
Officer Report to Committee

Application ref:	22/0749
Ward:	Ingthorpe
Application type:	Major - Full
Location:	
	Land at Hawking Place, Blackpool
Proposal:	Retention of an industrial building of three units, and erection of 2 industrial buildings to provide 5 units, all for use within Class E(g)(ii) and/or B8 with associated landscaping, parking, infrastructure and access from Hawking Place.
Recommendation:	Approve
Recommendation Summary:	<p>The development would provide employment during construction and once in operation in an area designated for such purpose. This would contribute to economic development and investment in the Borough. Environmentally, the design of the units is acceptable. The proposed development represents a cohesive scheme and one of a high quality design. The proposed development would generate a BNG net increase on site of circa 6% which weighs in favour of the proposal. Socially, the proposal does not raise any concerns regarding residential amenity. The scheme would not result in any adverse highway impacts or flood risk impacts.</p> <p>In light of the above and on balance, the scheme is considered to represent sustainable development and planning permission should be granted.</p>
Meeting date:	
	12 December 2023
Reason for bringing to Committee:	Following consultation with the Chair of the Planning Committee it is considered that the application is of significant public interest.
Case officer:	Rachael Evans
Case officer contact:	01253 476 320

1.0 SITE DESCRIPTION

1.1 The application relates to a parcel of land to the north-west of Hawking Place in Blackpool. The site forms part of a wider development site but this area has previously been wild scrubland covered by shrubs and grasses.

1.2 A public right of way runs along the rear of the site to the east with established hedgerow separating this from the application site. The land falls within the area of the Robins Lane Pond Cluster Biological Heritage Site and there are ponds within 500m to the north east.

1.3 The site falls within a designated Main Industrial/Business Area.

2.0 PROPOSAL

2.1 Retention of an existing building providing three industrial units. The existing building has been constructed under planning permission reference 20/0443 and will be referred to as phase 1 throughout this report.

2.2 Erection of two new buildings to provide five industrial units. One building of two units (to be referred to as phase 2) would be located to the south of phase 1 in the south-western corner of the site. The other building of three units (to be referred to as phase 3) would sit adjacent to the existing building on the northern boundary of the site.

2.3 Each unit would include mezzanine accommodation and staff welfare facilities. The schedule of accommodation would be as follows:

Unit 1	Phase 2	267sqm
Unit 2	Phase 2	267sqm
Unit 3	Phase 1	522sqm
Unit 4	Phase 1	388sqm
Unit 5	Phase 1	388sqm
Unit 6	Phase 3	410sqm
Unit 7	Phase 3	287sqm
Unit 8	Phase 3	287sqm

2.4 Access to and egress from the site would via Hawking Place with a single priority junction at end of the Hawking Place frontage (opposite phase 2). Within the site, 92 car parking spaces would be provided including 11 accessibility spaces. Electric vehicle charging provision would also be provided. Refuse , cycle storage, motorcycle parking and landscaping is also proposed.

2.2 The application has been supported by a variety of detailed drawings and reports which supplement the application which include:

- Transport Assessment
- Travel Plan
- Construction Management Plan
- (Building Research Establishment Environmental Assessment Method) BREEM Statement
- Lighting Details

- Noise Assessment
- Ecological Appraisal
- BNG Assessment
- FRA and Drainage Strategy

3.0 RELEVANT PLANNING HISTORY

- 3.1 20/0443 – planning permission granted for the erection of one industrial building comprising 3 units within Use Classes E (g) (light industry/offices), B2 (general industry) and B8 (warehousing) with associated access, car parking, servicing, landscaping, boundary treatment and refuse storage (phase 1 of this proposal). Initially this application proposed six units arranged in two terraces of three. One terrace was on the land the subject of the current application. However, this quantum of development would have triggered planning requirements in relation to BREEAM and SUDS so the applicant elected to reduce the scope of the proposal in order to avoid this obligation.
- 3.2 21/1056 – application to discharge conditions 3, 6, 7, 8, 9, 11, 12, 14, 15, 19, 20, 21 and 23 attached to planning permission ref. 20/0443. A split decision was issued in respect of this application. Conditions 3, 8, 14, 19, 21 and 22 were discharged. Conditions 7, 9, 11, 12, 15, 20 and 23 were not discharged.
- 3.3 The applicant elected to make a start on site prior to the discharge of any conditions. The building is substantially completed. As relevant conditions have not been discharged, the work undertaken to date does not benefit from planning permission.
- 3.4 22/0206 – planning permission refused for the erection of a building to provide two industrial units (phase 2 of this proposal). This proposal was refused because it would have precluded the full implementation of planning permission ref. 20/0443 including compliance with conditions that went to the heart of the permission. The scheme also proposed inadequate parking provision and ecological enhancement.

