favour of sustainable development. The following sections are most relevant to this application:

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

4.2 National Planning Practice Guidance (NPPG)

4.2.1 The National Planning Practice Guidance expands upon and offers clarity on the points of policy set out in the NPPF.

4.3 Blackpool Local Plan Part 1: Core Strategy 2012-2027 (Part 1)

4.3.1 Part 1 was adopted in January 2016. The following policies are most relevant to this application:

- CS2: Housing Provision
- CS5: Connectivity
- CS6: Green Infrastructure
- CS7: Quality of Design
- CS9: Water Management
- CS10: Sustainable Design and Renewable and Low Carbon Energy
- CS11: Planning Obligations
- CS12: Sustainable Neighbourhoods
- CS13: Housing Mix, Density and Standards
- CS14: Affordable Housing
- CS15: Health and Education
- CS25: South Blackpool Housing Growth

4.4 Blackpool Local Plan Part 2: Site Allocations & Development Management Policies (Part 2)

4.4.1 Part 2 was adopted in February 2023. The following policies are most relevant to this application:

- DM1: Design Requirements for New Build Housing Developments
- DM17: Design Principles

- DM18: High Speed Broadband for New Developments
- DM21: Landscaping
- DM25: Public Art
- DM31: Surface Water Management
- DM35: Biodiversity
- DM36: Controlling Pollution and Contamination
- DM41: Transport Requirements for New Development
- DM42: Aerodrome Safeguarding

4.5 Other Relevant documents, guidance and legislation

- 4.5.1 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.
- 4.5.2 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.
- 4.5.3 Department for Communities and Local Government 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 Supplementary Planning Document guidance. Whilst new development in Blackpool is not yet required to fully meet these standards, they are nevertheless useful as an indication of quality.
- 4.5.4 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.
- 4.5.5 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.
- 4.5.6 Greening Blackpool Supplementary Planning Document (SPD) - this document was adopted in May 2022 and sets out the green infrastructure and tree planting requirements for new development.
- 4.5.7 Affordable Housing Supplementary Planning Document (SPD) – this document was adopted in July 2023 and sets out the Council’s expectations with regard to affordable housing provision.
- 4.5.8 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.

5.0 CONSULTEE RESPONSES

5.1 Natural England:

5.1.1 Initial comment: a Habitats Regulations Assessment (HRA) screening is required to provide proportionate assessment of potential recreational disturbance impacts. The Council as competent authority must determine any likely significant effects, if none are anticipated there is no requirement for Natural England to be further consulted. If likely significant effects cannot be ruled out, an Appropriate Assessment will be required for which Natural England would be a statutory consultee. Natural England has standing advice with regard to protected species and you may wish to consult your own ecological advisors. Standing advice is also available on ancient woodland and veteran trees. It is for the Local Planning Authority to determine if this proposal is consistent with national and local policies on the natural environment, and use of specialist advisors is recommended.

5.1.2 Further comment: the Habitats Regulations Assessment screening undertaken by Greater Manchester Ecology Unit is not accepted. Whilst the development alone may not have any likely significant effects, it is expected to have in-combination effects. Recreational disturbance to internationally protected coastal sites is an issue across Lancashire, particularly through in-combination effects where additional housing triggers recreational visits and disturbance. The Habitats Regulations Assessment should include an in-combination assessment and if required should be taken to appropriate assessment stage.

5.1.3 Greater Manchester Ecology Unit refers to use of homeowner packs which is welcomed as best practice. Such packs can minimise recreational pressure through education. However, they are a mitigation measure that should be included at appropriate assessment stage and secured through planning condition. This approach has been taken by other Local Planning Authorities in the area and accords with some case law ruling.

5.2 Greater Manchester Ecology Unit (GMEU):

5.2.1 Initial comment: the submitted information is based on reasonable effort and, whilst the survey time was sub-optimal, this is not an undue constraint and does not invalidate its findings. There is a building of negligible ecological value on site and the habitats are of local and limited biodiversity value. There is no reason to contradict the findings of the report and no further work is necessary.

5.2.2 The following conditions would be necessary:

- Tree protection of retained trees, hedgerows and shrubs
- Design of external lighting, particularly along northern and western boundaries
- No clearance of vegetation during nesting season unless nesting birds are demonstrated to be absent
- Provision made for movement of small mammals and amphibians in boundary treatments
- The headwalls and outflows to the attenuation pond should avoid creation of amphibian traps
- Biodiversity enhancement scheme to detail the quantum, specification and location of species specific features such as bat, bird or box boxes and amphibian hibernaculum, and secure provision

- Provision of explanatory homeowners pack to mitigate any potential impact upon the nature conservation values of the Cheshire to Lancashire Special Protection Areas / Ramsar designations.
- 5.2.3 With regard to landscaping, if the attenuation pond is to hold water in normal circumstances, alternative landscaping to that proposed would be appropriate. In addition, privet (*ligustrum vulgare*) is generally over-dominant in urban settings and so should be replaced with less aggressive hedgerow species. The submitted information only makes general recommendations for biodiversity net gain. Were the Council to require a metric calculation, a gain of 10% would be appropriate.
- 5.2.4 The information submitted does not consider the impact on internationally or nationally designated sites. Since leaving the EU, such sites have retained protection under UK law. The site falls within the Natural England Sites of Special Scientific Interest Impact Risk Zones for recreational disturbance to the Cheshire to Lancashire Coastal Special Protection Areas / Ramsar designations. Greater Manchester Ecology Unit is familiar with the conservation values of these designations and uses appropriate information to make assessments. The comments provided represent Greater Manchester Ecology Unit's State 1 Habitats Regulations Assessment (HRA) Screening Opinion to the Council. Whilst it is acknowledged that 25% of households (13 homes in this case) own dogs, there are open spaces on the site and in the locality other than the protected sites that could provide a daily walking option. As such this factor can be considered nugatory, i.e. indistinguishable from background variation. Equally a small number of residents could partake of activities that could cause disturbance. No reliable statistics are available but, given the comparatively small scale of the proposal, the impacts are anticipated to be nugatory, again indistinguishable from background variation. As such, recreational disturbance from the scheme would not represent a Likely Significant Effect. No further assessment under the Habitats Regulations is required. Nevertheless, as best practice, a condition is recommended to require the provision of explanatory homeowner packs.
- 5.2.5 Further consideration under the Habitats Regulations is not required. It can be demonstrated beyond reasonable scientific doubt that there will be no likely significant effect on nearby protected sites based on the objective information and analysis provided. Case law has established that significant effects do not need to be probable, a risk can be sufficient to trigger a requirement for further assessment, but there must be credible evidence that the risk must be real rather than hypothetical. In the case of the current proposal, there is no likely effect that is not nugatory meaning that any risk is therefore hypothetical. As such it is concluded that no further Habitats Regulations Assessment is required. This conclusion should be recorded and agreed by the final decision-maker, and Natural England should be made aware of this decision.
- 5.2.6 Officer comment: Greater Manchester Ecology Unit has been re-consulted based on the comments provided by Natural England who reject their Habitats Regulation Assessment screening. They have advised that ultimately it is for the Council as competent authority to make a final decision with regard to the need for a Habitats Regulation Assessment. Whilst Greater Manchester Ecology Unit has recommended that homeowner packs are secured, this recommendation is not intended as a mitigation measure implying that a likely significant effect has been identified. Instead it is merely recommended as best practice. Natural England has not provided any objective information nor pointed towards any additional data that may demonstrate that a significant effect is likely, they have instead taken the stance that any increase in population may result in a likely significant effect. Greater Manchester Ecology Unit has confirmed that it considers the impact in this case to

be nugatory. As such, no likely significant effect is anticipated.

