

**Officer Report**

<b>Application ref:</b>	22/0512
<b>Ward:</b>	Greenlands
<b>Application type:</b>	Full planning permission
<b>Location:</b>	
	Mexford House, Mexford Avenue, Blackpool, FY2 0UY
<b>Proposal:</b>	External alterations to include installation of new windows to various elevations, removal of existing entrance and demolition of existing out buildings and use as altered as 87 self-contained flats with associated parking, cycle store, access and landscaping.
<b>Recommendation:</b>	Approve
<b>Recommendation summary:</b>	The loss of office accommodation in this location would accord with the Council's strategies for strengthening the town centre and the employment offer and focus within the borough. It is considered that satisfactory elevation treatments, site layout and planting could be achieved. No issues relating to drainage, highway safety, biodiversity or environmental quality would result. The scheme would not provide sufficient public open space on site and planning obligations would not be met other than through a potential future overage arrangement. In addition, the flats would not meet minimum floorspace standards. These considerations weigh heavily against the proposal. However, in this case they are deemed to be outweighed by the contribution of the scheme towards meeting the borough's housing needs and by the benefits of bringing this long-vacant and increasingly derelict site and building back into beneficial use.
<b>Meeting date:</b>	
	12 December 2023
<b>Reason for bringing to Committee:</b>	Significant proposal of general public interest
<b>Case officer:</b>	Susan Parker
<b>Case officer contact:</b>	01253 476228

**1.0 SITE DESCRIPTION**

1.1 The application relates to Mexford House which is a large, purpose-built office building formerly occupied by the Department for Work and Pensions. The site is bounded to the north and east by Unity High School and its grounds. Residential

properties bound the site to the south-east, south and west. The site is accessible from Warbreck Hill Road to the north via Warley Road, or from Devonshire Road to the west via any of four side streets including Warley Road. There is an existing circulation road around the site and large areas of car park. The site boundaries are generally well-vegetated with mature trees and there are a number of mature trees within the site.

- 1.2 The site is not allocated under planning policy. It falls within flood zone 1 and a landfill gas consultation area. Otherwise no specific designations or constraints have been identified.

## **2.0 DETAILS OF PROPOSAL**

- 2.1 The application seeks permission for external alterations and use of the premises as altered as 78 self-contained flats. Parking for 112 vehicles would be provided to include 13 accessibility spaces and 12 electric-vehicle charging points. Motor cycle parking for ten bikes, covered cycle parking and refuse stores are proposed. The existing circulation road along the eastern and northern boundaries of the site would be removed and this space used to provide landscaping and green infrastructure including a pedestrian walkway through the space. Access would remain as existing from Mexford Avenue.

- 2.2 The application has been supported by:

- Planning Statement
- Design and Access Statement
- Transport Statement
- Framework Drainage Strategy
- Sustainable Urban Drainage (SUDS) proforma
- Ecological Appraisal
- Arboricultural Impact Assessment
- Financial Viability Appraisal

## **3.0 RELEVANT PLANNING HISTORY**

- 3.1 19/0105 – prior approval granted for use of premises as 92 self-contained flats. This approval has now lapsed.

## **4.0 RELEVANT PLANNING POLICY/GUIDANCE/LEGISLATION**

### **4.1 National Planning Policy Framework**

- 4.1.1 The National Planning Policy Framework was updated in September 2023. 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 6 – Building a Strong, Competitive Economy
- 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**

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

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

4.3.1 Part 1 was adopted in 2016. It provides the strategic planning policy framework for the borough. The following policies are most relevant:

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

## **4.4 Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027**

4.4.1 Part 1 was adopted in 2016. It provides more detailed and site specific policies. Those of most relevance to this proposal are:

- DM5 Residential conversions and sub-divisions
- DM17 Design principles
- DM18 High speed broadband for new developments
- DM20 Extensions and alterations
- DM21 Landscaping
- DM25 Public Art
- DM31 Surface water management
- DM35 Biodiversity
- DM36 Controlling pollution and contamination

- DM41 Transport requirements for new development

#### **4.6 Other documents, guidance and legislation**

- 4.6.1 New Homes from Old Places Supplementary Planning Document – this document was adopted in March 2011 and sets out the Council’s minimum design and amenity standards for new homes created through conversion.
- 4.6.2 DCLG National Technical Housing Standards – this document was published in March 2015 and sets out the national minimum standards for new homes. This partially supersedes some of the standards in the Council’s New Homes from Old Places SPD guidance.
- 4.6.3 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.
- 4.6.4 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.
- 4.6.5 Greening Blackpool Supplementary Planning Document - this document was adopted in May 2022 and sets out the green infrastructure and tree planting requirements for new development.
- 4.6.6 Blackpool Council declared a Climate Change Emergency in June 2019 and is committed to ensuring that approaches to planning decision-making are in line with a shift to zero carbon by 2030.
- 4.6.7 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.
- 4.6.8 Blackpool adopted the 2021-2031 Tree Strategy in July 2021. This strategy recognises the importance of trees, the benefits they afford us and the ever-important role they can play in improving our community’s mental wellbeing, socio-economic value, providing a home for wildlife and mitigating environmental issues and climate change. Given that Blackpool only has 4.4% tree cover (the lowest in the UK), the

Strategy aims to embed trees into decision making processes across the council and ensure the current stock is proactively managed.

- 4.6.9 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 CONSULTATION RESPONSES**

### **5.1 Greater Manchester Ecology Unit (GMEU):**

- 5.1.1 Initial comments - the submitted ecological appraisal has been undertaken by an experienced consultancy. The survey considers the buildings to have moderate to low bat roosting potential. As such, further dusk/dawn surveys are recommended but do not appear to have been carried out. Bats are a protected species and so a full bat survey is required prior to determination. If bats are found on site, a licence would be required for any works. To obtain a licence it must be demonstrated that the works are in the public interest, there is no satisfactory alternative, and that the derogation would not be detrimental to the conservation status of the bats.

