

**Officer Report to Committee**

<b>Application ref:</b>	21/1085
<b>Ward:</b>	Stanley
<b>Application type:</b>	Full
<b>Location:</b>	Land to rear of 65-71 Moss House Road, Blackpool
<b>Proposal:</b>	Erection of 52 houses with associated public open space, landscaping, infrastructure and access from Moss House Road.
<b>Recommendation:</b>	Resolve to approve but delegate the decision to the Head of Development Management subject to the completion of a S106 legal agreement to secure planning obligations
<b>Recommendation Summary:</b>	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.
<b>Meeting date:</b>	14/11/23
<b>Reason for bringing to Committee:</b>	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.
<b>Case officer:</b>	Susan Parker
<b>Case officer contact:</b>	01253 476228

**1.0 INTRODUCTION**

- 1.1 Members will recall that this application was presented at the September 2023 Committee meeting. At that meeting it was deferred to enable consideration to be given to alternative means of access to the site for construction traffic, and for further consideration to be given to potential affordable housing provision.
- 1.2 The applicant has since investigated the potential to use Florence Street. It is understood that the applicant does not consider it to be an acceptable access solution because the haul road across the intended area of open space and the enabling works would add to the construction costs and further compromise the viability of the scheme.
- 1.3 With regard to affordable housing, the applicant has maintained their two offers of:
- Option 1: 8no. discounted market value properties comprising 7 x 2-bed Lowry house types and 1 x 3-bed Gladstone house type
  - Option 2: 2no. discounted market value properties comprising one 2-bed Lowry house type and one 3-bed Gladstone house type; and 3no. affordable rent properties all to be 2-bed Lowry house types

## **2.0 CONSULTATION RESPONSES**

### **2.1 Lead Local Flood Authority**

2.1.1 In response to updated drainage information detailing the impact of filling the existing watercourse and raising land levels, the Council's Drainage Officer has confirmed that the existing section of watercourse is small and appears to already be blocked off by a nearby resident. As such this is not expected to be an issue. It is observed that the raising of land levels may be a source of complaint, but that the submitted information states that drainage would be installed to prevent flooding of existing areas. As such, and as long as surface water run-off is prevented from running onto adjacent land, there should be no unacceptable drainage impact.

### **2.2 Head of Parks and Greens**

2.2.1 None of the issues previously raised with the proposed landscaping scheme have been addressed. There are too many Rowan and rows of single species throughout, and the placement of some trees needs to be reconsidered. The proposed native hedgerow needs an improved species mix as at present it is heavily reliant on the genus in the Rosaceae family. The tree stock proposed borders on monoculture and a more diverse species mix is required. At present 35% are Rowan. This exceeds the best practice principle of 10% of any genus, 20% of any species, and 30% of any family to ensure diversity. It is also noted that species within the Sorbus genera, which have typically done well in the north/west of England, are now showing signs of low vigour around Blackpool, possibly due to climate change. Some 55% of the 56 trees are within the Rosaceae family, almost double the recommended 30% limit in any family. Other non-native and evergreen species could be considered for front gardens to diversify the site and mitigate the challenges of a changing climate, such as: Amelanchier, Cercis, Japanese dogwood, Strawberry tree, Magnolia, Snowbell tree.

2.2.2 With regard to species layout, Species should be alternated throughout the site and offset to give a more natural layout rather than in uniform rows and groups of singular species where potential losses due to pests and disease would greatly impact whole areas within the site. The attenuation basing area contains only Tilia; this central focal area would benefit from winter interest by integrating evergreen species such as Betula, Salix and Alnus. Placing three Pinus trees to the right of plot 32 would reduce light to the property, and a line of these trees, as specified, would plunge the property behind the site into year-round shade; it would be better to alternate with the Quercus. Within the attenuation basin, species-rich wet grassland is specified, but no detail is given of species. If the basin would hold some water during normal operating circumstances, the landscape specification should include species-rich seeding and emergent vegetation planting.

### **2.3 Local Highway Authority**

2.3.1 Whilst Florence Street is slightly wider, there are usually parked vehicles on either side. The street could be an egress point only but this would again raise the concern of its structure and potential dilapidation. It should be noted that use of Florence Street is likely to raise resident opposition because the development in question would feel detached from that road. That said, use of Florence Street would work and it could be a better alternative in some respects. Nevertheless, the conclusion that Moss House Road would be preferable to Florence Street to construction access is accepted. It is likely that the cost of the haul road would exceed those of the necessary works to Moss House Road. The construction depth of both roads is unknown, but it is recognised that Moss House Road has been upgraded in

parts. The greatest risk to road conditions comes from loaded HGVs and the distance travelled by such vehicles down either Florence Street or Moss House Road would be comparable.

- 2.3.2 The preference is for all construction traffic to go east to west, i.e. in from Midgeland Road and out via Redwood Boulevard. This would require dedicated directional signage and the removal of the existing bollards on Moss House Road. It would also require some traffic calming in the form of throttles or speed humps in addition to speed limits. This is assuming that the eastern arm of Redwood Boulevard remains unavailable. In the event that it does become available, this part of the network would become the egress route. Again assuming that the eastern arm of Redwood Boulevard remains unavailable, the existing bollards on Moss House Road would be reinstated following the completion of the development
- 2.3.3 With regard to the internal layout within the site, the footpath should run the full way around the attenuation pond. The outside kerb of the bend in the right hand leg needs to be revised. The bin drag distance for plots 27-30 would appear to be excessive and the parking spaces serving plots 18, 19 and 30 should be pushed up to the fence and the footpath removed.