- 5.3 **National Air Traffic Services:** the proposed development has been assessed and does not conflict with safeguarding criteria and so no objection is raised.
- 5.4 **Blackpool Airport:** no response received to date. Any response that is received in advance of the Committee meeting will be reported through the update note.
- 5.5 **Blackpool Teaching Hospitals NHS Foundation Trust** – with due reference to the relevant legislation, national policy and guidance, and Policy CS15 of the Core Strategy, contributions towards local health care provision from development are considered to be appropriate. The 52 dwellings proposed would support a population increase of 114 new residents based on an average occupancy of 2.2 people per dwelling. All of whom would need access to health services. Additional facilities and services are therefore needed to enable the NHS to accommodate the impact of the development. Until central funding can be obtained in 3 years to reflect population needs, a funding gap will exist. To cover this and mitigate impact, a financial contribution of £142,245 is requested. This should be secured through a S106 legal agreement. Performance and trajectory information has been provided as part of this request.
Officer comment: given officer concerns with this request (see section 7.2 of this report), the Trust has not been re-consulted following the alteration to unit numbers).
- 5.6 **Blackpool Fylde and Wyre NHS Clinical Commissioning Group:** the development proposed would generate a requirement for 149 patient places. The site falls within the catchment of the Arnold and Abbey Dale Medical Centres. The need generated could only be met through reconfiguration of the existing premises. It would not trigger consideration of potential commissioning of a new general practice. As such, the development would warrant a payment of £40,856 to be paid upon commencement. Failure to secure such contribution would result in an objection to the proposal from the Clinical Commissioning Group.
- 5.7 **Local Education Authority:** no contribution towards local education provision required.
- 5.8 **Local Highways Authority:**
- 5.8.1 No objection is raised in relation to the principle or scale of development subject to appropriate and effective mitigation. It is assumed that internal roads and footways would be offered for adoption. The access would require works to Moss House Road and this would likely be secured through a Section 287 agreement.
- 5.8.2 Development in the area has progressively compromised the capacity of the area in comparison to the previously approved masterplan. The loss of the full approved masterplan road system means that the approved traffic distribution plan is not readily attainable. The approval of residential schemes without access to the road system would load additional traffic onto the eastern end of Moss House Road which is demonstrably unsatisfactory.
- 5.8.3 In this case it would be logical for the development to access Progress Way through the eastern arm of Redwood Boulevard. However, this does not appear to be achievable at present. Consequently traffic would have to use Moss House Road to reach either Midgeland Road or the western arm of Redwood Boulevard.
- 5.8.4 Traffic queues back along Midgeland Road from the Progress Way signals, and so allowing additional traffic, particularly large construction traffic onto Midgeland Road would not be

acceptable. Queued traffic would prevent a right turn onto Midgeland leaving an HGV exposed to conflict with northbound traffic accelerating away from the junction. Given the proximity, a HGV unable to turn would be well within the stopping distance of an oncoming vehicle. This section of Midgeland Road cannot be readily widened at reasonable cost. As such it is not feasible to increase the capacity of the junction and shorten the queue. Use of a 'keep clear' marking may work for an occasional small vehicle, but would not work for an HGV or more than one car. It would also reduce the capacity of the junction resulting in longer queues and more frequent problems.

- 5.8.5 The alternative is to route traffic along Moss House Road to the western arm of Redwood Boulevard, at least until such a time as the eastern arm could be opened. This would require a traffic management scheme that would include preventing development traffic from reaching Midgeland Road and traffic calming measures to limit speeds. This would need to be secured through condition. Upon opening of the eastern leg of Redwood Boulevard it would not be desirable to reopen a route through to Midgeland Road. This option would effectively replace the now defunct masterplan arrangement previously accepted by the Council.
- 5.8.6 Various issues of detailed highways design have been raised along with issues relating to the access in order to achieve adequate visibility splays and carriageway widths. These have since been resolved. A watercourse that formed the southern boundary to the site lies partly within the existing highway. Arrangements are agreed for the connection of this watercourse into appropriate systems and any necessary works can be carried out under Highways Act powers.
- 5.9 **Lead Local Flood Authority:** the proposal is to discharge into the combined sewer at a rate of 7.5l/s which United Utilities have agreed. This is acceptable. The submitted Flood Risk Assessment recommends further investigation to assess if the watercourse can be infilled. Plans are required to demonstrate that water flowing through this would be handled correctly without causing issues upstream. The standard conditions should be imposed with an additional note to advise that specific permission would be required from the Lead Local Flood Authority for the watercourse to be infilled, and details required of how the system would be diverted to improve drainage conditions for the site and areas connected to the watercourse.
- 5.10 **United Utilities:** a condition should be attached to any permission granted to ensure that drainage is carried out in accordance with the information submitted. The Environment Agency or Lead Local Flood Authority should be consulted as appropriate. All wastewater assets proposed for adoption must meet United Utilities standards and early engagement is recommended. A condition should be imposed to secure appropriate drainage maintenance. United Utilities will not permit building over or in close proximity to a water main and potentially not a sewer. It is the developer's responsibility to demonstrate the relationship between the development and any United Utilities assets and again early engagement is recommended.
- 5.11 **Environmental Protection (Environmental Quality):** based on the reports submitted a remediation strategy to deal with land contamination would be required prior to development.

5.12 Head of Parks and Greens:

5.12.1 Initial comment: the tree survey submitted covers the requirements. Regarding the landscaping plan, larger specimens such as oak, Scots pine and lime could be accommodated, particularly around the attenuation pond where small trees are currently proposed. Mitigation for any impact on bats and nesting birds should be incorporated into the build.

5.12.2 Further comment: the comments made in respect of ecology are useful and thorough and are entirely agreed. The tree protection specifications would meet the BS5837 requirements and should be conditioned. The revised landscaping plan includes larger specimens and an altered species mix, however, there is an over-reliance on privet within the hedgerow and the apple and blackthorn should also be replaced. Apple does not cope well within a hedgerow and regular pruning can cause cavities affecting growth and leading to gaps. Blackthorn produces suckers which, whilst creating dense growth in a woodland or rural hedgerow, could be problematic on site by invading adjacent gardens. Holly, yew, hawthorn, guelder rose and hornbeam would be a better mix.

5.13 **Marton Moss Neighbourhood Forum:** no response received to date. Any response that is received in advance of the Committee meeting will be reported through the update note.

6.0 REPRESENTATIONS

6.1 Press notice published: 8 February 2022

6.2 Site notice published: 26 January 2022

6.3 Neighbours notified: 24 January 2022

6.4 Lancashire Fire and Rescue Service have advised that the development would need to meet relevant building regulation and water pressure standards. These are not planning considerations.

6.5 Fifteen representations have been received from the following properties:

- Kensington Developments Limited
- Florence Avenue; 3
- Dockypool Lane; Tudor Lodge
- Kincardine Avenue; 22
- Moss House Road: 61, 63, 65 (x2), 75
- Redwood Avenue; 1, 2, 10, 12
- Redwood Boulevard: 7

6.6 These representations raise the following issues:

- Loss of light into garden areas (impact on health and well-being)
- Loss of privacy though overlooking
- Noise and disturbance during construction
- Noise and disturbance from the development
- Increased traffic, vehicle movements and congestion
- Increase in traffic using Moss House Road
- The bollards on Moss House Road should not be removed

- Impact on highway safety
- Moss House Road unsuitable for quantum of traffic proposed, the red edge should include Moss House Road up to the junction with the Kensington Development Ltd scheme so that access/egress can be taken from Redwood Boulevard;
- Consideration needs to be given to cumulative impact from development
- Existing traffic levels make it hard for vehicles to access the main highway network
- The bollards opposite no. 51 Moss House Road should be removed
- The bollards approved as part of the Kensington scheme should be relocated so that all development traffic is routed through Redwood Point to Progress Way
- Existing drainage is inadequate
- Impact on drainage (foul and surface water)
- Loss of open space for natural drainage
- Increased flood risk
- Impact on wildlife including otters, bats and nesting birds (buzzards and tawny owls)
- Lack of infrastructure on the Moss to support the new community
- There is a restrictive covenant in place on part of the site
- Notice was not served on Kensington Developments Ltd
- The infilling of dykes has resulted in vermin problems

6.7 These matters will variously been addressed in the assessment section of this report. The existence of legal covenants is not a material planning consideration but a private matter for resolution. Kensington Developments Ltd are aware of the scheme and have made representations that have been considered as part of the assessment process. As such, any failure on the part of the applicant to serve due notice is not considered to have resulted in prejudice. Any historic issues relating to previous development are not a material consideration in the assessment of the planning application.

7.0 ASSESSMENT

7.1 Principle

Allocation and site history

7.1.1 The application site falls within one of two defined South Blackpool Housing Growth areas. Together these areas are identified for the delivery of 750 new homes under Policy CS25 of the Core Strategy. This figure reflected provision of around 600 homes on land at Moss House Road and around 150 on the land at Whyndyke Farm. The figure of 150 remains approved at Whyndyke Farm but the number of houses on the land at Moss House Road (known as the Redwood Point scheme) has reduced markedly from 584 at outline stage to 479 in the first reserved matters application and 422 in the second. Even were this approved provision to be delivered in full across the wider site, it would clearly fall significantly short of the policy target.

7.1.2 Considering the application site in isolation, under the first reserved matters application for the Redwood Point scheme (ref. 13/0378) the area now constituting the application site would have delivered around 75 homes. This reduced to 35 as part of the second reserved matters application (ref. 17/0095) which excluded the areas of the site to the east and north. This is because at that time the land was identified for use by United Utilities as part of their wider drainage strategy for the area. Subsequently, an independent application, separate to the Redwood Point scheme, was submitted on part of the current application site in 2018 (ref. 18/0410) and reduced the number of units further to 14 (reserved matters

approval ref. 21/0804). Outline permission has also been granted for an infill development of just 4 properties on the land fronting Moss House Road (ref. 20/0495).