- 5.1.2 Final comments – the submitted survey has found no evidence of roosting bats. However, as bats are highly mobile, an appropriate advice note is recommended to be attached to any planning permission. The site has the potential to be used by nesting birds. A condition should therefore be imposed to prevent vegetation clearance or building demolition during nesting season unless the absence of birds has been confirmed. A condition to secure the biodiversity enhancement measures set out in the submitted appraisal should also be imposed.

- 5.2 **Environmental Protection (environmental quality):** the standard condition requiring geo-technical information has been requested.

- 5.3 **Head of Highways and Traffic Management Services:** traffic generation would be around 50 vehicles in one direction and 25 in the other in a peak hour. This would not have a severe effect on the highway network. In terms of residential amenity, it would be less intrusive than would have been expected from the former office use. Parking provision would accord with standards for each type of parking space requirement. Pedestrians have a large space to cross with nothing aligned in their desire line. The position of the bin stores would appear to be inappropriate in terms of residential amenity and ease of access for both residents and bin crews. The cycle store and motorcycle parking would be remote from access cores 2 and 3. The pedestrian routes across the car park should be finished in contrasting paving and aligned with the pathways between cars. The radius at the south-east corner may be inadequate for a refuse vehicle and so a tracking plan is required. A lighting scheme should be detailed either prior to determination or through condition. A Construction Management Plan would need to be agreed with regard to flood-lighting, noise, dust, working hours, routing, HGV access hours and highway

condition. The nearest bus stops are on Devonshire Road not Warley Road as stated in the Transport Statement as the latter are no longer in use. The nearest bus stops should be upgraded at the applicant's expense. This is estimated at around £33,000.

- 5.4 **NHS Clinical Commissioning Group:** assuming average occupancy of 1.4 persons per 1-bed dwelling and 2.0 persons per two-bed unit, the scheme would generate likely occupancy of 160 people. Existing provision lacks capacity to meet this additional demand. As such a contribution of £36,519 towards the extension of St. Paul's Surgery and reconfiguration of Moor Park Health Centre is required. The site falls within the catchment of both surgeries. The payment should be made on the commencement of development. If this contribution cannot be secured, the Clinical Commissioning Group would object to the proposal.
- 5.5 **Lead Local Flood Authority:** the existing structure and surface water drainage would not be affected by the proposal. There may be some alterations to the foul system that would require approval from United Utilities. The proposed rainwater harvesting referenced in the Framework Design Strategy may produce a small reduction in run-off. No objection is raised.
- 5.6 **Local Education Authority:** as all of the units would be small dwellings of one or two bedrooms, the Local Education Authority does not anticipate significant pupil yield from the scheme. As such, no contribution is requested. Given the length of time since the initial response, this was confirmed in November 2023.
- 5.7 **Head of Parks and Greens:**
- 5.7.1 Initial - the layout shown looks crowded. The ratio is acceptable but it is unclear in some areas if shrubs or trees are shown. Ideally a full landscaping scheme should be provided. There are case studies where a significant number of trees have been planted in a car park. Less trees planted correctly could be most beneficial. Opportunities to introduce sustainable drainage options should be exploited if possible and it is noted that an updated ecological appraisal is required if works have not commenced by June 2023. All works adjacent to root protection areas should be subject to an Arboricultural Method Statement to be agreed through condition.
- 5.7.2 Follow up – initial assessment of the submitted landscaping plan reveals that the majority of the species proposed are very small growing trees. This would appear to be a wasted opportunity. In particular, the box planting within the courtyard looks able to host large growing trees, which would benefit a communal greenspace by creating a greater sense of place and usable space for the residents than topiary within a hardstanding. The tree species they have specified overall are not long-lived varieties and may be outlived by the existing trees meaning they would not provide good succession. The tree species proposed are not diverse enough and would not follow the rule of 10% any one Genus, 20% any one species and 30% any one Family; 50% of the tree species are within the Rosaceae family, there are only seven Genera specified for a total of 107 trees which is not very heterogeneous, and >20% of *Betula pendula* and *Sorbus aucuparia*, which are dominating the plan with over half the trees on site. Aside from ecological diversity, unhealthy or dying trees raise a

visual issue as they are unattractive and, if pest or disease were to become an issue, rows of the same species would be lost.

5.8 **Head of Strategic Asset and Estate Management:** no comments received in time for inclusion in this report.

5.9 **Residential Waste:** no comments received in time for inclusion in this report.

5.10 **Lancashire Fire and Rescue Service:** fire safety requirements are covered by the Building Regulations. There are minimum requirements relating to vehicular access and water provision. In this case, because the existing loop road along the northern and eastern boundaries has been removed at officer request, specific fire service comments have been sought. Access must be available to all points within each flat from within 45m of the pumping appliance. For buildings fitted within wet or dry fire mains, the pumping appliance must be able to get to within 18m of the main.

## 6.0 **REPRESENTATIONS**

6.1 Press notice published: 27/07/22

6.2 Site notice published: 21/07/22

6.3 Neighbours notified: 14/07/22

6.4 Although the scheme has been reduced from 87 to 78 flats, and the former ring-road around the building has been removed and replaced with landscaping, it has not been considered necessary to re-publicise the application. This is because these changes reduce the intensity of the development and would not have any greater impact on the surrounding area or neighbouring properties.

6.5 One representation has been received from 67 Raymond Avenue raising the following issues:

- Increased noise
- Increased traffic
- Loss of access/access being blocked
- Disruption during construction
- The flats would overlook the property
- Unknown who would live in the flats

6.5 The identity or personal circumstances of future occupants of residential accommodation is not a planning consideration unless a material change of use occurs.