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 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 (Core Strategy)

4.3.1 Part 1 of the Local Plan was adopted in January 2016. The following policies are most relevant:

- CS3 Economic Development and Employment
- CS6 Green Infrastructure
- CS7 Quality of Design
- CS9 Water Management
- CS10 Sustainable Design and Low Carbon and Renewable Energy

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

4.4.1 Part 2 of the Local Plan was adopted in February 2023. The following policies are most relevant:

- DM7 Provision of employment land and existing employment sites
- DM17 Design principles
- DM18 High-speed broadband for new developments
- DM21 Landscaping
- DM31 Surface water management
- DM35 Biodiversity
- DM36 Controlling pollution and contamination
- DM41 Transport requirements for new development

4.5 Other Relevant documents, guidance and legislation

4.5.1 Blackpool Council declared a Climate Change Emergency in June 2019 and is committed to ensuring that approaches to planning decision are in line with a shift to zero carbon by 2030.

4.5.2 The Greening Blackpool Supplementary Planning Document was adopted in May 2023 and sets out the Council's expectations with regard to ecological enhancement and the provision of public open space, green infrastructure and trees.

4.5.3 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.

4.5.4 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.

- 4.5.5 The Environment Act 2021 makes provision for all planning permissions to be conditional on the provision of biodiversity net gain. Whilst there is, as yet, not requirement set out in statute, the Government's clear intention is a material planning consideration. The Council will therefore seek to secure biodiversity net gains where practicable in advance of this becoming a statutory requirement.

5.0 CONSULTEE RESPONSES

5.1 United Utilities

- 5.1.1 10/02/23 - The drainage information submitted has been reviewed. Whilst it is acceptable in principle there is insufficient detail on drainage design. As such a condition to agree details of a sustainable surface water drainage system is required. Appropriate wording is provided. The proposal includes a sustainable drainage system (SUDS) component that may be offered up for adoption by United Utilities. The applicant is recommended to contact United Utilities for further advice and any assets must meet relevant standards. The relevant Lead Local Flood Authority or the Environment Agency should be consulted in relation to discharge rates to a watercourse. A condition should be imposed to agree appropriate management and maintenance of the approved drainage system and suitable wording is provided.
- 5.1.2 The applicant must contact United Utilities before any works on site that could affect United Utilities assets. United Utilities will not permit building over or in close proximity to a water main, public sewer or other wastewater pipeline other than in exceptional circumstances. Not all public sewers are mapped and so the developer should proceed with caution. If a sewer is discovered, United Utilities should be consulted. United Utilities offers a mapping service for developers with regard to apparatus and assets. Any necessary diversions would be at the developer's expense and may not be approved, hence early consultation is recommended. All construction works close to United Utilities assets must comply with relevant standards. The developer would be liable for any damage to United Utilities assets. The applicant should contact United Utilities at the earliest opportunity if water and wastewater connections are required. Existing connections may need improvement and new provision may be required.
- 5.1.3 16/05/23 – these comments supersede previous comments. United Utilities objects to the proposal. Features appear to be located very close to a 1000mm combined sewer. This asset is not shown on sewer records and clarity over the ownership of this asset is required. A build over agreement may be unlikely to be accepted due to the size and importance of the asset, and diversion could be costly. The scheme as currently proposed may be undeliverable. Buildings should be sited an agreed distance from the centre line to avoid damage to the pipe, or to the building in the event of sewer failure.

- 5.1.4 As previously, there is insufficient detail of drainage design although the proposals are acceptable in principle. Any further details should resolve the issues identified above. An appropriate condition relating to drainage is proposed (*officer note: it is considered that the Council wording is more comprehensive and appropriate than that offered in the consultation response*). The proposal includes SUDS that would interact with the sewer network and could be offered for adoption by United Utilities. United Utilities guidance should be considered and early contact made. Rates of discharge to a watercourse must be agreed with the Environment Agency and/or Lead Local Flood Authority. No construction should commence until drainage details are agreed.
- 5.1.5 A condition with respect to drainage management is suggested. As assets are present on site, the developer must contact United Utilities prior to commencement. United Utilities will not allow building over or close to a water main, sewer or wastewater pipeline. Further information on United Utilities services and requirements, and contact details, is provided.
- 5.1.6 12/10/2023 – United Utilities comments supersede those of the 16/05/23. The applicant has provided further information regarding the close proximity to a 1000mm combined sewer to one of the proposed units. Planning Officers are satisfied with the position of the sewer in relation to the proposed unit, as illustrated in Proposed Drainage Layout drawing AC/HP/P2 and P3/001, Rev E, and dated 13.07.23. A condition requiring the drainage scheme to be implemented in accordance with the drawing as referenced is requested.
- 5.2 **Lead Local Flood Authority** – The drainage information is acceptable. A maintenance plan has been submitted. It appears that they are proposing crate style storage and flow control out to the watercourse for part of the site, and the rear part would drain into a pond that would then slowly fill a pump chamber to be pumped to the watercourse. The maintenance and running of the pump and crate storage system would be the developers responsibility. No issues are identified with the drainage information submitted.
- 5.3 **Local Highway Authority** – The Local Highway Authority have advised that an Agreement has been reached on the Highway Works that are currently being done through Highway Act agreements. In regard to the amount of car parking provision, electric vehicle charging, cycle and motor cycle parking, the Local Highway Authority raise no objection to the scheme.
- 5.4 **Greater Manchester Ecology Unit (GMEU)**
- 5.4.1 06/02/23 - The ecology information submitted is now becoming dated and only covers part of the site. Whilst some on-site mitigation is proposed it is not clear that this would adequately mitigate the loss of the habitats through site clearance.
- 5.4.2 The 2020 ecological report has been updated but the updates relate to the details of the proposal as opposed to any new ecological surveys. Current guidance states that ecological surveys over 18 months old require a review and those over 3 years old