- 7.1.3 This history reflects the uncertainty relating to the completion of the Redwood Point scheme. Members will be aware that delivery of 86 units the approved Phase 2 has now transferred from Kensington Development Ltd to Elan Homes. Figure 1 below roughly shows how this site relates to the Redwood Point scheme. The orange represents Redwood Point Phase 1 and the blue the part of Phase 2 being delivered by Elan Homes. The green outline is the application site. Whilst the original permission remains extant, at the present time officer expectation is that no further element of the original Kensington scheme between the green and blue outlines will be delivered in accordance with the existing permission.

Figure 1: Phases 1 (orange) and 2 (blue) of the approved Redwood Point scheme relative to the application site (green)



Piecemeal development

- 7.1.4 As Members will be aware, the original Redwood Point scheme was for a comprehensive residential development across the wider Moss House Road lands to provide a new estate road network, public open space, shop and affordable housing.
- 7.1.5 Since the last major reserved matters approval was granted, a number of smaller schemes have been approved on land within the wider site, including on the application site. This application would also, arguably, represent piecemeal development as it does not form part of a wider, comprehensive scheme. However, Policy CS25 does not require development within the allocation to be delivered in accordance with a masterplan approach, and policies are in place to secure the necessary planning obligations and design features that would be necessary to make a scheme acceptable. When considered against Policy CS25, the current proposal for 52 dwellings represents a more effective use of the site than the approvals granted under refs. 17/0095, 18/0410, 20/0495 and 21/0840. It would contribute significantly to meeting the housing target as far as this is now possible. On this basis,

piecemeal development is considered to be acceptable subject to it not compromising housing delivery on the remaining lands in accordance with the allocation.

- 7.1.6 In this case, whilst the current proposal would prevent delivery of Redwood Point Phase 3 exactly as approved, it would not unduly compromise efficient and effective use of land to the west for residential development. However, highway impacts and meeting planning obligations will be key considerations.

Housing Land Supply

- 7.1.7 The latest housing land supply calculation identifies a need for 693 dwellings over the next five years including a 5% buffer. This equates to a provision of 139 dwellings per year. At present a deliverable supply of 1806 dwellings is identified. This would give a housing land supply of 13 years.
- 7.1.8 The total deliverable supply of 1806 dwellings includes an allowance of 146 units on the land at Moss House Road. This figure includes the 86 units being built-out by Elan Homes on Phase 2 of the Redwood Point scheme. It therefore assumes that a further 60 homes will be provided.
- 7.1.9 As above, officers do not anticipate any of the Redwood Point scheme beyond that being built by Elan Homes will be delivered.
- 7.1.10 The current proposal is for 52 dwellings and so, in any event, it would not deliver the 60 units identified in the latest housing land supply calculation. Nevertheless, even if the full 60 were discounted, Blackpool would still benefit from a 12.5 year housing land supply.
- 7.1.11 In light of the above, and notwithstanding the objectives of the Part 1 allocation of the site for housing development, the Council is not dependent upon this scheme in order to identify a five year housing land supply. Nevertheless, sites for residential development of this scale are scarce in Blackpool and so it is important that effective use is made of those that are available.

7.2 Planning Obligations

Affordable Housing

- 7.2.1 Policy CS14 of the Core Strategy sets out a requirement for 30% affordable provision on housing developments of 15 dwellings or more. In this case this would equate to a requirement for 15 affordable dwellings. Policy CS14 notes that on-site provision will be secured where possible, with a financial contribution towards off-site provision only acceptable where the site is unsuitable or where this would better achieve Blackpool's regeneration objectives. Given the relative lack of affordable housing provision in this area and the scale of provision that should result from this scale of development, provision on site would be the preference in this instance. The Council's Affordable Housing Supplementary Planning Document expects 70% of all affordable housing provision to be in the form of affordable rent properties. This requirement is based on identified local needs. The development proposes provision of eight affordable housing units on site leaving a shortfall of seven. All would be made available for shared ownership or on an intermediate affordable basis at the applicant's discretion. A financial viability appraisal has been submitted to demonstrate that further provision, or provision of affordable rent properties is not possible. This will be discussed later in this report.

Education

- 7.2.2 Policy CS15 of the Core Strategy makes provision for financial contributions to be secured towards local health care and education provision where necessary. The Council as Local Education Authority has confirmed that there is sufficient existing capacity in the area to meet the needs that would be generated by the development and so no contribution is sought towards local education provision.

Healthcare

- 7.2.3 The Blackpool, Fylde and Wyre NHS Clinical Commissioning Group has applied their standard methodology to conclude that the development would generate a requirement for 149 patient places. As these could not be accommodated at existing facilities within a reasonable travel time, a financial contribution to enable two local medical centres, Arnold and Abbey Gate, to be reconfigured and expanded is needed. A contribution of £40,856 has been requested and would be secured through a S106 legal agreement in the event of planning permission being granted. A financial viability appraisal has been submitted to demonstrate that it is not possible for the development to fully meet its planning obligations. This will be discussed later in this report.
- 7.2.4 The Blackpool Teaching Hospitals NHS Foundation Trust has requested a contribution of £145,245. This contribution is required to plug the inevitable funding gap that would arise between the grant of planning permission and the next funding review that would take account of any population increase, which could be up to three years away. However, the figure requested is based on an assumption that all future occupants would represent population increase. Whilst the development may result in population increase on the Moss which could affect local surgeries, there is no evidence to suggest that it would result in population increase across Blackpool as a whole that could affect capacity at Blackpool Victoria Hospital. This is because the Office of National Statistics has predicted that the population of Blackpool will fall by 2.5% between 2016 and 2041. It is therefore very possible that future occupants would be existing Blackpool residents who have chosen to relocate to this area. On this basis, as the Trust has failed to adequately demonstrate that the contribution is necessary in order to make the development acceptable, it will not be sought.

Public open space and green infrastructure

- 7.2.5 Policy CS6 of Part 1 requires new housing developments to include appropriate provision of green infrastructure. The required provision is calculated based on proposed dwelling sizes and is set out within the Greening Blackpool Supplementary Planning Document that was adopted in May 2022. This document specifies that the development as proposed would generate a requirement of 4,960sqm of public open space or an equivalent financial contribution of £122,164.80 as set out below:
- 2-bed = 72sqm or £1,773.36 = 504sqm or £12,413.52 for the 7 units proposed
 - 3-bed = 92sqm or £2,265.96 = 2,484sqm or £61,180.92 for the 27 units proposed
 - 4-bed+ = 116sqm or £2,857.08 = 2,088sqm or £51,427.44 for the 18 units proposed
 - Total of 5,076sq m or £125,021.88
- 7.2.6 When this application was originally submitted in December 2021, 'Supplementary Planning Guidance Note 11: Open space provision for new residential development and the funding

system' (1999) was in force. For comparison, this document would have required provision of 3,912sqm of public open space or £56,072 for the development proposed.

- 7.2.7 The plans submitted show an attenuation basin at the middle of the site that is intended to serve as both a sustainable drainage feature and a public open space. It is understood that this would largely be a dry basin that would only fill with water during storm events. This means that it could reasonably provide some open space value as long as appropriate measures (such as grilles or covers) were put in place to ensure that the outflow pipes would not pose a risk to public safety. This would have an area of some 880sqm excluding a pumping station that would be fenced-off and therefore inaccessible to members of the public. A second area of public open space of some 390sqm excluding a fenced-off electrical sub-station would be provided at the northern end of the site adjacent to Florence Street. This would offer the additional benefit of pedestrian connectivity through to Midgeland Road. Provision of play equipment on this space was shown on a plan as part of the viability debate but this has since been removed from the proposal on viability grounds.
- 7.2.8 Consequently, the total public open space provision on-site would be 1,270sqm. This would equate to a shortfall of 3,806sqm or an equivalent financial contribution of £93,741.78 (£24.63 per sqm). The Council's preference is for public open space to be provided within a development in order to ensure residents have easy access to green infrastructure and to avoid increased pressure on existing provision. There is relatively little public open space in this area and certainly nothing within easy walking distance for young children. Regardless of any financial contribution, therefore, the lack of public open space provision on site weighs notably against the application.
- 7.2.9 The Greening Blackpool Supplementary Planning Document also requires residential proposals of more than 3 units to provide two trees for each dwelling. For this proposal this would equate to a requirement for 104 trees. Any category A, B or C trees that are removed as a result of development must also be replaced on a 2-for-1 basis. This would generate a requirement for an additional 28 trees as 14 would be removed. This brings the total requirement to 132 trees. At present 46 trees are proposed on site giving a shortfall of 86. Where it is not possible for the full requirement of trees to be provided on-site, the Supplementary Planning Document permits a financial contribution of £1,000 per tree to be paid. This would generate a requirement for £86,000.
- 7.2.10 The public open space and tree planting requirements together require an overall financial contribution towards off-site green infrastructure in lieu of on-site provision of £182,741.78. As noted above, a financial viability appraisal has been submitted to demonstrate that it is not possible for the development to fully meet its planning obligations. This will be discussed later in this report.