## **7.0 ASSESSMENT**

### **7.1 Principle**

- 7.1.1 The site is not identified on the Policies Map to the Local Plan as being safeguarded for any specific purpose, including as employment land. Mexford House has been vacant for some time and no longer offers the kind of high-quality, modern office space that businesses look for. In addition and in accordance with the Council's strategy, new office development on this kind of scale would be directed to the town centre or the Enterprise Zone.
- 7.1.2 The conversion of the building to residential accommodation would be an efficient use of land that would deliver environmental benefits in terms of minimising resource use in construction. This weighs notably in favour of the proposal.
- 7.1.3 Housing would be the most appropriate use in the context and would also deliver a more dispersed pattern of vehicle movements in comparison to an office use. This would reduce traffic and inconvenience to residents in the immediate area. This weighs notably in favour of the application.
- 7.1.4 The scheme would make a substantial contribution towards meeting the Council's identified housing needs and the site is identified as part of the current calculation of five-year housing land supply. This weighs strongly in favour of the proposal.
- 7.1.5 In light of the above, the loss of the office floorspace and the provision of residential accommodation is considered to be acceptable in principle.

### **7.2 Planning Obligations**

- 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. However, the National Planning Policy Framework and National Planning Practice Guidance detail a vacant building credit that should be applied to all proposals for residential development include either reuse or demolition and redevelopment of existing buildings. This credit is calculated on the basis of floorspace. As the existing building in its entirety would be re-used for residential accommodation, a 100% discount on affordable housing provision would apply. On this basis, no provision of or contributions towards affordable housing will be sought.
- 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.
- 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 160 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, St. Paul's Surgery and Moor Park Health Centre, to be reconfigured and expanded is needed. A contribution of £36,519 has been requested. Since this response was received, the scheme has changed in terms of unit number and housing mix. The scheme as now proposed would accommodate 152 people based on the Clinical Commissioning Group's figures. This is 95% of the original calculation. Reducing the previously requested commuted sum in proportion would give a figure of £34,693. Ordinarily this would be secured through a legal agreement but, in this case, the applicant has submitted a financial viability appraisal to demonstrate that this would make the scheme undeliverable. This will be discussed towards the end of this report.

7.2.4 Policies CS6 of Part 1 and DM21 of Part 2 require new housing developments to include provision of sufficient public open space to meet the needs of their residents. This should be provided on site wherever possible unless precluded by site constraints. The Greening Blackpool SPD sets out the requirements in terms of public open space. The development as proposed would generate a requirement of 5,472sqm of public open space or an equivalent financial contribution of £134,773.20 as set out below:

- 1-bed = average occupancy 1.2 persons = 48sqm / £1,182.24 = 288sqm or £7,093.44 for 6 units
- 2-bed = average occupancy 1.8 persons = 72sqm / £1,773.36 = 5,184sqm or £127,679.76 for 72 units

7.2.5 The submitted site layout plan shows that the existing vehicle access road along the eastern and northern boundaries of the site would be removed and this area converted into green space with a footpath running through it. This would arguably not constitute true public open space as it would be more akin to garden space or a landscaped setting for the development. However, the proposed pathway could encourage some use by the wider community, for example as a loop route for dog-walkers. This greenspace would amount to some 1,945sqm. This would fall short of the necessary provision by 3,527sqm. This would equate to a commuted sum contribution of £86,870. Such a sum in lieu of on-site provision would ordinarily be secured through a legal agreement but, in this case, the applicant has submitted a financial viability appraisal to demonstrate that this would make the scheme undeliverable. Again, this will be discussed towards the end of this report.

7.2.6 The Greening Blackpool Supplementary Planning Document also requires the provision of two trees per unit, and two trees for every one lost. Where this cannot be provided on site, a financial contribution towards off-site planting is required. The development of 78 units as proposed would generate a requirement for 156 trees. To facilitate development, 16 trees would be lost generating a requirement for 32 replacement trees. This would give an overall requirement of 188 new trees. The submitted layout plan states that 210 trees would be provided to meet this requirement. However, these are very tightly clustered and the majority are small-growing in order to maximise number. Following the reduction in unit numbers there is no requirement for this many trees to be provided. In terms of both visual and

biodiversity benefit, it would be preferable if a lesser number of viable trees were planted. In the absence of a finalised and agreed planting specification, it is not possible to calculate the level of financial contribution that might be required. Nevertheless, this would ordinarily be secured through a S106 legal agreement and, as above, the viability issues relating to this will be discussed later in this report.

### **7.3 Housing Mix**

- 7.3.1 The site is just over 1 hectare 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. The policy precludes flat development where this would further intensify an existing over-concentration of such accommodation.
- 7.3.2 Mexford House falls within a very traditional residential area that is dominated by family housing. Just 7.6% of accommodation takes the form of flats compared to national, regional and local averages of 22.2%, 15.8% and 21.2%. The site presents a large, existing building which would not lend itself to subdivision as anything other than flats. On this basis, the provision of entirely flat accommodation is acceptable.
- 7.3.3 The proposal does not accord with the housing mix requirements of Policy CS13. However, this is not a typical large housing site where a developer might have the benefit of a blank canvas on which to design a policy-compliant scheme, and where the Council would usually expect provision of family homes in the form of a traditional estate.
- 7.3.4 The applicant has provided information to demonstrate that the provision of three-bedroom units would not be commercially viable. To support this they have cited the relatively modest cost of traditional, three-bedroom houses in the wider area and the relatively low demand for three-bedroom flats. In short they argue that any person seeking three-bed accommodation would be more likely to opt for the greater amount of indoor and outdoor space and privacy that would be offered by a house. This point is generally accepted.
- 7.3.5 The scheme originally submitted proposed 63 or 72% two-bed, no three-bed or larger units, and 24 or 28% one-bed flats. The one-bed flats proposed were intended for occupation by a single person as the units would not meet the minimum standards for two people co-habiting. This would have been contrary to the New Homes from Old Places SPD which has long sought to preclude the provision of single-person accommodation.
- 7.3.6 As a result and at officer request, the scheme has been amended to reduce overall unit numbers and improve housing mix. The proposal would now provide 78 units of which only 6 or 8% would be one-beds, and all of these would be intended for two-person occupation.
- 7.3.7 Whilst the housing mix now proposed is a significant improvement over the original submission, the majority of flats fail to meet the Council's floorspace standards and this will be discussed below. Nevertheless, given the constraints of the site and the

particular site context outlined above, the lack of three-bed + provision is not considered to weigh significantly against the proposal.