require a full re-survey. The data in the report dates from summer 2020 and there is no commentary on the likelihood of changes. Furthermore, the report only covers the phase 2 area of the site. Google Earth images indicate that the whole site has been stripped of vegetation. The consultant should provide information on what was present based on their own survey and/or aerial photographs. Prior to determination, a full review of the great crested newt information should be provided as there is a likelihood of the nearby ponds having been colonised given the record of newts in the area.

- 5.4.3 The National Planning Policy Framework requires planning decisions to contribute to and enhance the natural and local environment. The site was semi-natural up to 2020 with incremental clearance occurring since that time. As such a biodiversity net gain assessment should be provided using the most up-to-date Department for Environment, Food and Rural Affairs (DEFRA) metric (version 3.1).
- 5.4.4 02/05/23 - The updated amphibian assessment concludes that one pond has been lost and the other show no change making it unlikely that Great Crested Newts will have colonised the pond adjacent to the site. This is accepted but, given the lack of a new survey, it would be appropriate to condition compliance with the Reasonable Avoidance Measures set out under section 7.2.1 of the report. The Robins Lane Pond Cluster BHS is now protected by a fence with aerial photography showing that vegetation along the boundary was retained. The risk of negative impact is therefore low subject to compliance with the boundary plan being conditioned. Suitable nesting bird habitat was largely absent from the site but an appropriate informative should nevertheless be provided as a precaution.
- 5.4.5 Section 174 of the National Planning Policy Framework expects developments to contribute to and enhance the natural environment. A metric has been provided indicating a loss of 0.97 biodiversity units and a shortfall of 1.4 units with regard to achieving 10% biodiversity net gain which is not yet mandatory. No detailed analysis of the metric has been undertaken but, given the site has been cleared meaning there is no way to check the baseline, it would appear reasonable.
- 5.4.6 Based on the landscaping plan it will be necessary to secure off-site compensation to achieve net gain. This could be on land owned by the developer or on third party or Council owned land. Elsewhere in Lancashire and Manchester contributions have averaged £15k per biodiversity unit. Prior to determination, further information on the provision of biodiversity net gain should be submitted.
- 5.4.7 (02.10.2023) Greater Manchester Ecology Unit: The revised landscape plans have clarified my outstanding issues, this providing information of where native trees will be planted and the location of bird and bat boxes. I am satisfied that the plan provides the potential for biodiversity net gain on the site.

There are however a few technical errors that ideally should be amended. These include:

- The key for the Ecological and Environmental Enhancements does not include all the trees. There is an oak (Que) a lime (Til), alder (Aln) and Poplar (Pop) and Pine (PIN) on the plan but not shown in the key;
- Within the key Rowan is shown as R whereas on the plan it is shown as (Sor). The key also has the wrong latin name. Rowan is Sorbus aucuparia not Viburnum opulus, which would be guelder rose;
- The key also includes holly (IA) and Hawthorn (C), which do not appear to be present on the plan.
- Finally they list Photonia (Red Robin) under native shrubs. This species is not native.

Therefore, in conclusion I support the layout plan but recommend the key is amended prior to conditioning as part of any permission, so as not to cause confusion for any landscape contractor that was implementing the plan.

A landscape management plan should also be conditioned to ensure the proposals are implemented and managed for 30 years in line with the requirements of the biodiversity net gain plan.

5.5 **Environmental Protection (Contamination)** – no land contamination information or investigation is required as the land is previously undeveloped.

5.6 **Environmental Protection (Amenity)** – initially advised that the noise assessment is now out-dated as it was carried out in 2020 during COVID restrictions. However, following a discussion with the noise consultant, it was accepted that the way in which the original assessment had been carried out meant that it was still valid. The Construction Management Plan and light information submitted are acceptable. Overall no objections raised.

