

# Public Document Pack

# Blackpool Council

25 August 2023

To: Councillors Baker, P Brookes, Farrell, Flanagan, Jackson, Roe and Walsh

## **PLANNING COMMITTEE**

### **Update Note and Public Speakers List**

Please find attached the Update Note and Public Speakers List for Tuesday, 5 September 2023 meeting of the Planning Committee.

**8UPDATE NOTE AND SPEAKERS LIST (Pages 1 - 12)**

Yours sincerely

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## Planning Application Reports – Update Note

Listed below are changes to the planning reports made as a result of additional information received since the publication of the agenda for this meeting. Changes are signified by using **bold** font and ~~strike-through~~.

**Case: 21/1085**

**Address: Land at Moss House Road**

**Update:**

### Consultee responses:

**Head of Parks and Greens:** the landscaping plan should be amended to replace crab apple (*Malus sylvestris*) and blackthorn (*Prunus spinose*) with yew (*Taxus baccata*) as per previous comments as these are more appropriate for a managed hedge. This would also provide a greater mix of plant families. Currently the specification relies heavily on genus within the *Rosaceae* family.

The tree stock as suggested borders on monoculture and a more diverse species mix is required. Of the 46 trees proposed, 40% are Rowan (*Sorbus aucuparia*) which is a highly overused species and 59% are within the *Rosaceae* family. This exceeds the expectation of 10% of any genus, 20% of any species and 30% of any family to ensure diversity. It is also noted that the *Sorbus* genera, which generally does well in the north-west, is showing signs of low vigour around Blackpool which may be due to climate change. Other non-native and evergreen species, such as Amelanchier, Cercis, Japanese dogwood, Strawberry tree, Magnolia and Snowbell tree, could be considered for front gardens to diversity the site and help mitigate the challenges of a changing climate.

In terms of species layout, species should be alternated throughout the site and off-set to give a more natural layout rather than uniform rows and groups of singular species where losses due to pests or disease would greatly impact whole areas within the site. The attenuation basin includes only Tilia and, as the central focus area, would benefit from winter interest through the integration of evergreen species. *Beutla*, *Salix* and *Alnus* would also work well here. The three *Pinus* to the right of plot 32 would impact on light levels and should be replaced with *Quercus*.

Species-rich wet grassland is specified in the attenuation basin but no details are given. It should be clarified if the basin would hold water during normal operation and, if this is the case, species-rich seeding and emergent vegetation planting should be proposed.

**Strategic Housing Manager:** the developer is proposing affordable housing to be provided as shared ownership and/or discounted market sale. The amount would equate to only 15% rather than the 30% required. The viability challenges of providing affordable housing are recognised but it is still a priority of the Council and the strong preference is for this to be affordable rent.

The Affordable Housing Supplementary Planning Document has recently been adopted and this sets out the Council's position. Most notably it states that at least 70% of affordable housing provision should be affordable/social rent. It also states that provision should reflect the highest current need

which is affordable rent. Currently there is no identified need for shared ownership provision. The Supplementary Planning Document notes that, due to generally low house prices and restricted mortgage eligibility for many households, shared ownership options may not be viable for many providers. Social rented housing is therefore likely to dominate AH provision. Although a need for one-bed properties is identified in the Strategic Housing Market Assessment (SHMA), the technical paper supports the need for family homes to balance the existing high concentration of one bedroom units within Blackpool.

To further expand, Blackpool is one of the most deprived boroughs in the Country and currently has only 11% social/affordable rented housing across the town compared to 17% nationally.

### **Representations:**

**Kensington Developments Ltd** – objection – a substantial amount of new information has been submitted but has not been consulted upon. The highway proposal has changed significantly and raises road safety issues. The Council's proposal to divert all traffic along the length of Moss House Road to use the western arm of the spine road is impractical and dangerous. There is no continuous footpath and this would lead to conflict with pedestrians. Moss House Road has a semi-rural character with high fences, walls and hedges meaning that driveway egress would be made unsafe if use of Moss House Road increased. Any vehicle breakdown could block the road entirely causing inconvenience and blocking emergency service access. Use of Moss House Road would cause inconvenience and disturbance to existing residents. No details of the proposed road-works to Moss House Road are available prejudicing proper consideration of the scheme by interested persons. Given these proposed changes the application no longer contains an up-to-date road safety audit or Transport Statement. Kensington Developments will connect the western arm of the spine road through to Moss House Road prior to development of phase 3. It is stated clearly that no ransom strip exists. The original highways masterplan approved for the wider Kensington development should be followed.

**Elan Homes** – it is noted that the proposal in respect of this scheme has changed to traffic being routed to the front of our site. No consultation has been received but concerns are raised regarding the increase in traffic. No information relating to the proposed access strategy, including an updated Transport Statement, is available.