#### 7.4 Amenity Impact

7.4.1 The site falls within a residential area and so housing is considered to be the most appropriate land use for the site. There is no reason to suppose that occupation on a residential basis would lead to an unacceptable level of noise or disturbance. The existing building footprint would not change and, given the separation distances to the nearest existing properties, no unacceptable impacts on privacy would result. Equally there would be no increase in over-shadowing.

7.4.2 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 The relevant floorspace standards for residential conversions are set out under the Nationally Described Space Standards in terms of overall space and bedroom sizes, and the Council's New Homes from Old Places Supplementary Planning Document in terms of communal living spaces. A plan has been provided showing typical flat layouts for the development but, measuring the individual flats on the submitted floor plans, this is not particularly representative.

7.4.4 The following floorspace standards should be achieved (figures in sqm):

Flat type	Overall	Communal	Main bedroom	Second bedroom
One bed, two person	50.0	25.0	11.5	-
Two bed, three person	61.0	27.0	11.5	7.5

7.4.5 The measured floorspace areas are as follows (figures in sqm):

Flat nos	Overall	Communal	Main bedroom	Second bedroom
01 / 27 / 53	62.0	29.0	13.0	8.8
02 / 28 / 54	61.5	20.3	15.7	9.2
03 / 29 / 55	61.5	20.0	16.7	8.6
04 / 30 / 56	61.4	19.4	16.9	8.7
05 / 31 / 57	61.4	19.7	16.3	9.5
06 / 32 / 28	62.6	20.4	16.9	9.1
07 / 33 / 59	67.3	25.0	13.2	10.8
08 / 24 / 60	63.7	23.2	15.6	8.7
09 / 35 / 61	63.7	23.3	15.9	8.2
10 / 36 / 62	64.8	25.8	13.9	9.5
11 / 37 / 63	64.0	25.0	14.1	9.7
12 / 38 / 64	64.3	24.9	14.3	9.5

Flat nos	Overall	Communal	Main bedroom	Second bedroom
13 / 39 / 65	65.1	25.5	14.0	9.3
<b>14 / 40 / 66</b>	62.6	20.3	16.8	9.0
<b>15 / 41 / 67</b>	65.5	20.5	18.4	9.0
<b>16 / 42 / 68</b>	64.3	19.6	18.5	9.1
<b>17 / 43 / 69</b>	64.1	19.6	18.6	9.0
<b>18 / 44 / 70</b>	65.0	20.4	18.9	9.0
19 / 45 / 71	62.5	20.3	16.2	9.3
20 / 46 / 72	66.1	23.3	16.9	8.6
21 / 47 / 73	66.2	23.3	16.7	8.6
<b>22 / 48 / 74</b>	54.5	22.7	19.0	-
<b>23 / 49 / 75</b>	54.8	22.0	20.0	-
24 / 50 / 76	67.6	25.0	16.6	9.3
25 / 51 / 77	67.5	24.4	16.9	9.0
26 / 52 / 78	67.6	22.0	19.6	9.5

7.4.6 As can be seen from the table under 7.4.5, all but one of the 78 flats would fall short of the Council's minimum expected standards for conversion. All would adequately meet the national minimum standards, because these do not specify minimum room standards for lounge/kitchen/dining spaces. This does weigh significantly against the application. However, it should equally be noted that there is a parallel between the extent to which a main living area is below the Council's standard, and the extent to which the main bedroom is above the national standard.

7.4.7 The internal layout is governed to a significant extent by the existing form and design of the building. To minimise external alterations, the applicant has sought to retain the existing bands of glazing to avoid cutting into the blockwork and creating voids to be filled and matched. The existing rhythm of glazing bars dictates where internal walls can be positioned, hence some flats currently having main bedrooms nearly as large as the living spaces. A further constraint also comes from the need internally to provide a doorway to the bedroom from the hallway without unduly compromising the size or layout of the bathroom. Such constraints are inherent in conversion schemes. It would be possible for 21 of the flats, those highlighted in bold in the table under 7.4.5, to be reconfigured to either meet or get much closer to the Council's standards. This has been raised with the applicant's agent and amended plans will hopefully be submitted. A further report will be provided through the update note.

7.4.8 Otherwise, all habitable rooms would benefit from appropriate levels of daylight and outlook. The bathrooms would all lack natural light and ventilation. This is far from ideal but would appear to be unavoidable given the size and shape of the building. The building takes the form of a reversed F meaning that some windows to different flats would be set at a right-angle to one another at relatively short distance. This would affect six flats through some loss of privacy although any views would be at an angle. Planting would be used to keep residents away from the windows of the ground floor flats with the exception of flat 26 by entrance 3. A footpath would run past the windows to this flat and three accessibility parking spaces would face the

windows meaning that occupants could be negatively affected by headlight glare. Whilst this is unfortunate it is again unclear how it could be remedied without loss of parking. Overall these amenity impacts weigh somewhat against the application but must be judged against the inevitable constraints presented through conversion.

- 7.4.9 Three refuse stores would be provided to serve the development. The positioning of the stores to the north and south would not have an unacceptable impact on residential amenity, but the central one would have an undesirable impact on the outlook from flat 17 and should therefore be reconfigured. This could be agreed through condition. The stores would not fully comply with Building Control carry distances but, from a planning perspective, are considered to be sited in broadly the most practical locations and be sufficiently accessible for residents and the collection wagons.
- 7.4.10 The scheme proposes a courtyard area featuring planting and a water feature between the two arms of the 'F'. This would provide residents with an area of shared amenity space. Since first submission, the scheme has been amended to replace the vehicular access road around the eastern and northern sides of the building with a pathway and additional planting. This would provide further outdoor amenity space for residents.
- 7.4.11 Policy DM18 of Part 2 requires new developments to demonstrate provision of high-speed broadband. However, it is understood that this expectation now forms part of the Building Regulations, and so it is not considered appropriate to duplicate the requirements of other legislation through this application.