5.7 **Head of Parks and Greens**

5.7.1 Initial comments: Although 37 trees are proposed, 705 are a single species with the remaining 30% also a single species. With regard to shrubs, 27 are specified again only spanning two species. Planting should reflect the 10-20-30 rule whereby populations consist of no more than 10% any one species, 20% of any one genus, and 30% of any one family. Landscaping plans should also include pit planting specification to BS 8545:2014.

5.7.2 Final comments: A few changes are required as the species are not wholly suited to the site, and the plans for Ecological enhancements and landscaping seem to contradict themselves.

AC/HP/P2 and 3EE/001 AC – environmental and ecological enhancements. The tree species listed on the Eco enhancement document differs from the landscaping plans, and the information must be corrected as it is inconsistent and may cause confusion. As follows (see the key below)

- Betula pendula is stated as SBT and BB in the landscaping key.

- *Viburnum opulus* (Guelder rose - 'not a Rowan' as stated) is a shrub, not a tree. Do they mean Rowan (*Sorbus aucuparia*)?

5.7.3 The use of young, newly planted trees as a 'post' for bird/bat boxes, as stated in this document, is not viable. A post/building or mature tree is an appropriate site to affix the boxes. The tree species listed in AO22/041/BR/08 bedding should be altered as below for species with more wildlife benefits/site suitability.

- *Betula pendula* - exchange for *Betula pubescens* as more tolerant of site conditions.
- *Aesculus hippocastanum* - exchange for Sessile oak (*Quercus petraea*) due to site conditions and increase in chestnut bleeding canker (*Pseudomonas syringae* pv)
- *Sorbus aucuparia* – ok
- *Prunus kanzan* - exchange for bird cherry (*Prunus padus*), which prefers wet sites.
- *Acer pseudoplatanus* - Exchange for Scots pine (*Pinus sylvestris*) to include evergreen/coniferous trees on site and for improvement of borough-wide diversity (currently 40% *Acer* with the majority being *pseudoplatanus* 'Sycamore')
- *Corylus avellana* - exchange for Silver lime (*Tilia tomentosa*) as hazel '*Corylus*' is less tolerant to wet sites
- *Betula pendula* 'purpurea' - Exchange for Aspen (*Populus tremula*)
- *Laburnum anagyroides* - exchange for Grey alder (*Alnus incana*) shows some phytophthora resistance and is more suitable for site
- *Salix chrysocoma* - OK

5.7.4 Planting specifications should include.

- Twin stake (for standard/heavy standard trees) with hessian ties, not rubber.
- Maintenance - removal of stakes and ties after two years

5.8 **Commercial Waste** – no response received to date.

6.0 **REPRESENTATIONS**

6.1 Press notice published: 25/01/2023

6.2 Site notice published: 26/01/2023

6.3 Neighbours notified: 18/01/2023

6.4 Two representations have been received.

6.5 One representation from a local resident at 18 Irvine Close, Blackpool, has raised the following issues:

- Loss of greenspace

- Impact on wildlife and habitat
- Impact on the public right of way
- Impact on trees
- Impact on the Conservation Area
- Increase in traffic
- Impact on highway function and safety
- Increase in noise and disturbance

6.6 The second representation, from Royal Mail located on Hawking Place, has raised the following issues:

- Royal Mail is the only company with a statutory duty to collect and deliver mail at a geographically uniform price across all of the UK. Its services are regulated by OFCOM.
- The Blackpool Delivery Office (adjacent to the application site) serves 107,000 addresses and employs 265 people.
- The site operates seven days a week with peak periods between 6.45am and 3.00pm.
- There is concern that the proposed development could compromise the existing Royal Mail operation.
- Works have already been carried out without planning permission or consent from the Local Highway Authority. Appropriate enforcement action should be considered.
- It is noted that the Council's Highways Officer has raised objection to elements of the proposal.
- Potential impact upon highway safety.
- To avoid disruption to Royal Mail, no construction vehicles should be parked on Hawking Place, and the standard of this road must be maintained.
- The applicant has not approached Royal Mail to discuss construction as set out in the submitted Construction Management Plan, despite works having started.
- The Construction Management Plan should include details of parking for construction staff, this should not be on Hawking Place.
- Potential damage to vehicles from debris pulled onto the highway

6.7 The site is not in a Conservation Area and would not affect the setting of any Conservation Areas. The other issues will be addressed in the assessment section of this report.

7.0 ASSESSMENT

7.1 Principle

7.1.1 Industrial/business development on this site is acceptable in principle in accordance with Policy CS3 of Part 1 and Policy DM7 of Part 2.

7.1.2 This current application includes the retention of the building approved under permission ref. 20/0443 which constitutes phase 1 of the total development. This is

because the development of phases 2 and 3 would preclude the full implementation of permission ref. 20/0443, including the provision of necessary landscaping and ecological enhancement. It is also appropriate that the development be assessed as a whole to avoid an artificial subdivision of the scheme simply to avoid planning obligations and expectations. Nevertheless, it is acknowledged that the phase 1 building has been constructed and that permission ref. 20/0443 has therefore been substantially implemented and remains extant. As such, a pragmatic approach is required to ensure optimal employment development on the site to best meet Local Plan objectives.