**Officer response** – the scope of works necessary to enable traffic to be routed west along Moss House Road towards the western arm of the spine road has yet to be established. However, the Council's highways team are confident that this option would provide a safe and appropriate option for egress from the application site. Works to an existing highway required as part of a development are subject to an agreement under Section 278 of the Highway Act and would, in themselves, be subject to public consultation under that legislation. Nevertheless, it is recognised that this proposal represents a material change from the original suggestion that traffic be routed east onto Midgeland Road, and one that should be consulted upon. Whilst no details of the proposed works are available, the applicant has been advised to submit an addendum to the submitted Transport Statement. The officer recommendation has consequently changed to allow a period of further consultation and this is detailed below. With regard to the potential for future use of the eastern arm of the spine road, if this option becomes available prior to any commencement of development in relation to this application, that egress would be used and the works to the length of Moss House Road would no longer be pursued.

**Conditions:**

**Vary condition 2 as follows to reflect latest plan submission:**

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~~**

**General Plans:**

**Location plan ref. R111-1000**

**Site layout plan ref. R111-1 Rev K**

**Preliminary site access plan ref. J32-4995-PS-001 Rev G**

**House type plans refs:**

**Ashbury (brick) – HT190-P-01**

**Ashbury (render) – HT190-P-02**

**Ashgate - HT138-P-11 Rev B**

**Ashgate II - HT138-P-20**

**Ashgate II / Burlington block - HT138&105-P-11**

**Belgrave - HT146-P-116**

**Bonnington (floor plans) - HT147-P-110-11**

**Bonnington (elevations) - HT147-P-112-12**

**Burlington - HT105-P-117 Rev B**

**Charleston II - HT166-P-119**

**Colshaw (floor plans) – 23013-HT-03**

**Colshaw (elevations) – 23013-HT-03**

**Gladstone - HT164-P-6**

**Hatton (floor plans) - HT139-P-114-3**

**Hatton (elevations) - HT139-P-117**

**Lowry - HT164-P-5**

**Marlborough - HT107-P-216 Rev A**

**Tabley – HT185-P-1**

**Other plans:**

**Single garage plan ref. P-SG-1 Rev B**

**Double garage plan ref. P-DG-1 Rev B**

**Pumping station fencing plan ref. SD.251**

**1.8m high screen wall plan ref. SD.46 Rev A**

**1.8m high close-boarded timber fence plan ref. SD.1 Rev A**

**Knee-rail fence plan ref. DS.23 Rev B**

**Documents:**

**Flood risk assessment ref. 30501/FRA**

**Tree survey and Arboricultural Impact Assessment ref. RE4188 rev V6**

**Tree Protection Plan ref. RE4188-02 Rev E**

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

**Vary condition 6 as follows to reflect the restrictions of cavity wall construction:**

The windows and doors hereby approved shall be recessed behind the front face of the elevation in which they are set by ~~70mm~~ 60mm 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.

**Vary condition 10 as follows to remove an unnecessary burden prior to commencement:**

(a) Prior to ~~the commencement of development~~ any property hereby approved being first occupied, 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 ~~for~~ 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.

**Vary condition 11 as follows to reflect the bird nesting season length as identified by the RSPB:**

No trees or hedgerows shall be felled or cleared during the main bird nesting season (March to ~~September~~ August 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.

**Vary condition 12 as follows because some of the information listed has already been provided:**

a) Prior to the commencement of any development on site, a tree and hedgerow protection plan shall be submitted to and agreed to 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.

**Vary condition 13 as follows to amend the replacement planting period in line with that generally adopted across Lancashire:**

(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~~ **7** years of planting shall be replaced within the next planting season with trees or plants of similar size and species to those originally required unless otherwise first submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is satisfactorily landscaped in the interests of visual amenity 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.

**Vary condition 17 as follows to correct a typographical error:**

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.

**Vary condition 19 as follows to avoid duplication with condition 28:**

(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
- (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.

**Vary condition 25 as follows to reflect information submitted and the comments of United Utilities:**

(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~~ combined sewer 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.

**Recommendation:**

**Vary the recommendation as follows:**

Accept the conclusion of Greater Manchester Ecology Unit that there is no need for an appropriate assessment under the Habitats Regulations.

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~~
- **The submission of a Transport Statement addendum to detail the proposed access/egress arrangements**
- **Re-consultation of relevant consultees and interested parties following the submission of the addendum**
- **Written confirmation of delegated authority from the Chair of Planning Committee in the event that any objections are received as a result of this re-consultation**
- 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:

In the event that the three requirements above cannot be satisfied, the application will be brought back before Committee for further consideration.

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**PLANNING COMMITTEE  
5 SEPTEMBER 2023 – ORDER OF BUSINESS**

AGENDA ITEM NO /Recommendation	DESCRIPTION	ORDER OF BUSINESS	DETAILS
<b>Agenda Item 6</b>  <b>Application 21/1085</b>  <b>Officer's recommendation:</b> Approve  Pages 33 to 74	Erection of 52 houses with associated public open space, landscaping, infrastructure and access from Moss House Road.  <b>65-71 MOSS HOUSE ROAD, BLACKPOOL, FY4 5JF</b>	<b>INFORMATION FROM OFFICERS</b>	
		<b>OBJECTOR/S</b>	
		<b>APPLICANT/AGENT/SUPPORTER</b>	Deborah Smith, Agent- Smith and Love Jonathan Pickthall, Applicant
		<b>WARD COUNCILLOR</b>	
		<ul style="list-style-type: none"> <li>• <b>DEBATE BY COMMITTEE</b></li> <li>• <b>DECISION</b></li> </ul>	

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