## **7.5 Visual Impact**

- 7.5.1 The existing building is a purpose-built office block which offers no residential character. The Council's design policies would expect appropriate external alterations to be made to establish appropriate character and visual interest.
- 7.5.2 As stated, the applicant is seeking to make minimal external alterations. The properties in the surrounding area are predominantly two-storey with traditional pitched and hipped roofs and wide, two-storey canted bays. To recreate features like this as part of the application would require significant rebuilding work which would undermine the environmental benefits of reusing the existing envelope. Were a new-flat block to be approved on this site, it is highly unlikely that it would reflect the appearance of the surrounding built form.
- 7.5.3 As existing, the building elevations have an entirely horizontal emphasis. Each main elevation is much longer than it is high, and the fenestration is set in three relatively narrow horizontal strips. To introduce some verticality and reference the architecture of the surrounding area, new cladding would be applied to create some vertical panels at intervals across the elevations. Some of these vertical cladding sections would punch up through the roof to create a feature and again break up the roofline. Overall these elements are considered to be sufficient to break up the horizontal massing of the building and introduce some visual interest.

- 7.5.4 At present the building as proposed would not be particularly legible with regard to access points. Two entrance points would benefit from curtain wall glazing above and would be well framed by vertical strips of cladding. However, these would open onto the internal courtyard and the public open space to the rear. Very little has been done to highlight the main access points into the building. Amended plans have been requested and further report on this matter will be provided through the update note. Materials could be adequately agreed through condition.
- 7.5.5 Since first submission, additional planting has been proposed within the car park to soften and break up its appearance. This is welcomed. A significant amount of new planting is proposed and this would serve to improve the overall appearance of the site. A more detailed assessment of green infrastructure matters is provided below. Details of boundary treatments and surfacing could be adequately secured through condition.
- 7.5.6 Policy DM25 of Part 2 expects new developments to support the cultural well-being of Blackpool through provision of public art. The supporting text to this policy states that a Supplementary Planning Document will be produced to provide additional advice. To date, no such Supplementary Planning Document is in place and so no public art provision or contribution has been sought.

## **7.6 Access, highway safety and parking (inc. active travel provision)**

- 7.6.1 The scheme has been considered by the Council's Head of Highways and Traffic Management Services. It is anticipated that the proposal would generate around 50 vehicle movements in one direction in the peak hour and 25 in the other. This would not have a severe impact on the highway network. As such, no concerns relating to highway capacity or function are raised.
- 7.6.2 With regard to the access, tracking plans are required to demonstrate that the geometry works. It may be that this area of the site needs to be reconfigured somewhat. Nevertheless, it is considered that safe and suitable access to the site could be achieved.
- 7.6.3 No objection is raised to the removal of the former vehicle circulation route around the building on highway grounds. Lancashire Fire and Rescue Service have been consulted on the proposal. It is understood that a fire appliance would have to be able to get within either 45m of every point within every flat or within 18m of a wet or dry fire main. The latter would be the easiest and most obvious solution. The applicant has confirmed that the existing building is served by wet risers and fire hoses. Further confirmation has been sought as to where these are positioned within the building to ensure the 18m limit can be met. However, it must be noted that safe and appropriate fire access is a requirement of the Building Regulations and therefore would not constitute a reason for refusal of planning permission.

- 7.6.4 The scheme would provide 78 flats comprising 6 one-bed units, and 72 two-bed units. The Council's parking provision requirements are set out under Appendix G1 of Part 2. These standards require average provision of 1.5 spaces per unit for flats with communal parking. In this case this would amount to 117 spaces. Accessibility and electric vehicle charging spaces should be provided at 10% apiece of the total (12 of each), and motorcycle parking should be provided at a rate of 1 per 25 parking spaces (5). As proposed, the scheme would provide 112 spaces although this may have to be reduced to 109 spaces to accommodation layout amendments as discussed below. This would represent a maximum shortfall of 7%. It must be noted that the standards are intended to be applied flexibly. Adequate levels of accessibility, motorcycle parking and electric vehicle charging would be provided.
- 7.6.5 The site is in a fairly accessible location within reasonable walking distance of a sizeable local centre, two primary schools and a secondary school. At present pedestrian access around the site is limited and there are large areas of car park that residents would need to cross to reach an access core. It has been requested that pedestrian routes across the car park are finished in a different surface to mark them out and that they align with desire points. This would require the removal of two spaces. A further space would need to be removed to improve access to the central bin store for the convenience of residents and bin crews and to enable the store to be moved further away from habitable room windows. Amended plans have been requested to show these changes. There do not appear to be any options to increase parking elsewhere on the site without losing landscaping or amenity space. It is recognised that the motorcycle parking would be some distance from the main entrance points, but this would be difficult to address without again losing landscaping. As such and on balance, the parking provision is considered to be acceptable.
- 7.6.6 In terms of sustainable travel, a Framework Travel Plan should have been submitted with the application. No plan has been provided but this could be secured through condition. As part of the scheme, the two nearest bus stops on Devonshire Road should be upgraded at the developer's expense. However, in this case, the applicant has submitted a financial viability appraisal to demonstrate that this would make the scheme undeliverable. As above, this will be discussed towards the end of this report. A cycle store is proposed. The number of spaces has yet to be clarified but it appears to be of substantial size sufficient to meet the needs of the development. Again it is some distance from the main entrance points but, again, this could not be rectified without loss of parking spaces, landscaping or amenity space. As such and on balance it is considered to be acceptable.

## **7.7 Drainage and flood risk**

- 7.7.1 The site falls within flood zone 1 but is over 1ha in area and so a site-specific flood risk assessment and framework drainage strategy has been submitted. This has been considered by the Council's drainage officer as Lead Local Flood Authority. As the site is previously developed, no change to the existing drainage systems is proposed. This is accepted. It is noted that there may be some requirement for existing foul

drainage arrangements to be reviewed, but this would be a matter for the developer to pursue with United Utilities.