7.2 Amenity

- 7.2.1 The development proposed would sit some distance from the nearest residential property and so no impacts from over-looking or over-shadowing would result and the proposal. There would be no over-bearing impact upon neighbours.
- 7.2.3 A noise assessment has been submitted as part of the application and this has been considered and accepted by the Council's Environmental Protection Team. Given the separation distances involved and the nature of the units, it is unlikely that the use proposed would have any unacceptable impacts arising from odour or vibration.
- 7.2.4 Lighting information has been provided. This has been considered by Environmental Protection and is considered to be acceptable. The installations would be sufficient distance from sensitive receptors so as not to cause light pollution.
- 7.2.5 Adequate refuse storage would be provided to meet the needs of the development.
- 7.2.6 The submitted Construction Management Plan has been assessed by Environmental Protection and is considered acceptable to safeguard residential amenity.

7.3 Visual Impact

- 7.3.1 The design of the units would be functional and typical of the use and area. Glazing, roller shutter access points, signage and different materials are proposed to effectively break up the front elevations. The buildings would be well set-back from Hawking Place by the proposed access road and landscaping. They would be close to the boundary with the open land to the north but this is currently undeveloped and largely unused as there are no established footpaths through it. The nearest housing is some way distant.
- 7.3.2 The lighting fixtures and refuse stores proposed would be simplistic and functional in design but appropriate in the context. Along the northern and western site boundaries, 2.5m high black weld-mesh fencing has been installed. Given the surrounding backdrop a green coloured boundary treatment would have been more appropriate but the colour used is not considered to be sufficiently visually harmful as to justify removal and replacement of the fencing. Around the Hawking Place frontage and the parking spaces, a low timber knee rail is proposed. This is fairly typical of industrial settings and would be visually acceptable.

7.3.3 A public right of way runs to the west of the site and to the rear of the phase 2 building, but this would be screened from the development by hedgerow. This right of way moves through residential, open countryside and industrial areas and so has varied character. Whilst the rear elevation of the phase 2 building would be largely featureless, given the separation distance to the public right of way, the intervening vegetation, and its limited extent relative to the length of the public right of way, the building would not have an acceptable visual impact on users.

7.3.4 As such the development would have no unacceptable visual impacts.

7.4 Access, Highway Safety and Parking

7.4.1 The red edge of the application site provides direct connection to Hawking Place via a single priority junction. A swept path analysis has been carried out to demonstrate that there is sufficient space within the site for HGVs to enter, manoeuvre within the site and egress accordingly. No issues regarding highway safety have been raised.

7.4.2 The application proposes 2816sqm of E(g)/B2/B8 floorspace. It is proposed that the units use the parking and servicing area approved for phase 1. As such, the parking area and parking provision would be shared. Under the adopted parking standards of the Blackpool Local Part 2, at a worst case scenario, if all units were occupied as E(g), parking provision would be required at a ratio of 1:30. This would require provision of 94 parking spaces. However, as a mixed use scheme, it is unreasonable to calculate car parking provision on a worst case scenario as, should the units all be occupied as B8 Storage, the car parking provision would significantly reduce to a ratio of 1:200, resulting in a requirement for 15 car parking spaces. The proposed scheme would provide 92 car spaces which is considered an acceptable amount of car parking provision for the proposed scheme. Further, as part of the proposals, 7 dual Ev charging points are proposed as well as a single charging point. The installation of the EV charging points can be secured by condition.

7.4.3 As part of the proposals, drawing A022/041.BR/01 Rev C shows that covered cycle storage is proposed for no.10 cycle spaces. Motorcycle provision for the parking of no. 5 motorcycles is also proposed. The amount of cycle and motor cycle provision within the site is acceptable.

7.5 Drainage

7.5.1 The application site falls within flood zone 1 meaning that there is no requirement for the applicant to demonstrate compliance with the sequential or exceptions tests. However, the site exceeds 1ha in area and so a site-specific flood risk assessment has been provided along with a suite of information relating to drainage design and maintenance. This information has been considered by United Utilities and the Council as Lead Local Flood Authority.

7.5.2 United Utilities initially objected to the proposal on the basis that one of the buildings would be in very close proximity to a sewer. They have stressed that

building over the sewer is unlikely to be permitted and that diversion could be costly. This has been raised with the applicant but is a matter for private resolution between the two parties. It does not justify refusal of planning permission.