7.3 Housing Mix

- 7.3.1 The site is some 1.5 hectares in area. Policy CS13 expects sites of this size to provide a housing mix of at least 20% two-bed, 20% three-bed or larger, and no more than 10% one bed. No one-bed units are proposed. Only 13% of the properties would provide two bedrooms with 87% providing three or more. As such the proposal falls short of the requirements of Policy CS13. Given the general dominance of larger properties in the wider area (71% three-bed or more against national, regional and local averages of 61%, 63% and 59%), this weighs notably against the application.

7.4 Amenity Impact

7.4.1 The site falls within an area allocated for housing development and which is developing an increasingly urban, residential character. Although existing residents may be used to a quieter semi-rural environment, there is no reason to suppose that residential development of the type proposed would lead to unreasonable noise nuisance through activity or disturbance.

7.4.2 Were planning permission to be granted, a Construction Management Plan would be required through condition, and this would adequately safeguard against unreasonable impact on residential amenity during the construction phase.

7.4.3 In the context of ensuring an appropriate layout, the site is largely level. Generally speaking, the Council expects the following separation distances to be met in two-storey residential developments to safeguard levels of daylight, sunlight and privacy:

- front/rear-to-front/rear = 21m
- front/rear-to-side = 13m
- side-to-side = 2m

To achieve these separation distances, rear gardens are usually expected to be at least 10.5m in length.

7.4.4 These minimum separation distances are met between the proposed development and the existing properties fronting Midgeland Road and Moss House Road. At the northern end of the site, the properties adjoining those on Kincardine Avenue would all have rear gardens of around 9m-10m. Plots 32 and 33 would sit closest to the boundary but would sit at an oblique angle to the nearest property on Kincardine Avenue. As such and on balance, this relationship is considered acceptable.

7.4.5 Along the western boundary, four gardens would fall short of the minimum length by around 1m, with one falling short by around 1.8m (plot 51). At present the land to the west is undeveloped, but this shortfall against separation standards could impact upon future development and so still weighs against the proposal. Within the site, the separation distances are generally acceptable with shortfalls less than 1m where they exist. The front elevation of plot 25 would be separated from those of plots 38 and 39 by only 18m. This is unfortunate but it is accepted that expectations of privacy are generally reduced at the front of properties. Overall, the proposal is not considered to raise any unacceptable issues of over-looking or over-shadowing.

7.4.6 All properties would have private amenity space to the rear. Where terraces are proposed, the central property would have an access pathway to take bins from the rear garden to the front for presentation for collection. It is likely that the properties on plots 27-31 would present bins along the edge of the public open space which would not be ideal but the visual impact would only be occasional. Properties 34 to 36 would be able to present bins against the landscaped buffers but one of the spaces serving no. 36 would be at risk of being blocked. This is unfortunate but would likely be managed sufficiently by the occupiers. Bin drag distances for plots 34 and 35 would exceed the Building Regulations maximum of 25m. Plots 28-31 would suffer greater drag distances to the intended adopted highway but it is likely that refuse wagons would access the shared driveway.

7.4.7 Policy DM1 of Part 2 requires 20% of new-build properties in a development to meet the nationally described space standards. This standard is met as six house types accounting for 23 properties or 44% of the total meet the minimum requirements. It is noted that not all

house types have dedicated storage provision. However, sufficient properties surpass the minimum standards sufficiently for adequate storage to be available. All habitable rooms would benefit from windows providing appropriate levels of outlook and daylight. As such, the scheme would offer a satisfactory standard of amenity for future residents.

- 7.4.8 Policy DM1 also requires 10% of properties to be designed to be accessible and adaptable or suitable for wheelchair users in accordance with standards M4(2) or M4(3) of the Building Regulations. Clarification has been sought as to whether or not any of the properties meet these standards. If a response is received in advance of the Committee meeting, it will be reported through the update note.
- 7.4.9 Policy DM18 requires all new development proposals to demonstrate how they would provide future occupants with potential for full fibre broadband connectivity. No such information has been submitted. However, it is understood that this is now a requirement of the Building Regulations in respect of residential accommodation, and so this matter is satisfactorily addressed.

7.5 Visual Impact

- 7.5.1 The site is currently undeveloped with trees lining the Moss House Road frontage. As such the scheme would inevitably have a significant visual impact. However, the surrounding area is not considered to be visually sensitive and permission has already been granted for residential development on much of the site, including the frontage. The visual acceptability of the scheme therefore comes down to matters of detailed design.
- 7.5.2 Policy DM1 of Part 2 expects new housing designs to respond well to local character and distinctiveness and integrate well into existing development. Policy DM17 echoes this expectation and sets out further criteria that should be achieved to deliver a high-quality development. These relate to appropriate building lines, scale, materials, landscaping, security, architectural style and rhythm. Particular reference is made to the need to ensure that frontages are not dominated by car parking. The National Planning Policy Framework, National Planning Practice Guidance and national design guides equally stress the importance and characteristic of good design and paragraph 131 of the National Planning Policy Framework emphasizes the importance of trees. This paragraph requires new streets to be tree-lined.
- 7.5.3 Moss House Road and the immediate vicinity does not have a strong prevailing architectural character either in terms of design or materials. A range of house types are evident nearby. More traditional properties bound the site to the east and north-east, with a relatively modern housing estate sitting to the north-west. There are more traditional properties of various styles along Moss House Road, with the very recent house types delivered by Kensington Developments and more recently Elan Homes beyond to the south and west.
- 7.5.4 The properties proposed would all be two storey with dual-pitched roofs incorporating both hips and gable ends. All properties, even the most basic, would incorporate some architectural detailing such as canopies over front doors and stone headers and sills around windows. The larger properties variously include small pikes over first floor windows, bay windows and gable projections. A materials palette has been proposed which comprises slate grey or cottage red roof tiles, and a mix of brick types and render. Contrasting bricks, either buff or smooth red, would be used to pick out detailing. Fenestration framing and trims would be white with garage doors, rainwater goods and boarding in black. Overall these materials would provide appropriate visual interest. They would give the development

an identity without it appearing at odds in the setting. As such they are considered to be acceptable.

- 7.5.5 The submitted surfacing layout plan needs to be updated to tally with the latest site layout plan but nevertheless shows that the main estate carriageway, the footway and the driveways would all be finished in black tarmac or asphalt. The accessway along the eastern side of the site would include red chippings and sit beyond a block paved rumble strip to provide visual contrast. It is assumed but not stated that concrete cast kerbing would be used around the site. Concrete cast pin kerbs could also be used to delineate driveways and parking spaces. The extensive use of tarmac and asphalt offers little visual interest and does not assist in providing an engaging streetscene. However, it is increasingly recognised that use of other materials, such as tarmac incorporating coloured chippings, raises maintenance issues and often results in mismatched patching in the long-term. Private paths would be flagged and front gardens grassed which is acceptable. Rear gardens would be top-soiled ready for future home-owners to landscape. As these areas would not be visible from public vantage points, no unacceptable visual impact would arise. Overall the proposed surfacing materials are considered to be acceptable but further detail would need to be secured through condition were planning permission to be granted.
- 7.5.6 In terms of boundary treatments, street frontages would largely be open plan with few fences or walls evident. Screen walls are proposed around four gardens that would face onto either the main estate road or the public open space. Low knee rails are proposed around the open space areas and 1.8m high close-boarded fencing is proposed along the site boundaries. Between rear gardens, 0.9m post and rail fencing is proposed. This would not offer any privacy to residents and so is not acceptable. However, an alternative solution could be secured by condition.
- 7.5.7 At the front of the site, the properties fronting Moss House Road would largely follow the building line established by the houses to the west. They would sit forward of the house at no. 71 but would roughly align with those further east. No other building lines would be affected.
- 7.5.8 In terms of landscaping, the existing trees along the Moss House Road frontage contribute positively towards the quality and appearance of the immediate streetscene and reference its former semi-rural character. The loss of this green infrastructure would be unfortunate but it must be recognised that these trees would equally be lost through implementation of the extant planning permissions. Whilst a number of trees are proposed around the development, it is not considered that the resulting streets could be described as tree-lined.
- 7.5.9 Along the main estate road, four trees in a narrow strip adjacent to the access, eight across the two areas of open space, and a further five could be subject to estate management. The remaining fourteen trees would be located in private front gardens within small areas of landscaping. The tight arrangement of the site would require these trees to be relatively small, however their proximity to the dwellings may still result in pressure for removal in the future. In-line with the approach taken by most Lancashire Authorities, the Council's standard condition only requires the retention of a tree for 7 years post determination. The Council can only ensure long-term control over tree retention when trees are planted within the bounds of adopted highway. The National Planning Policy Framework requirement merely states that trees should be tree-lined. However, the National Model Design Code is more prescriptive and expects all new streets to include street-trees, implying that the trees should sit within the confines of the street. This is further backed up by recent appeal decisions where Inspectors have not accepted trees within front gardens as amounting to a

truly tree-lined street. Against this context, it is not considered that the scheme meets the National Planning Policy Framework requirement for tree-lined streets. This weighs against the application.