7.7.2 Rainwater harvesting is recommended and this may produce a small reduction in run-off. Since first submission, the removal of the existing vehicle ring-road has been proposed and this would provide betterment through reduced surface run-off. It is considered that some water butts could be utilised to collect rainwater that could be used for site maintenance. This could be secured through condition.

7.7.3 Subject to the above, no flood risk or drainage issues are identified.

## **7.8 Landscape and Ecology**

7.8.1 The proposal and the information submitted has been considered by Greater Manchester Ecology Unit (GMEU). With regard to protected species, since first submission a survey has found no evidence of roosting bats. This has been carried out by a suitably qualified and experienced practitioner and is accepted. Nevertheless, as bats are highly mobile, an advice note is recommended to be attached to any permission granted. Similarly a condition would be required to prevent any demolition or vegetation clearance during the main bird nesting season unless the absence of nesting birds is demonstrated.

7.8.2 Policy DM35 of Part 2 expects developments to contribute to biodiversity net gain where opportunities exist, but there is no requirement for the scheme to achieve a 10% improvement. In this case the site will have a relatively low existing biodiversity value as it is dominated by the building and hard-surfacing with relatively little planting. Although some trees would be lost, a significant amount of new planting is proposed. This would significantly improve the biodiversity value of the site. Further ecological enhancement in the form of bat and bird boxes, bug habitat and small mammal/amphibian transit features could be secured through condition.

7.8.3 Policies CS6 and DM21 and the Council's Greening Blackpool Supplementary Planning Document stipulate the number of trees required by a development and give general guidance on landscaping. A detailed landscape plan has been submitted. The Council's Parks officer has raised a number of concerns with the planting proposed but it is nevertheless considered that an appropriate landscaping scheme could be agreed. It is noted that 188 trees would be required on site to accord with policy. However, it may be more appropriate for a lesser number of trees to be provided if this results in a better overall planting scheme in terms of aesthetics and biodiversity. On this basis, and given the known viability issues that will be discussed below, it is considered that any shortfall in tree numbers resulting from an otherwise acceptable landscaping scheme would not weigh notably against the application.

## **7.9 Environmental impact and Sustainability**

7.9.1 The application proposes redevelopment of an existing building through conversion. The area is not identified as having air quality issues and any difference in traffic generation would be unlikely to impact unacceptably on air quality.



- 7.9.2 Water quality would normally be safeguarded through agreement of a drainage strategy and Construction Management Plan. As the existing drainage systems would be used, no new drainage strategy is needed. A basic Construction Management Plan would be required through condition. On balance, given the nature of the development, no impacts on water quality are anticipated.
- 7.9.3 The Council's Environmental Protection team has requested that the standard condition for desktop and potential site investigation and remediation be applied as the external works proposed would break ground. This condition would adequately address any land contamination issues.
- 7.9.4 Policy DM1 of Part 2 expects new housing schemes to incorporate sustainability measures. However, this policy relates to new-build developments and there is no such expectation for conversions. Nevertheless, there is a general expectation within both national and local policy that consideration be given to more sustainable forms of design. In this case the applicant has been asked to give consideration to the use of photovoltaic energy generation on the sizeable flat roof of the building. A sustainability statement has also been requested. Further report on these matters will be provided through the update note.

## **7.10 Financial Viability**

- 7.10.1 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.
- 7.10.2 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.
- 7.10.3 Extensive discussions have taken place between the viability consultants on both sides.

- 7.10.4 The applicant's initial financial viability assessment only considered build-to-rent delivery and did not provide cash flow information. Under their financial viability assessment a fixed land value of zero was input and this generated a profit margin that would ordinarily preclude development. No assessment of benchmark land value was provided. Overall Continuum advised that the financial viability assessment submitted was not compliant with National Planning Practice Guidance and Royal Institute of Chartered Surveyors guidance. Continuum undertook two assessments for build to rent and build for sale, and established a benchmark land value. Both the rental values and the build costs provided by the applicant were considered to be appropriate. Disagreement persisted over OPEX allowance, net initial yield levels and fees. Continuum concluded that full planning obligations of £350,000 (at the time of assessment) could be viable under either build to rent or build for sale scenarios.
- 7.10.5 Following the initial exchange, the applicant submitted a second report which was again assessed by Continuum. The applicant's rationale for not undertaking a fully National Planning Practice Guidance/Royal Institute of Chartered Surveyors compliant financial viability assessment was noted but not accepted as justification. With regard to potential sales values, Continuum identified that the second-hand-market acts differently to the new-build-market, particularly in Blackpool given the nature of the housing stock. Disagreement over potential sale values therefore continued. The disagreements over OPEX charges and net yields were not resolved but those relating to fees and benchmark land value were. If a 10% gross development value profit margin were applied, the applicant maintained that planning obligations could not be paid. Assessment was also made of the actual purchase price of the land which Continuum concluded could represent over-payment, and further information was requested. Overall, Continuum maintained that a build for sale scheme could support planning obligations.
- 7.10.6 In order to progress matters and seek a resolution, a meeting was held between all relevant parties. It was agreed that the applicant would provide a build for sale analysis and that an overage mechanism would be pursued through a S106 legal agreement.
- 7.10.7 An overage mechanism would enable the Council to recover planning obligations after development in the event that a scheme is more profitable than first anticipated. The appraisal would be based on an agreed sale or rental rate, and agreed build costs. If the scheme is sold to a build to rent or build for sale investor, or if three years elapse post completion, overage would be triggered. For build for sale, a cost inflation mechanism would be calculated based on the appraisal build cost rate plus an increase based on the BCIS All Tender Price Index. Overage would then be any value over the sale rate hurdle. For a build to rent scheme we would need to know operating costs, occupancy levels and rental rates, all evidenced by signed accounts. The only potential area of disagreement would be yield.
- 7.10.8 The discussions above were based on the original proposals for 87 flats of which 63 would be two-bedroom and 24 one-bedroom. Since then the scheme has changed notably to provide a lesser number of 78 units comprising 72 two-bedroom and only

6 one-bedroom flats. The applicant has obviously considered this amendment to be financially viable, presumably because the quality of the flats proposed has increased meaning they would achieve higher values/rentals.