- 7.5.3 With regard to the drainage system proposed, both national and local policy and guidance emphasises the need to employ sustainable drainage options where possible to help manage flood risk and climate change and improve biodiversity and environmental quality. The system proposed is a hybrid system whereby crate storage would be used to hold water for part of the site with flow rate to an existing watercourse controlled. The remainder of the site would drain to a nearby pond and would make use of a pump chamber to again pump overflow into the watercourse. The maintenance plan notes that the maintenance and running of the pump and crate storage system would be the developers responsibility.
- 7.5.4 The Council's Drainage Officer, responding as Lead Local Flood Authority, has confirmed that the drainage information submitted is acceptable and that no further information is required. During the determination of the application, a revised drainage scheme was submitted and United Utilities was re-consulted on the drainage proposals. United Utilities now raise no objection to the proposal. The submitted document has been reviewed by the Council's drainage officer and is considered to be acceptable.
- 7.5.5 As such, subject to the development proceeding in full accordance with the submitted information, which can be secured through condition, no unacceptable flood risk or drainage impacts are anticipated.

7.6 Ecological Impact and Landscaping

- 7.6.1 The updated ecological information submitted notes that one pond has been lost and others show no change making it unlikely that Great Crested Newts will have colonised the area. As such, subject to compliance with the Reasonable Avoidance Measures and Ecological Protection Plan being secured through condition, no unacceptable impact upon protected species is anticipated.
- 7.6.2 Both local and national policy expects new developments to contribute to and enhance the national environment through biodiversity net gain. A metric has been provided indicating a loss of 0.97 biodiversity units and a shortfall of 1.4 units with regard to achieving 10% BNG which is not yet mandatory.
- 7.6.3 The ecological enhancement plan (ref: AC/HP/P2 and 3EE/001 Rev G) and soft landscaping plans (A022/041/BR/09 Rev A and A022/041/BR/07) are revised plans and show significant landscaping including, turfed areas, a wildflower meadow mix and tree planting around the three proposed buildings and adjacent to Hawking Place. The proposed development will generate a biodiversity net gain of 6% on site. The Council do not have a minimum Policy requirement of 10% biodiversity net gain on site and, at this moment in time, the statutory 10% biodiversity net gain on site has not taken effect. To that end, there is no requirement for the applicant to pay a

financial contribution of £15,000 as suggested by the Greater Manchester Ecology Unit or provide off-site planting in lieu of a financial contribution.

7.7 Environmental Quality and Green Design

- 7.7.1 In terms of environmental quality, there is no reason to suppose that the development would impact unduly on air quality. Water quality would be adequately safeguarded through compliance by condition with the approved drainage and construction management plans. No information or investigation into potential land contamination is considered necessary as the land is previously undeveloped.
- 7.7.2 Policy CS10 requires all major-scale non-residential schemes to meet BREEAM rating 'very good'. In this case, the applicant initially applied for phases 1 and 2 of the currently proposed development, which would have exceeded 1,000sqm in floorspace and triggered this requirement for BREEAM compliance. To avoid this requirement, phase 2 was removed from the scheme bringing the floorspace sought under application ref. 20/0443 below 1,000sqm. This meant that officers could not reasonably require BREEAM compliance in respect of phase 1. This building has now been constructed.
- 7.7.3 This application covers all three phased buildings proposed because it would not have been possible for the applicant to fully implement permission ref. 20/0443 in accordance with the conditions imposed and pursue phases 2 and 3. The current proposal therefore exceeds 1,000sqm and so should achieve BREEAM 'very good'.
- 7.7.4 A statement has been submitted as part of the application in relation to BREEAM. It argues that BREEAM is most useful as a tool to secure environmentally-friendly design when the end-user is known. In this case the construction is simple and internal fit-out minimal requiring Main Trades only. BREEAM requires a Main Contractor to be in place and it is stated that this requirement would add around 20% to build costs with additional costs for extended built time. The cost of BREEAM assessment is also notable. It is asserted that the BREEAM requirement would render this development financially unviable.
- 7.7.5 To compensate for the lack of BREEAM, the following features are proposed: solar panels to each unit; use of LED lighting (external lights to be photocell controlled and internal lighting to be occupancy detection controlled); and use of water saving devices including auto shut-off taps and solenoid controls to turn-off water overnight. Electric vehicle charging provision and cycle storage is also proposed, but this cannot be considered to be a BREEAM design feature as these are fundamental requirements of planning policy.

7.8 Broadband

- 7.8.1 The applicant has provided evidence of early engagement with BT Openreach to demonstrate how they will provide future occupiers with potential for full fibre broadband connectivity.

7.9 Other Issues

- 7.9.1 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).
- 7.9.2 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.
- 7.9.3 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.