- 7.5.10 Policy DM1 stipulates that no more than 50% of a front garden area should be taken up by car parking. This policy expectation would be breached across the development with only ten of the fifty-two properties being compliant. Whilst some additional trees have been introduced since first submission, the streets of the development could not be considered to be truly tree lined. Furthermore, and as above, the majority of trees would sit in front gardens in reasonably close proximity to the front elevations of properties meaning there may be pressure for removal in the future. A planning permission can only safeguard the retention of a tree on private land for seven years. Whilst it is recognised that the DM1 requirements were introduced after this application had been submitted, they are nevertheless in place at the point of determination and so must be applied. The conflict with this policy and the over-domination of property frontages by hard-surfaced car parking weighs notably against the application.
- 7.5.11 A Management Areas plan has been submitted but no longer tallies with the proposed site layout plan. This shows that the two areas of public open space and the strip of landscaping along the boundary with no. 65 Moss House Road would be subject to estate management. It is also proposed that the main estate roads would be adopted as public highway. This is appropriate and acceptable. However, two shared driveways are marked as being proposed for private residential ownership. This is not considered to be a suitable arrangement. These areas should be included as estate management areas to ensure that they are well-maintained. This could also be resolved through condition.

7.6 Access, highway safety, parking and sustainable travel

- 7.6.1 The development would take vehicular access from Moss House Road. The Head of Highways and Traffic Management Services initially raised some concerns regarding the geometry of the junction between the site and Moss House Road. However, these have since been resolved and an access plan has been provided which is considered to be acceptable.
- 7.6.2 Members may recall that a circular estate road was proposed as part of the wider Redwood Point scheme. This would have taken all vehicular traffic from the development out onto Progress Way, by using bollards on Moss House Road to block egress from the estate road out onto Midgeland Road or Common Edge Road.
- 7.6.3 This estate road has been constructed to the south of Moss House Road but Kensington Developments Ltd have erected bollards across the estate road arm closest to the application site. This stretch of road has not yet been adopted as highway. As such and at present, vehicular egress from the application site out onto the wider road network is currently only possible either by turning left onto Moss House Road and then onto Midgeland Road; or by turning right, travelling along the majority of Moss House Road, and egressing onto Progress Way via the western arm of the estate road.
- 7.6.4 The junction of Midgeland Road and Progress Way already operates at capacity with queues along Midgeland Road. Due consideration has been given to the scale of development, likely trip generation and likely desire routes. It is anticipated that a significant number of vehicular movements from the site would be towards Progress Way. Midgeland Road cannot readily be widened at reasonable cost and so it is not considered feasible to increase the

capacity of the junction and shorten queue length. Once operational, the development would not have a severe impact upon highway function, but motorists may experience lengthy wait times when trying to turn right onto Midgeland Road. Whilst a 'keep clear' box could be provided to enable cars egressing Moss House Road to turn right onto Midgeland Road, this would further reduce capacity at the signal junction and would not address the issue of more than one car waiting to turn. However, and more significantly, it would not be possible to provide a 'keep clear' box of sufficient length to accommodate a turning HGV. Construction traffic is a serious concern. An HGV that was unable to complete a turn out onto Midgeland Road would block the road well within the sight-stopping-distance of oncoming vehicles travelling north from the junction. This is considered to present an unacceptable risk to highway safety.

- 7.6.5 In light of the potential for conflict at the Midgeland Road junction, officer preference is that vehicles egressing the site would turn right and travel along Moss House Road to reach Progress Way via the western arm of the estate road. This would require widening and improvement works to Moss House Road. It is anticipated that these works would cost in the region of £30,000. Were the Council minded to support the scheme, these works would be secured through planning condition. Subject to such a condition, it is anticipated that the development could be delivered without detriment to highway capacity, function or safety.
- 7.6.6 Egress via the estate road arm nearest to the site would only be possible when Kensington Developments Ltd offered the road up for highway adoption. Rather than upgrade Moss House Road to enable traffic to egress via the western arm of the estate road, the applicant may wish to liaise with Kensington Developments Ltd to investigate the potential to have the bollards removed and the eastern arm of the estate road adopted and opened up for use. If any such agreement is reached in advance of the Committee meeting, Members will be informed through the Update Note.
- 7.6.7 Within the site, the Head of Highways and Traffic Management Services has again raised a number of concerns and made recommendations for amendments. Revised plans have been requested and received showing these changes and the Head of Highways and Traffic Management Services is now satisfied with the layout.
- 7.6.8 In terms of car parking, Policy DM41 of Part 2 requires provision in accordance with Appendix D1 of that document. This stipulates that 2-3 bedroom properties should provide 2 parking spaces, and that properties of 4 bedrooms or more should provide 3 parking spaces. Policy DM1 states that a driveway parking space must measure at least 5.5m x 3m, that a garage must have internal dimensions of 6m x 3m, and that car parking spaces should be provided at the side of dwellings if not integral. Where no garage is provided, dedicated secure cycle storage is required.
- 7.6.9 All properties would meet the minimum standards in terms of the number of parking spaces provided. However, a significant number would fall short of the minimum prescribed parking space size standards as set out in Part 2. This weighs against the proposal, especially as the site is not particularly accessible and the estate roads would not support on-street parking.
- 7.6.11 None of the properties without garages are shown as having secure external cycle storage. None of the properties provide appropriate internal cycle storage. However, were the Council minded to grant planning permission for the scheme, it is considered that this could be satisfactorily addressed through condition.

7.7 Drainage and Flood Risk

- 7.7.1 The site falls within flood zone 1 and is over 1ha in area. As such, no demonstration of compliance with the sequential or exception tests is necessary, but a site-specific flood risk assessment is required. Drainage proposals and a drainage maintenance plan has also been submitted. An attenuation basin is proposed in the centre of the site as part of the public open space. The information submitted has been considered by United Utilities and the Council as Lead Local Flood Authority.
- 7.7.2 The application proposes discharge of surface-water from the site into the combined sewer at a rate of 7.5l/s. This has been agreed by United Utilities and is considered to be acceptable. However, there is a watercourse along the southern boundary of the site and the applicant will need to demonstrate that infilling this watercourse would not have a detrimental impact upon site drainage. Furthermore, the submitted sections and ridge heights plans would appear to indicate that land levels would be raised by around 900m. Further information has been requested and subsequently provided on this matter. The Council's Drainage Officer has been reconsulted and any comments received will be reported through the update note. It is anticipated that the additional information provided will address the concerns previously made. However, if this is not the case the officer recommendation may have to be reconsidered.

7.8 Biodiversity and green infrastructure

- 7.8.1 The site is greenfield land containing trees and hedgerows. As such a preliminary ecological appraisal has been submitted and appropriate advice sought. Whilst formal requirements for Biodiversity Net Gain (BNG) are not yet in place, Policy DM35 and the Greening Blackpool SPD expect all developments to follow the mitigation hierarchy. This seeks to avoid impact, mitigate any impact that cannot be avoided, and then compensate for any impact that cannot be mitigated. All development proposals are expected to demonstrate biodiversity net gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist.
- 7.8.2 In order to comply with the Habitats Regulations, a screening assessment is required to determine if a full appropriate assessment is necessary. Natural England and Greater Manchester Ecology Unit have both been consulted on the application. Greater Manchester Ecology Unit, on behalf of the Council, has concluded that, whilst the site falls within the identified impact risk zones for recreational disturbance, any such impact from this development would be nugatory, or indistinguishable from background variation. Consequently, no Likely Significant Effects on the conservation values of the nearby protected sites are anticipated and no further assessment is required. However, as best practice, Greater Manchester Ecology Unit has recommended that homeowner education packs are secured through condition should planning permission be granted.
- 7.8.3 Natural England does not accept this conclusion on the basis that in-combination effects have not been properly considered and because the issuing of homeowner education packs is a mitigation measure that indicates a Likely Significant Effect.
- 7.8.4 Greater Manchester Ecology Unit has responded to confirm that the homeowner education packs are recommended as best practice not mitigation. They advise that no credible evidence is available to indicate a Likely Significant Effect and that risk must be real rather than hypothetical to trigger an appropriate assessment. As the effect in this case would be nugatory, any risk must be hypothetical. Greater Manchester Ecology Unit has advised that it

is ultimately for the Council as competent authority to make a final decision with regard to the need for an Habitats Regulations Assessment and that it can be demonstrated beyond reasonable scientific doubt that there will be no Likely Significant Effect on nearby protected sites based on the objective information and analysis provided. On this basis, officers consider that the requirements of the Habitats Regulations have been satisfied.