7.10.9 Planning obligations now stand at £119,870. This comprises £86,870 for public open space provision and £33,000 for bus stop upgrades. Given the potential to accommodate all necessary trees on site, no obligation for off-site tree planting has been included. This is a significant reduction from the £350,000 originally identified which reflected the different housing mix and lack of tree-provision proposed on site. An updated financial viability assessment is expected from the applicant. It is assumed that this will demonstrate that a scheme fully compliant with the Council's floorspace standards would not be viable as this would require a further reduction in unit numbers. Continuum will review any submission on behalf of the Council.

### **7.11 Other considerations**

7.11.1 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).

7.11.2 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.

7.11.3 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.

### **7.12 Sustainability and planning balance appraisal**

7.12.1 Sustainability comprises economic, environmental and social components.

7.12.2 Economically the scheme would have a very limited impact but the creation of new residential units would help to support local shops and services and some employment would be generated during construction. The loss of office accommodation in this location would not conflict with the Council's strategies for strengthening the town centre and the employment offer and focus within the borough.

7.12.3 Environmentally, although the external works proposed to the building are relatively limited, it is considered that acceptable elevation treatments could be achieved. The scheme would not impact unacceptably on environmental quality or biodiversity and

there is no requirement for 10% biodiversity net gain to be achieved. A significant amount of new planting would be provided on site and this weighs positively in the planning balance. There is no requirement under planning policy for green-building measures to be incorporated but the scheme would have to comply with relevant Building Regulations. No issues relating to drainage are anticipated and there is no reason to suppose that residents would be unduly reliant upon private car use.

7.12.4 Socially, the scheme make a notably contribution towards meeting the borough's housing needs and would bring a long vacant and increasingly derelict building and site back into beneficial use. This weighs very strongly in favour of the application. No unacceptable impacts upon flood risk or highway safety are anticipated, and parking provision would be broadly adequate. The housing mix, whilst not fully policy compliant, is considered to be justified in this case. The flats proposed would not meet minimum size standards and this weighs notably against the application. However it is anticipated that the applicant will be able to demonstrate that a fully compliant scheme would not be financially viable. In addition, the scheme would not make any contribution towards planning obligations prior to development or first occupation. This also weighs strongly against the application but is mitigated to an extent by the applicant's agreement to enter into an overage arrangement. This would enable planning obligations to be paid in the longer-term if they prove to be financially viable.

7.12.5 Overall and on balance, whilst there are notable issues with the scheme, the benefits of bringing the site back into beneficial use are considered to be over-riding given the length of time it has stood vacant. This is conditional on the awaited financial viability assessment demonstrating that a fully policy compliant scheme would not be viable. Subject to this the development proposed would be considered to constitute sustainable development. No other material planning considerations have been identified that would outweigh this view.

## **8.0 FINANCIAL CONSIDERATIONS**

8.1 The scheme would generate Council Tax revenue for the Council but this is not a material planning consideration and so no weight should be afforded to it.

## **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 This application would sufficiently support priority two by providing new housing on an appropriate site to an acceptable standard.

## **10.0 CONCLUSION AND RECOMMENDATION**

10.1 The development proposed is considered to constitute sustainable development. No other material planning considerations have been identified that would outweigh

this view. As such, Members are respectfully recommended to resolve to support the proposal and delegate the application for approval by the Head of Development Management subject to the following:

- The conditions listed below albeit with flexibility for the Head of Development Management to amend these conditions as appropriate if the relevant information to meet the requirements of the condition is submitted prior to determination. If any conditions need to be added or deleted as a result of the submission of additional information, this would be agreed by the Chair of Planning Committee
- Flexibility for the Head of Development Management to agree further improvements to the elevation treatments, internal layouts, positions of bin and bike stores and other equivalent details as appropriate.
- Signing of a S106 agreement to provide an overage mechanism to secure necessary planning obligations insofar as this is possible in the future.

10.2 If the awaited financial viability assessment does not satisfactorily demonstrate that a fully policy compliant scheme would not be financially unviable, the application will be referred to the Chair of Planning Committee to either be refused under delegated powers or brought back before Members.

10.3 List of conditions:

- 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:

FINAL PLAN LIST TO BE CONFIRMED

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.

- 4 Notwithstanding the definition of development as set out under Section 55 of the Town and Country Planning Act 1990 (as amended), no subdivision or amalgamation of the flat hereby units shall take place unless first submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to ensure no further deterioration in floorspace and amenity standards, parking provision and public open space provision, in accordance with the provisions of Policies CS7 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM5, DM36 and DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 5 The external materials to be used on the development hereby approved shall be as specified on drawing refs. 22/036 2004 Rev B and 22/036 2005 Rev B. Where external materials are not expressly specified on these plans, the materials to be used in any external alterations shall match those of the existing building in colour, size, texture and design. These requirements shall apply unless otherwise first submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any above ground construction

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 Notwithstanding the information submitted, details of 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.

- 7 Prior to the commencement of any external alterations to the building, the profile details of the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with these agreed details. For the purpose of this condition, the profile details shall show to the extent of recession or projection of windows, doors and other architectural features of the building.

Reason: In order to secure appropriate visual articulation and interest in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

8 Prior to the development hereby approved being first brought into use;

(a) 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, and

(b) the boundary treatments agreed pursuant to part (a) shall be provided in full and in full accordance with the 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.

9 (a) No flat hereby approved shall be occupied until all of the internal and external alterations shown on the approved plans have been carried out in full and in full accordance with the approved details, and

(b) The layout of the accommodation shall thereafter be retained as approved unless otherwise first submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the accommodation provides an adequate standard of residential amenity, and to improve the external appearance of the property and ensure that it has appropriate residential character in accordance with Policies CS7, CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, Policies DM5 and DM17 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027, and the Council's New Homes from Old Places Supplementary Planning Document 2011.