7.10 Sustainability and planning balance appraisal

- 7.10.1 Sustainability comprises economic, environmental and social components.
- 7.10.2 Economically, the development would provide employment during construction and operation in an area designated for this purpose. This weighs in favour of the proposal.
- 7.10.3 Environmentally, the design of the units is considered to be acceptable. The proposed development represents a cohesive scheme. The proposed development would generate a biodiversity net gain net increase on site of circa 6%. The scheme fails to achieve BREEAM 'very good' but does propose a range of other green measures.
- 7.10.4 Socially, the proposal does not raise any concerns regarding residential amenity. The scheme would not result in any adverse highway impacts or flood risk impacts.
- 7.10.5 In light of the above, given the site history and the challenges of achieving BREEAM 'very good' on a scheme like this, the proposal is considered to represent sustainable development. In terms of planning balance, the development proposed is considered to constitute sustainable development in terms of the environmental and social components. No other material planning considerations have been identified that would outweigh this view.

8.0 FINANCIAL CONSIDERATIONS

- 8.1 The application would not generate any financial obligations however, owing to the nature of the proposed development, the proposal is likely to generate a significant

number of employment opportunities in the Borough in addition to inward investment into the Borough once the units are occupied.

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 is a commercial development on land allocated for employment use. The proposed development would contribute to the local economy and is likely to generate a significant number of local employment opportunities. Thus, the proposal accords with the Council's two priorities.

10.0 CONCLUSION

10.1 As set out above, the scheme is considered to represent sustainable development and no other material planning considerations have been identified that would outweigh this assessment.

11.0 RECOMMENDATION

11.1 Approve subject to the following 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:

Location plan (drawing AC/HP/P2 and ELP/001 Rev C) recorded as received by the Council on 19th April 2023

Wider Site Plan - drawing AC/HP/P2 and 3SL/001 Rev D

Site Phasing Plan - drawing AC/HP/P2 and 3P/001 Rev A

Proposed site GA - drawing A022/041/BR/01 Rev C

Proposed external materials - drawing AC/HP/P2 and 3EX/001 Rev E

Proposed general layout including floor layout and elevations - drawing AC/HP/P2 and 3GL/001 Rev E

Proposed plans and elevations - drawing AC/HP/P2 and 3PE/001 Rev C

Ecology

Proposed bat and bird box locations - drawing AC/HP/P2 and 3BB/001 Rev A

Proposed ecological enhancements - drawing AC/HP/P2 and 3EE/001 Rev G

Landscaping

Proposed soft landscaping (sheet 1 of 2) - drawing A022/041/BR/06 Rev B
Proposed soft landscaping (sheet 2 of 2) - drawing A022/041/BR/07 Rev B
Proposed bedding - A022/041/BR/08 Rev A
Proposed hard landscaping - drawing A022/041/BR/05 Rev A
Tree Hedgerow Constraints and Arboricultural Tree Protection Plan - drawing AC/HP/P2 and 3/PLAN Rev E
Boundary Treatments - drawing AC/HP/P2 and 3/BT/001 Rev C

Highways

Build over detail - drawing A022/041/BR/10
Drainage tank section detail - drawing AC/HP/P2 and 3DT/001
Proposed drainage layout - drawing AC/HP/ P2 and 3D/001 Rev E
Proposed bike store, bin store, car park specification and knee rail - drawing A022/041/BR/09 Rev A
Renewable energy and EVC works layout - drawing AC/HP/P2 and 3RE/001 Rev C
Highway design - Section 278 - drawing A022/041/BR/04 Rev A
Highway design - Swept path analysis - drawing A022/041/BR/02 Rev A
Openreach connectorised fibre network dated 7/4/2022

Documents

Construction Management Plan version 4 dated September 2023
Drainage Strategy dated July 2023
FRA Rev A January 2021
Surface Water Management and Maintenance Plan dated September 2021
Transport Assessment and appendices, Amni Transportation dated 12.10.2022 received 19 October 2023
Travel Plan and appendices , Amni Transportation dated 27.2.2022 received 19 October 2023
Noise Assessment - (Sound Assessment, 4th September 2020)
Biodiversity Net Gain Rev 2 (Environtech, 09/05/2023)
Preliminary Ecological Appraisal (Envirotech, 05/04/2023)
Lighting (External Plan) - drawing ZG-DWG-0002251074-EX1-R01-191023
Lighting column details (Thorn, Isaro)
Lighting specification (Thorn Lighting)
Lighting calculations (dated 08.09.22)
BREEAM statement dated 21st October 2022

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 external materials to be used on the development hereby approved shall be as specified on drawing AC/HP/P2 and 3EX/001 Rev E 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.

4. The surfacing materials to be used in the development hereby approved shall be as specified on drawing A022/041/BR/05 Rev A 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.

5. The development hereby approved shall proceed in full accordance with the submitted Design Stage BREEAM assessment prepared by Alan Jones Chartered Surveyors and dated 21 October 2022 unless an alternative assessment is first submitted to and agreed in writing by the Local Planning Authority;

Reason: In order to maximise the environmental sustainability of the development and limit the potential impact of the proposal on climate change in accordance with the provisions of Policy CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. The construction of the development shall proceed in full accordance with the approved Construction Management Plan v4 dated September 2023.