- 7.8.5 With regard to the biodiversity and green infrastructure of the site itself, Greater Manchester Ecology Unit considers the information submitted to be acceptable. It has concluded that the building on site has negligible ecological value and the habitats are of local and limited biodiversity value. No further work is necessary but various conditions are recommended in the event that a permission is granted in order to protect biodiversity and provide ecological enhancement. Whilst Council policies currently do not stipulate a minimum biodiversity net gain requirement, Greater Manchester Ecology Unit advises that a 10% gain would be appropriate as that is what is expected to be required by the legislation to be introduced in November. However, as this requirement is not yet in place, it is not considered that a refusal on this basis could be easily defended. The provision of an attenuation drainage basin is likely to provide some opportunity for biodiversity net gain given the existing low value of the site. Nevertheless, the lack of green infrastructure and biodiversity net gain weighs somewhat against the proposal, and it would be particularly important to ensure that any approved landscaping scheme would deliver as strong a species mix as possible.

7.9 Sustainable design

- 7.9.1 Policy DM1 requires new housing developments to have explored the potential for renewable low-carbon energy generation, and expects the design and orientation of roofs to assist with the siting and efficient operation of solar technology. Likewise, dwellings should be oriented to minimise energy consumption. To minimise water use, a 200 litre water butt is required for each property.
- 7.9.2 A Sustainability Statement has been submitted. This states that all houses would adhere to the 2021 Building Regulations. Renewable energy options would include photovoltaic panel provision alongside traditional heating, or installation of air source heat pumps. The statement notes that the applicant routinely focuses on sustainable design principles to reduce energy consumption, ensure efficient ventilation and reduce water use. Electric vehicle charging points would be provided.
- 7.9.3 The shape, orientation and access point to the site largely dictate the orientation of the properties. Consequently the majority of properties face towards the east or west. Most property types would have gabled ends, meaning that only around 35% would have a south-facing roof for solar technology. These are also generally the smaller properties. Nevertheless, given the nature of the site, it is not considered that a substantively more energy efficient layout could be achieved.
- 7.9.4 All of the properties would have a rear garden of sufficient size to accommodate a water butt. To minimise water usage, and were planning permission to be granted, water butt provision could be secured through condition.
- 7.9.5 Given the information submitted and mindful of the viability constraints of the site, it is felt that due regard has been given to sustainable design.

7.10 Environmental quality

- 7.10.1 The site is not in a particularly accessible location and so it is likely that most occupants will rely on private car use. However, the area is not a concern with regard to air quality and so no unacceptable impacts are anticipated. It is considered that air quality could be adequately safeguarded during the construction period through the agreement of a Construction Management Plan.
- 7.10.2 There is no reason to suppose that the development if finished would impact upon water quality subject to the agreement and implementation of an appropriate drainage system. Equally, the agreement of a Construction Management Plan would adequately safeguard water quality during the construction period.
- 7.10.3 With regard to land contamination, the information submitted has been considered by the Council's Environmental Protection team. The reports submitted have been agreed and a remediation strategy would be needed to deal with land contamination. This could be secured through condition were planning permission to be granted.

7.11 Consideration of development viability

- 7.11.1 Section 7.2 of this report sets out the planning obligations required in respect of this scheme. The applicant has submitted a financial viability appraisal in support of their application to demonstrate that it would not be financially viable for them to deliver the proposal and provide the full suite of planning obligations. This has been independently assessed on behalf of the Council by Continuum.
- 7.11.2 The applicant's viability appraisal makes allowance for payment of £38,390 towards local healthcare and £44,781 towards public open space provision. This equates to a total of £83,171. This falls short of the requirements set out under section 7.2 by £153,427. It also allows for £20,000 towards off-site highway works against the expected requirement of £30,000.
- 7.11.3 A financial viability assessment essentially considers the costs (including profit margin) of delivering a development against the anticipated value of the development based on returns from sales. This outputs a Residual Land Value which is then compared against a policy compliant Benchmark Land Value (minimum aspirational return to landowner). Costs are split into standard build costs, abnormal costs, finance costs, fees, aspirational profit margin and planning costs. The anticipated values are derived from comparable sales data. A viability appraisal should not be applicant-specific and so the costs applied must reflect what the market would reasonably incur for the scale of development on the site regardless of who would implement it. There is extensive and specific guidance within the National Planning Practice Guidance which explains how viability appraisals should be undertaken and assessed in respect of development proposals for the purposes of planning decision-making. Continuum has also taken account of numerous relevant planning appeal decisions where viability has been a central consideration.
- 7.11.4 Very extensive discussions have taken place between the viability consultants on both sides. The applicant has submitted two detailed Cost Plans produced by cost consultants, and this has equally been considered on behalf of the Council by a cost consultant appointed by Continuum.

- 7.11.5 Based on the applicant's final figures, the scheme would generate a 5% profit margin on Gross Development Value (GDV) for the scheme without any affordable housing. The applicant has argued that they require an 18% profit margin. Generally speaking, the accepted minimum level for developer profit is 15%. As such, a 5% return would call into question the viability of any development on the site. In other words, if the applicant's figures are to be relied upon, it is unclear why they would wish to pursue an application for planning permission.
- 7.11.6 In terms of the end value, sales values were presented in May 2022 and were agreed by Continuum. Since then, the Land Registry House Price Index has risen by around 8%, but the applicant has now argued that lower sales values should now apply compared to their previous May 2022 assessment. However, Continuum have advised that insufficient detailed evidence has been provided to support this assertion. Considering the adjacent development being delivered by Elan Homes, and making adjustments to reflect the different house types proposed, Continuum maintain that the May 2022 values originally agreed between parties, remains valid.
- 7.11.7 With regard to abnormal costs, Continuum and their appointed cost consultants have challenged the figures presented in relation to piling, ground heave allowance, remediation, membrane provision, dealing with surcharge materials and the provision of the roads, driveways and attenuation pond. The potential abnormal cost savings identified amount to £572,762.
- 7.11.8 There has been significant debate over standard build costs. The viability consultant engaged by the applicant originally stipulated a build cost of £115/sqft. The applicant then submitted information from a cost consultant that increased the build cost to £130/sqft. This figure was agreed by the cost consultants appointed by the Council, but Continuum identified flaws with this assessment and therefore consider the original cost of £115/sqft to be the most appropriate. This lower figure is corroborated by the viability assessment underpinning Local Plan Part 2 which was undertaken in July 2020 which when indexed to today's value has a standard build cost of £108.30/sqft.
- 7.11.9 There is also a disagreement over an appropriate Benchmark Land Value for the subject site. The National Planning Practice Guidance on Viability is clear how the Benchmark Land Value should be estimated which is based on Existing Use Value plus a premium to incentivise the landowner to sell their land. The premium should reflect abnormal costs and the cost of policy compliance. The applicant's viability consultant argues that the Benchmark Land Value should be £577,000 (£10,000 per acre Existing Use Value and 15 times multiplier premium). Continuum argue that the Benchmark Land Value should be considerably less at £181,000 based on appeal decisions and the National Planning Practice Guidance (£5,000 per acre Existing Use Value and 10 times premium applied to net acres). Continuum argue that the site has very high abnormal costs and therefore a lower premium is required to reflect this as per the National Planning Practice Guidance.
- 7.11.10 Policy CS13 requires new housing schemes to provide affordable housing equivalent to 30% of the total development. The viability assessment for Local Plan Part 2 (July 2020) concluded that schemes of this scale on suburban greenfield sites such as this should be able to support 20% affordable housing provision along with a small surplus. However, value increases have significantly outstripped cost increases since 2020, and so Continuum maintain that the full affordable housing requirement of 30% could be viably provided even if Part 2 standards were imposed based on the Local Plan viability assessment inputs.

7.11.11 Overall, if the build cost of £115/sqft is applied as Continuum advise, the scheme should be able to provide the full requirement of affordable housing regardless of whether or not the Part 2 policies are adhered to. If a build cost of £130/sqft is applied, which Continuum do not believe is justified, at least 20% affordable housing provision should be possible if Part 2 requirements are not rigorously imposed.

7.12 Consideration of the planning balance

7.12.1 The National Planning Policy Framework is clear that the purpose of the planning system is to contribute to the achievement of sustainable development. Sustainability comprises economic, environmental and social components.