10 (a) Prior to the commencement of any works to the building hereby approved, and notwithstanding the information submitted, details of the refuse stores to include their position, height, materials and design shall be submitted to and agreed in writing by the Local Planning Authority.

(b) The refuse stores agreed pursuant to part (a) of this condition shall be provided in full accordance with the approved details before any of the flats hereby approved are first occupied, and shall thereafter be retained and maintained as such.

(c) No bins or refuse shall be stored outside of the refuse stores agreed through this condition.

Reason: In the interest of the appearance of the site and locality and to safeguard the amenities of nearby residents in accordance with Policy CS7 of the Blackpool Local

Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

- 11 The roof of the building shall not be used for any purpose other than for maintenance or as a means of escape in the event of an emergency.

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

- 12 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 nearby residents, to ensure highway safety, and to safeguard biodiversity in accordance with Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM17, DM21, DM36 and DM41 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

- 13 Prior to the commencement of development;

(a) a phase 1 geo-technical study into potential land contamination shall be submitted to and agreed in writing by the Local Planning Authority; and

(b) should the phase 1 report required by part (a) of this condition indicate a need for site investigation, a methodology for a phase 2 geo-technical site investigation into potential land contamination shall be submitted to and agreed in writing by the Local Planning Authority; and

(c) the phase 2 investigation approved pursuant to part (b) of this condition shall be carried out in full and the results of this investigation shall be submitted to and agreed in writing by the Local Planning Authority; and

(d) any scheme of remediation shown to be required by the investigation undertaken pursuant to part (c) shall be submitted to and agreed in writing by the Local Planning Authority; and

(e) the remediation agreed pursuant to part (d) 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.

- 14 No removal of or works to any hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation and structures for active birds' nests immediately before the vegetation is cleared or works commenced and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to 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 LQ6 of the Blackpool Local Plan 2001-2016.

- 15 (a) Prior to the commencement of any development on site, an Arboricultural Method Statement and 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, the protection plan shall include but not be limited to the following:

- (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.

- 16 (a) Notwithstanding the information provided and 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 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.

17 (a) Prior to the commencement of any internal works to create the flats hereby approved, an Estate Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall:

- Identify the third parties responsible for management (e.g. Site Management Company)
- Set out arrangements to secure implementation of the Estate Management Plan in perpetuity
- Include schedules for site review and routine maintenance work
- Set out arrangements by which issues can be reported and actioned

(b) The Estate Management Plan hereby approved shall be implemented in full at all times that any of the homes hereby approved are occupied.

Reason: To ensure that landscaping features are properly protected and managed to secure their longevity and the visual appearance and biodiversity value of the site, 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.

18 A scheme for the Biodiversity Enhancement Measures, as set out in section 5.3 of the Preliminary Ecological Appraisal and Daytime Building Inspection by Ascerta dated July 2022 (ref: P.1657.22) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall thereafter be retained and maintained as such. As a minimum the scheme shall include provision of bat and bird boxes, habitat for small mammals such as hedgehog houses, provision

for small mammal and amphibian roaming, and habitat for insects such as 'bug hotels' or log piles.

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.

- 19 The development hereby approved shall proceed in full accordance with the recommendations set out in the ecological appraisal ref. PP-1657.22 dated 7th July 2022 and the Bat Nacturnal Surveys report ref. P.1657.22 dated 9th August 2023.

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.

- 20 Prior to the commencement of above ground development, a Sustainability Strategy shall be submitted to and agreed in writing by the Local Planning Authority. This strategy shall;

- specify energy efficiency measures to be used within the development
- specify renewable energy features to be used within the development
- specify measures to reduce water consumption by the development

The development shall thereafter proceed and be operated in full accordance with agreed the Sustainability Strategy.

Reason: In order to ensure that the development contributes to sustainability and supports the Council's wider objectives and commitments relating to environmental quality and climate change in accordance with Policy CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

- 21 Prior to the first occupation of any dwelling hereby approved, a scheme of rainwater harvesting and reuse to include the provision of water butts shall be submitted to and agreed in writing and implemented in full. These scheme shall then be operated at all times when any of the dwellings hereby approved are occupied.

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.

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

Reason: In order to ensure that adequate and accessible parking provision is available to meet the needs of the development in the interests of highway safety, and to encourage travel to and from the site by ultra-low and zero 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.

- 23 No dwelling hereby approved shall be occupied until the electric vehicle charging points shown on the approved plans have been provided. These charging points shall provide no less than 7kW charging power and shall thereafter be retained and maintained as such or better with no reduction in power output.

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.

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

(a) details of cycle storage provision to include the type of cycle stand and the form and materials of a waterproof cover and enclosure 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 condition shall be implemented in full and in full accordance with the approved details.

Reason: In order to encourage travel to and from the site 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.

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

(a) details of motorcycle storage provision to include the type of cycle stand and the form and materials of a waterproof cover and enclosure shall be submitted to and agreed in writing by the Local Planning Authority; and

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

Reason: In order to facilitate safe and convenient travel to and from the site in accordance with Policies CS5 and 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.

- 26 (a) The development hereby approved shall not be occupied until a travel plan has been submitted to and agreed in writing by the Local Planning Authority.

The travel Plan shall include:

- appointment of a travel co-ordinator
- proposals for surveying
- production of travel audits
- establishment of a working group
- an action plan
- timescales for implementation
- targets for implementation

(b) The development hereby approved shall then proceed and be operated in full accordance with the approved Travel Plan.

Reason: In order to encourage travel to and from the site by sustainable transport modes in accordance with Policy 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.

27 (a) Prior to the commencement of development a Highway and Carl Park Management Plan for the site shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall:

- Identify the parties responsible for management (e.g. Site Management Company)
- Set out a regime/timetable for inspections and regular repair or maintenance works including the maintenance of parking and other road markings
- Explain how issues can be reported, assessed and resolved

(b) 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.

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
  - (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.