## 2.4 **Strategic Housing Manager**

- 2.4.1 There is no identified need for discounted market housing or shared ownership housing. As such it would be preferable to maximise the amount of affordable rent housing on site even if this means a reduced number of units overall.

## 3.0 **REPRESENTATIONS**

- 3.1 In addition to the representations already received and detailed in the September 2023 committee report, one additional representation has been received from the following addresses:

22 Kincardine Avenue

- 3.2 This representation raises the following issues:

- Florence Street would be more dangerous than Moss House Road to use as a site access
- Significant footway and carriageway upgrades are required to support access to the site

## 4.0 **RELEVANT PLANNING POLICY AND LEGISLATION**

- 4.1 The National Planning Policy Framework was updated in September 2023. However, none of the changes made are considered to affect the assessment of this application.

## 5.0 **ASSESSMENT**

- 5.1 As requested by Members, the potential to use Florence Street for construction traffic has been investigated. The Council's Highways Team has confirmed that it could work as an option and could offer some benefits to Moss House Road. However, it is equally accepted that some challenges would exist and that the cost of using Florence Street would be more than the proposed temporary mitigation measures that would be required on Moss House Road. This is because use of Florence Street would require provision of a haul road across what would ultimately be public open space. Given that viability is such a key issue on this

site, and that the use of Moss House Road as identified is acceptable in highway terms, this is considered to be the preferable option.

- 5.2 An updated Transport Statement explaining the proposed use of the network for construction traffic was received on 22 September 2023 and site notices were displayed along the route to publicise this on 24 September 2023. Since then only one representation has been received. This has been submitted by a property that would be unaffected by the proposed route and raises issues purely relating to use of Florence Street.
- 5.3 With regard to the affordable housing provision, extensive discussions have taken place with the applicant on both this and another site they are progressing. The Council has also taken further advice from its retained viability advisors. It is understood that the market has deteriorated notably over the lifetime of this application. Whilst there is still a discrepancy in position over what can be delivered on the site, the applicant has made it very clear that they are not prepared to proceed if additional affordable housing provision is required.
- 5.4 Whilst this site is not immediately needed to contribute to the Council's housing land supply, a pragmatic approach does need to be taken. Most pertinently, Members should be aware that the government requirements relating to Biodiversity Net Gain would apply to all new major-scale development proposals from the start of 2024. This requirement would trump all existing planning obligation requirements in terms of priority. If current conditions persist, this may mean that it is even more challenging in future to secure affordable housing provision whilst maintaining the viability of development proposals.
- 5.5 The potential to impose an overage requirement through S106 has been considered. This would require the applicant to present the Council with actual costs and values realised post development. If the scheme costs less or realises more than anticipated, that additional income would be directed to the Council in respect of planning obligations. However, it is recognised that this places a level of uncertainty on development viability that is off-putting to lenders. On appeal it has been accepted that such requirements can further undermine development viability. As such it is accepted that imposition of such would prevent this scheme from being delivered.
- 5.6 It has already been accepted by officers that 20% provision would be the maximum provision practicable rather than the 30% required by policy. This is supported by the viability assessment to Part 2. Applying the Affordable Housing SPD standards to 20% provision would see 7 affordable/social rent (ASR) homes and 3 shared ownership (SO) or discounted market value (DMV) homes.
- 5.7 Both options put forward by the applicant include an element of discounted market value housing. The Council's Strategic Housing Manager has confirmed that there is no need in Blackpool at present for either shared ownership or discounted market value products. The applicant has previously offered 8 DMV homes or a split of 3 ASR and 2 DMV homes.
- 5.8 As no DMV provision is considered appropriate, a further compromise could be to further reduce the amount of affordable housing but have it all as AR provision. The applicant has provided information setting out the values that can be achieved for different house types from affordable housing providers depending upon the basis on which they are offered. In relation to the applicant's option 2, the provision of 4 no. Lowry house types all as AR would result in a less than 5% reduction in value realised. The difference in value between their option 1 and option 2 is around 7.8%. This would increase to 9.8% if the suggestion above were followed.

5.7 This option has been put to the applicant but a response has not yet been received.

## **6.0 CONCLUSION**

6.1 Officers have engaged in very lengthy and involved discussions with the applicant in recent months to try and maximise the quality of the scheme and the level of planning obligations that can be secured.

6.2 The shortfalls of the proposal against Local Plan requirements are detailed in the original officer report that can be viewed at Appendix 8a. The benefits of the scheme are also noted in this report. A pragmatic approach is required.

6.3 The site is allocated in the Local Plan as a strategic housing site. It is accepted that a scheme meeting all Local Plan and NPPF requirements (in particular, tree lined streets) would require a reduction in unit numbers to such a degree that it would not be financially viable. The details of construction access are considered to have been resolved. The remaining issue is therefor that of affordable housing provision.

6.4 Assuming that an agreement can be reached on the provision of four AR affordable houses, the officer recommendation is that Committee delegate the Head of Development Management to grant planning permission subject to the conditions listed at the end of the original report at Appendix 1. It is considered necessary for the decision to be delegated because it is likely that some amendments will be needed to the wording of conditions to accommodate changes to plans to show the affordable housing.

## **7.0 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:

- 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
  - Affordable housing provision
- The conditions listed at the end of Appendix 8a (wording amended as appropriate).