7.12.2 Whilst the scheme would deliver a range of benefits, as can be seen from the assessment above, the scheme fails against a number of national and local Part 1 and Part 2 requirements.

7.12.3 Economically the scheme would generate employment during the construction phase and residents would help to support local shops and services during the operational phase. However, this would be true for any residential development of the site and so does not weigh materially in the planning balance.

7.12.4 Environmentally, subject to conditions, it is considered that satisfactory biodiversity net gains could be delivered through the scheme and that no detrimental impact on air, land or water quality would result. It is anticipated that an acceptable drainage solution could be agreed. However, the proposal would not meet the government's expectations for tree-lined streets and would not provide sufficient trees in accordance with the Council's Greening Blackpool Supplementary Planning Document to support the Council's Green Infrastructure Strategy. More than 50% of the majority of front gardens would be hard-surfaced in contravention of Policy DM1. This weighs notably against the proposal.

7.12.5 Socially, the proposal would deliver housing on a strategic housing site in accordance with Policies CS2 and CS25. However, the Council currently has a comfortable housing land supply removing any imperative for this site to be developed in the short term. The housing mix does not accord with Policy CS13. The scheme fails to provide appropriate levels of affordable housing or public open space to meet the needs of future residents. This weighs very significantly against the application. The homes proposed would offer an acceptable level of residential amenity and it is considered that the development could be delivered without detriment to flood risk or highway safety, but these are standard expectations that weigh neutrally in the planning balance. Whilst parking provision would adequate in quantitative terms, it would not meet the qualitative space standards of Part 2. This weighs against the application.

7.12.6 The applicant has submitted financial viability information seeking to demonstrate that is not possible for the development to meet the relevant planning obligations and planning policy requirements. Since first submission of this information, and over a very significant timescale of discussions and negotiations, the applicant managed to move from a position of offering no affordable housing, to offering 15%.

7.12.7 Throughout the viability discussions, officers have been mindful of the need to find a pragmatic solution to enable a planning permission to be granted if possible. Continuum maintain that full 30% affordable housing provision could be delivered if the lower build costs are applied. If the higher build costs are used, 20% affordable housing should be

deliverable. Both options are in addition to the £83k planning obligation contribution and £20k off-site highway works contribution budgeted for by the applicant. Whilst Continuum have understandably focused upon the financial credentials of this site and application in isolation, officers must consider the contribution this scheme could make towards achieving the Council's wider planning strategy. The site is allocated for major housing development, and Blackpool has few large sites available for housing delivery. The proposal would make a more efficient and effective use of land than previous permissions granted since the wider Kensington Developments Ltd scheme was approved.

7.12.8 In light of the above and on balance, the offer of 15% affordable housing provision is considered to be sufficient concession on the part of the applicant and acceptable. Overall, including the provision of 15% affordable housing and £113k towards planning obligations and the necessary off-site highway works, the scheme is considered to offer sufficient benefits to out-weigh the concerns detailed throughout this report in terms of the shortfalls against policy requirements. It is acknowledged, however, that the planning balance in this case has been extremely fine. Nevertheless, officers are prepared to conclude that the scheme represents sustainable development and that planning permission should be granted.

7.13 General considerations

7.13.1 The application has been considered in the context of the Council's general duty in all its functions to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998 (as amended).

7.13.2 Under Article 8 and Article 1 of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. This application does not raise any specific human rights issues.

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

8.0 FINANCIAL CONSIDERATIONS

8.1 The scheme would result in Council Tax revenue for the Council but this is not a material planning consideration and carries no weight in the planning balance.

9.0 BLACKPOOL COUNCIL PLAN 2019-2024

9.1 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'.

9.2 The second priority is considered to be most relevant to this application. On balance this proposal sufficiently accords with this priority as detailed above.

10.0 CONCLUSION

- 10.1 In light of the above, the proposal is considered to represent sustainable development and no other material planning considerations have been identified that would outweigh this view.

11.0 RECOMMENDATION

- 11.1 Accept the conclusion of Greater Manchester Ecology Unit that there is no need for an appropriate assessment under the Habitats Regulations.
- 11.2 Resolve to support the proposal and delegate the application to the Head of Development Management for the grant of planning permission subject to the following:
- Confirmation of no substantive objection from the Council’s Drainage Officer
 - Confirmation of no substantive objection from the Council’s Strategic Housing Manager
 - Completion of a S106 legal agreement to secure the following contributions:
 - £30,000 towards off-site highway works
 - £40,856 towards local health care provision
 - £42,315 towards local public open space improvement or provision
 - The conditions listed below:

General

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:

TO BE DETAILED THROUGH THE UPDATE NOTE ONCE FINAL APPROVED PLAN REFERENCES ARE ESTABLISHED.

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. 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 Policy DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

Design

4. 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 Policy DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

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

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

6. The windows and doors hereby approved shall be recessed behind the front face of the elevation in which they are set by 70mm or one brick width, whichever is the greater.

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 Policy DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

7. Notwithstanding the information submitted, prior to the commencement of any above ground construction, a scheme for the provision of boundary treatments to include their position, height, materials and design, shall be submitted to and agreed in writing by the Local Planning Authority. These agreed boundary treatments shall then be provided in full and in full accordance with the approved details before the proposal hereby approved is first brought into use.

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no walls, fences or gates shall be erected within any part of the curtilage of any dwellinghouse that is forward of the front building line of that dwellinghouse.

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

Policy DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

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

Reason: In order to maintain soft landscaping in the interests of the appearance of the site and streetscene and in the interests of sustainable surface-water drainage in accordance with the provisions of Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 Policies DM17, DM21 and DM31 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

Ecology and green infrastructure

10. (a) Prior to the commencement of development a plan to identify those areas of the site proposed to form residential curtilage for management and maintenance by home-occupiers, and those areas proposed to be managed and maintained by an estate management entity shall be submitted to and agreed in writing by the Local Planning Authority.
- (b) Prior to any property hereby approved being first occupied, an Estate Management Plan plan for the management and maintenance of any landscaped areas of the site approved management by an estate management entity shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall:
- Identify the estate management entity and arrangements for management and maintenance in perpetuity for so long as the properties are occupied (e.g. Site Management Company)
 - Set out a regime/timetable for inspections and regular maintenance works
 - Explain how issues can be reported, assessed and resolved
- (c) The Estate Management Plan hereby approved shall be implemented in full at all times when any part of the area to which it relates is occupied or in use.

Reason: In order to ensure that communal landscaped areas are appropriately managed and maintained in the interests of visual amenity, biodiversity and environmental quality, in accordance with the provisions of Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM1, DM17, DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

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

Reason: In order to safeguard biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

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

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

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

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

Reason: To secure the protection, throughout the time that the development is being carried out, of trees and/or hedgerows growing within or adjacent to the site which are of amenity value to the area, in accordance with Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

13. (a) Prior to the first occupation or use of the development hereby approved, 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 either prior to occupation or within the first planting season following first occupation; 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 5 years of planting shall be replaced within the next planting season with trees or plants of similar size and species to those originally required unless otherwise first submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

14. The development hereby approved shall proceed in full accordance with the recommendations set out in the Envirotech ecological appraisal ref. 7639 dated 10th November 2021.

Reason: In order to safeguard and enhance biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM21 and DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

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

- all materials will be covered and stored on raised pallets only
 - means of escape for amphibians and small mammals shall be provided from any excavation (i.e. solid plank providing access from the base of the excavation to ground level)
 - construction and storage areas to be inspected at the start of each working day for amphibians and small mammals
 - in the event that a protected species is found on site, works should immediately cease and a suitably qualified and experienced ecologist consulted
 - any non-protected species found on site should be carefully removed and placed under cover on the other side of the site boundary.
- The headwalls and outflows to the attenuation pond should avoid creation of amphibian traps

Reason: In order to safeguard biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM35 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

16. 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, to safeguard the amenities of residents and to minimise any potential impacts on biodiversity in accordance with Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17, DM21, DM35 and DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

17. Notwithstanding the information provided, prior to the commencement of any above ground construction, a scheme of ecological protection and 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 protection and enhancement shall include:

- Provision to bolster existing hedgerows with native species
- Provision of bird and bat boxes to include number, specification and location
- Provision of amphibian hibernaculum to include number, specification and location
- Features to facilitate roaming of small mammals and amphibians in boundary treatments
- Provision of explanatory homeowners pack to mitigate any potential impact upon the nature conservation values of the Cheshire to Lancashire SPA/RAMSAR designations
- Measures to
- Details of the headwalls and outflows to the attenuation pond to ensure that their design would avoid creation of amphibian traps

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 DM21 and DM35 of the

Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

Sustainable design

18. Prior to the first occupation of any dwelling hereby approved, that dwelling shall be provided and fitted with a water butt of not less than 200 litres capacity to collect roof rainwater. This water butt shall be situated to the rear of the property.