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.

7. The development hereby approved shall 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.

8. Before the first occupation of Phase 1 hereby approved is first brought into use the cycle storage shown on plan ref. A022/041/BR/01 Rev C within that phase shall be provided and shall thereafter be retained and maintained as such. Prior to the first

occupation of any unit within Phase 3, the cycle storage as shown on drawing A022/041/BR/01 Rev C for that phase shall be provided and shall thereafter be retained and maintained as such.

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.

9. Prior to the buildings within each phase of development hereby approved being first brought into use, the parking provision shown on the approved plan(s) for that phase shall be provided and shall thereafter be retained as such.

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

10. Prior to the first occupation of any unit contained within each phase of development as shown on drawing AC/HP/P2 and 3P/001 Rev A, the EV charging provision as shown on drawing AC/HP/P2 and 3RE/001 Rev C within that phase shall be installed and retained in situ for the duration of the development hereby permitted.

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

11. The vehicular access hereby permitted shall be constructed in full accordance with the details as approved prior to the first occupation of any unit within phase 1.

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

12. Prior to the first occupation of each building within each phase as shown on the approved phasing plan (drawing AC/HP/P2 and 3P/001 Rev A), the landscaping scheme shown on drawings A022/041/BR/06 Rev B, A022/041/BR/07 and A022/041/BR/08 Rev A shall be implemented in full for that phase and in full accordance with the approved details. 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.

13. The development hereby approved shall proceed in full accordance with the recommendations set out in the ecological appraisal ref. Preliminary Ecological Appraisal recorded as received by the Council on 19th April 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.

14. Prior to the first occupation of the building within each phase as shown on the approved phasing plan (drawing AC/HP/P2 and 3P/001 Rev A), the ecological enhancement measures as shown on drawing AC/HP/P2 and 3EE/001 Rev G for that phase of development shall be implemented thereafter proceed in full accordance with this approved scheme.

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

15. The development shall proceed in full accordance with the approved tree and hedgerow protection plan (drawing AC/HP/P2 and 3/PLAN Rev E) and shall be erected prior to the commencement of development on Phase 2. The approved protective fencing 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. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Proposed Drainage Layout drawing AC/HP/P2 and P3/001, Rev E, dated 13.07.23. No surface water will be permitted to drain directly or indirectly into the public sewer. The drainage scheme for each phase of development shall be completed prior to the first use or

occupation of the building within that phase, in accordance with the approved details and retained thereafter for the lifetime of the development.

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

17. Prior to any installation on any building hereby permitted, details of any external plant or mechanical extraction units and/ or flues shall be submitted to and agreed in writing by the Local Planning Authority. Details shall include but not be limited to: positioning, appearance, materials and technical specification.

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.

18. Before the first occupation or first use of the buildings within Phase 2 and/or Phase 3 hereby approved the refuse storage shown on plan ref. AC/HP/P2 and 3P/001 Rev A and A022/041/BR/09 Rev A shall be provided and shall thereafter be retained and maintained as such.

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

19. The boundary treatments detailed on drawing AC/HP/P2 and 3/BT/001 Rev C for each phase of development as shown on the approved phasing plan (drawing AC/HP/P2 and 3P/001 Rev A) shall be provided in full and in full accordance with the approved details prior to the first occupation of any unit within that phase.

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.

20. Prior to the first occupation of the building within each phase of development as shown on the approved phasing plan (drawing AC/HP/P2 and 3P/001 Rev A), the lighting scheme hereby permitted for that phase of development shall be implemented in accordance with the approved external lighting plan.

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

21. The use of any individual unit hereby approved shall not be open to the public outside of the hours of:
- (a) 08:00 hours to 18:00hours between Monday to Saturday
 - (b) 10:00 hours to 16:00 hours on Sundays , Bank Holidays and any other Public Holiday.

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.

22. No deliveries shall be taken at, or dispatched from any unit within the development other than between the hours of 08:00 to 18:00 hours on Monday to Saturday and 09:00 to 14:00 on Sundays, Bank Holidays or Public Holidays.

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.

23. The development hereby approved shall proceed in full accordance with the broadband provision statement recorded as received by the Council on the 25th September 2023.

Reason: In order to ensure that the development is served by high-speed broadband in accordance with the provisions of Policy DM18 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) the individual units within each building hereby permitted shall be used within Classes E(g)(ii) and/or B8 of the Town and Country (Use Classes) Order (as amended) only and for no other purpose.

Reason: In accordance with Policy CS3 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies DM7of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027

25. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), Schedule 2, Part 7, Class H, no building shall be erected, nor shall any extension or alteration of the buildings hereby permitted and individuals units contained within, which are the subject of this permission shall be carried out without the written approval of the Local Planning Authority.

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 DM20 of the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies 2012-2027.