Reason: In order to minimise water consumption to improve the sustainability of the development in accordance with the provisions of Policy CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM1 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

Amenity and safeguarding

19. (a) Prior to the commencement of any development on site, a Demolition/Construction Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. For the purpose of this condition, the Demolition/Construction Management Plan shall specify the provision to be made for the following:
- (i) measures to prevent detrimental impact on air quality including confirmation that no materials would be burned on site and dust mitigation measures to be followed during the demolition/construction period
 - (ii) measures to control noise emanating from the site during the demolition/construction period
 - (iii) hours and days of demolition/construction work for the development. Please note that typically acceptable working hours are 0800-1800 Mondays to Fridays and 0800-1200 on Saturdays with no working on Sundays or Public Holidays
 - (iv) details of contractors' compounds and other storage arrangements, to include position, means of screening, storage heights, details of enclosures, and appearance of any structures or cabins
 - (v) provision for all site operative, visitor and construction loading, off-loading, parking and turning within the site during the demolition/construction period including all requirements for occupation of areas of highway
 - (vi) arrangements for the provision of wheel washing facilities comprising a 10m x 3.5m wheel wash with two 6m long ramps to be operated during the demolition/construction period to minimise the deposit of mud and debris on the adjacent highways
 - (vii) provision of a board at the entrance to the site, to be retained throughout the construction period, to include 24hr contact details for site management; and provision of contact details for the contractor's street sweeping subcontractor with specific authorisation for the Council as Local Highway Authority to call out that contractor as and when required

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- (viii) measures to prevent contamination of surface and sub-surface water bodies during the demolition/construction period, and prevent the runoff of surface water to the highway in storm conditions during construction
- (ix) routing of construction traffic. Please note that, for the purpose of this condition, HGVs should not access or egress the site via the junction of Moss House Road and Midgeland Road, and that appropriate signage will need to be displayed on the public highway to direct construction traffic.
- (x) a condition survey of the adopted public highway up to the first junction with the strategic road network along the proposed construction traffic route, or other area as may first be agreed in writing with the Local Highway Authority, along with a construction stage timeline proposal for the provision further condition surveys (either post-completion or to include surveys at appropriate intervals depending upon the duration of the construction period)

(b) The demolition/construction of the development shall thereafter proceed in full accordance with the approved Demolition/Construction Management Plan.

(c) Each condition survey required pursuant to part (a)(x) of this condition shall be accompanied by a scheme and timing schedule of any works as may be appropriate to rectify any dilapidation caused to the adopted public highway as a result of demolition and construction works related to the development hereby approved, to be agreed in writing by the Local Planning Authority. These works shall then be carried out in full in accordance with this agreed scheme and schedule.

Please note, the submission of a standard Health and Safety statement will not be sufficient to discharge this condition. As part of any discharge of condition application you will be expected to highlight the location of each element of information required above within your submission.

Reason: In the interests of the amenities of surrounding residents and to safeguard environmental quality and the character and appearance of the area in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM31 and DN36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027. This condition is required to be discharged prior to commencement in order to ensure that the development proceeds without causing undue harm to residential amenity, highway safety or the quality of the environment.

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

Reason: In the interest of the appearance of the site and locality and to safeguard the amenities of nearby residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17 and DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

21. Prior to the commencement of development;

(a) a scheme of remediation to address the issues identified in the submitted geo-technical reports shall be submitted to and agreed in writing by the Local Planning Authority; and

(b) the remediation agreed pursuant to part (a) of this condition shall be carried out in full and a validation report confirming the works shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with the provisions of Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027. This information is required to be submitted and agreed prior to commencement in order to ensure that the development hereby approved proceeds safely.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), no enlargement of the dwelling/s the subject of this permission shall be carried out without the written approval of the Local Planning Authority.

Reasons:

(i) In order to safeguard the amenities of nearby residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM20 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027;

(ii) In order to ensure that appropriate car parking provision is available to meet the needs of the property in the interests of public amenity, highway safety and the appearance of the streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17 and DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

23. Prior to the commencement of any above ground construction, details of final land and roof ridge levels shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then proceed in full accordance with these agreed details.

Reason: In order to safeguard the amenities of residents and nearby residents and to ensure that surface-water would drain appropriately in accordance with Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM1 and DM31 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

Drainage

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

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

25. (a) Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance and in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include the following:
- (i) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;

- (ii) Surveys and appropriate evidence to establish the position, capacity and interconnection of all watercourses and surface-water sewers within the application site and those outside of the site into which a direct or indirect connection is proposed;
- (iii) A determination of the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change - see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;
- (iv) A demonstration that the surface water run-off would not exceed the equivalent greenfield rate or a rate to be first agreed in writing by United Utilities.
- (v) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- (vi) Flood water exceedance routes, both on and off site;
- (vii) A timetable for implementation, including phasing where applicable
- (viii) Details of water quality controls, where applicable.

(b) Unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

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

Reason: To promote sustainable development, secure proper drainage of surface water and to manage the risk of flooding and pollution in accordance with the provisions of Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM31 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027. This information must be agreed prior to the commencement of development in order to ensure appropriate drainage of the site as the development proceeds.

26. Prior to the 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) 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) operation 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;
- c) Means of access for maintenance and easements where applicable.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

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 and Policy DM31 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027. This information must be agreed prior to the commencement of development in order to ensure appropriate drainage of the site as the development proceeds.

27. Prior to first occupation of any of the dwellings hereby permitted, details of measure to prevent access to the outflow pipe from the attenuation pond shall be submitted to and agreed in writing by the Local Planning Authority, and these measures shall be implemented in full accordance with the agreed details. The measures shall thereafter be retained and maintained as such.

Reason: In order to enable the attenuation area to be used as public open space whilst safeguarding the public against potential risk from the outflow pipe, in accordance with the provisions of CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM31 and DM36 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

Highways and parking

28. (a) Prior to the commencement of development, an assessment of the existing condition of the highway in the immediate vicinity of the application site shall be submitted to and agreed in writing by the Local Planning Authority;
- (b) Prior to the development hereby approved being first brought into use:
- (i) An assessment of the condition of the highway in the immediate vicinity of the application site upon completion of the development shall be submitted to and agreed in writing by the Local Planning Authority and
 - (ii) A scheme of remediation including a timetable of works to make good any damage caused to the highway in the immediate vicinity of the application site as a result of the development shall be submitted to and agreed in writing by the Local Planning Authority
- (c) The scheme of remediation agreed pursuant to part (b) of this condition shall be implemented in full and in full accordance with the approved timetable.

Reason: In order to ensure that the development does not result in undue damage to the public highway to maintain safe and convenient access in accordance with the provisions of Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

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

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

- Works to implement a prohibition of driving order on a part of the section of Moss House Road between the site access and Redwood Avenue
- Works to construct traffic calming measures along the length of Moss House Road from the site access to the junction of Moss House Road and the western section of Redwood Boulevard
- Traffic Regulation Orders consequent upon the above

Reason: In the interests of highway safety in accordance with Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027. 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.

30. Prior to the commencement of any above ground construction, the access detailed on plan ref. J32-4995-PS-001 Rev G and extending 30m into the site shall be provided in full and in full accordance with the approved details.

Reason: In order to ensure safe access to and egress from the site is available in the interests of highway safety in accordance with the provisions of Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

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

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

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

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

Reason: In order to ensure that safe and convenient access is available to the development by a range of transport modes in accordance with the provisions of Policy CS7 of the

Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

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

Reason: In order to ensure that adequate parking provision is available to meet the needs of the development in the interests of the appearance of the area and highway safety in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

33. No dwelling shall be occupied in advance of the installation of a EV charging cable of sufficient capacity to enable a 7kW electric vehicle charging point to be installed.

Reason: To facilitate sustainable transport by ensuring there is adequate infrastructure to enable the charging of plug-in and other ultra-low emission vehicles in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

34. Prior to the occupation of any property hereby approved that does not have a garage;
- (a) details of secure, covered cycle storage provision to include the position, design and materials shall be submitted to and agreed in writing by the Local Planning Authority; and
 - (b) the cycle storage agreed pursuant to part (a) of this permission shall be provided in full accordance with the agreed details.

Reason: In order to facilitate travel by a sustainable transport mode in accordance with Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

35. Notwithstanding the definition of development as set out under section 55 of the Town and Country Planning Act 1990 or the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), the garage(s) hereby approved shall not be used for any purposes that would preclude their use for the parking of a vehicle.

Reason: In order to ensure that appropriate car parking provision is available to meet the needs of the property in the interests of public amenity, highway safety and the appearance of the streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17 and DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.