



September 2021

## Planning Statement

Demolition of existing outbuilding  
and extensions and alterations

at

Ashley Villa Nurseries

Jubilee Lane

Blackpool

FY4 5EP

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<b>Prepared By:</b>	Paige Linley	25/06/2021
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<b>Approved for issue:</b>		

## 1.0 INTRODUCTION

### Description of Development

1.1 The Leith Planning Group, the 'Agent', have been instructed by Mr and Mrs Kishmishian, the 'Applicant', to prepare and submit a Householder Application, for the demolition of the existing outbuilding and extensions and alterations of the property at Ashley Villa Nurseries, Jubilee Lane, Blackpool, FY4 5EP, hereafter referred to as the 'Site'.

1.2 The description of development is to read as follows:

*“Proposed single/two storey rear extension following demolition of existing two storey outbuilding.”*

### Planning Statement

1.3 The Leith Group have been instructed to prepare the supporting Planning Statement to accompany the application. This statement assesses the development proposal against national and local planning policies and sets out the justification for the grant of consent. The National Planning Policy Framework is addressed in detail at section 3, with the local planning policies considered at section 4. In short however, it can be confirmed that this statement sets out a clear justification for the extensions and alterations at Ashley Villa Nurseries, and how the scheme adheres to the provisions of the Development Plan.

### Application Documentation

1.4 This detailed planning application has been submitted with a number of plans and supporting reports, including:

- **Application Drawings** – location plan, block plan, existing and proposed floor plans, existing and proposed elevations prepared by NJT Design;
- **Forms** – the application is supported with the relevant applications forms and certificates, which have been completed by The Leith Planning Group;

- **Flood Risk Assessment** – Prepared by Three Counties Flood Risk Assessment;
- **Structural Survey** – Prepared by Peter A Hodson;
- **Ecological Survey** – Prepared by Pennine Ecological; and
- **Heritage Statement** – Prepared by Garry Miller Heritage Consultancy.

1.5 The application is supported with the relevant technical plans as set out by Blackpool Council within their validation checklist and pre-application advice, included at Appendix 3, to ensure a valid and robust application submission. In addition, we can confirm that the application has been carefully prepared by the development team to adhere to the provisions of the development plan, to respect the character and setting of the application site, and to overcome the previous reasons for refusal associated with the most recent application (which is addressed in detail within section 2).

### **Application Site**

1.6 The application site comprises a two-storey detached dwelling set within a large plot of land alongside an existing two storey outbuilding, previously in use as a barn. The existing outbuilding is now used for storage purposes, however, is swiftly falling into a state of disrepair.

1.7 The existing barn offers little benefit to the character of the street scene, neighbouring properties or the wider Marton Moss Conservation Area. The conversion of the existing building would not be possible and as such, it is proposed to demolish the existing barn to make way for the proposed extension.

### **Site Context**

1.8 The site is allocated within Blackpool's adopted Local Plan as falling within the Airport Safeguarding Consultation Area, Landfill Gas Consultation Area, the Marton Moss Conservation Area and the Marton Moss Strategic Site, as demonstrated on the policy map extract below. The application site also falls within Flood Zone 2 and as such, a Flood Risk Assessment has been submitted with the application to demonstrate there would be no flooding impacts on the site or the wider drainage network.



Figure 1: Blackpool Council adopted Policy Map Extract

## 2.0 PLANNING HISTORY

2.1 There are noted to have been a number of previous applications at Ashley Villa Nurseries and these are addressed in detail below:

**Application Reference:** 20/0271

**Description of Development:** Erection of a part single-storey part two-storey rear extension following demolition of two-storey outbuilding.

**Decision:** Refused

**Date of Decision:** 21<sup>st</sup> December 2020

**Application Reference:** 18/0586

**Description of Development:** External and internal alterations to barn and use as altered as a single private dwelling house.

**Decision:** Refused

**Date of Decision:** 14<sup>th</sup> November 2018

**Application Reference:** 15/0140

**Description of Development:** Erection of extension and alterations to existing barn and new windows and doors to form 2 private garages and use as altered as "granny annex".

**Decision:** Grant permission

**Date of Decision:** 18<sup>th</sup> May 2015

**Application Reference:** 14/0011

**Description of Development:** Erection of detached single storey building to rear to form two stables, tack room and store.

**Decision:** Grant permission

**Date of Decision:** 13<sup>th</sup> February 2014

**Application Reference:** 11/0200

**Description of Development:** Erection of private garages at rear of barn.

**Decision:** Grant permission

**Date of Decision:** 25<sup>th</sup> March 2011

**Application Reference:** 10/0946

**Description of Development:** Erection of single storey double garage to rear of barn.

**Decision:** Withdrawn

**Date of Decision:** 12<sup>th</sup> October 2010

**Application Reference:** 09/0854

**Description of Development:** Erection of two storey infill extension to form granny flat and erection of double garage with balcony over.

**Decision:** Withdrawn

**Date of Decision:** 3<sup>rd</sup> August 2009

2.2 This application is a resubmission of application reference: 20/0271 in which some small amendments have been proposed to overcome the previous reasons for refusal. The amendments to the scheme have been highlighted below.

- **Connecting Structure:** The proposals now seek to extend the residential house into the rear barn through a proposed connecting space which has been reduced in terms of width and height to read as a subservient connecting structure. As highlighted, the previous connection was not raised as an issue – however, as part of the reconfiguration of the property this connecting structure has been reduced in terms of footprint and function.
- **The Barn:** Whilst the rear barn would still be rebuilt under the current proposals, it now reads as being subservient to the existing house. The removal of the dormers from the previous refused proposal and the realigned ridge line ensure that the building would still read as a 'barn'. There is a flow of rooms through from the original house into the barn space that ensure that the building operates as an extension to the existing family home to meet the needs of the family. Internally the height space of the barn has been utilised to create a feature in the relocated living room and kitchen space, whilst also accommodating an additional master bedroom for Mr and Mrs. Kishmishian.

- **Single Home:** The plans demonstrate how the existing 'house' would be reconfigured to take advantage of the additional space created by the connection to and reuse of the barn footprint. This would enable the creation of a larger family home – with an additional master bedroom together with increased family space, home office, formal and informal spaces, home gym and additional utility space.

2.3 The proposals were put forward at a pre-application meeting (pre-application reference: 21/0444) with the Council in which the response was much more positive subject to some minor alterations to the scheme. The slight amendments have been made since the pre-application meeting and the additional documentation has been provided, as laid out. A copy of the formal written pre-application response is included at Appendix 3.



### **3.0 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

3.1 The National Planning Policy Framework (NPPF) was published in July 2021. The Framework sets out the Government's planning policies for England and how these are expected to be applied. We consider the following sections would be material to the determination of an application at this site (please note that the detailed wording of the sections/paragraphs detailed below can be found at Appendix 4):

- Section 11 – Paragraph 120 (Making effective use of land)
- Section 12 – Paragraph 126 (Achieving well-designed places)
- Section 14 – Paragraph 161 (Meeting the challenge of climate change, flooding and coastal change)
- Section 16 – Paragraph 194 and 195 (Conserving and enhancing the historic environment)

#### **Making effective use of land**

3.2 Paragraph 120 notes that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. The development subject of this application relates to the extension and alteration of an existing detached property on a large plot. The application site is in an area characterised by large homes in large gardens, and the redevelopment of the site as proposed will simply represent a more effective and efficient use of the site. In addition, it seeks to demolish a redundant farm building and use this floor area to provide additional living accommodation for the existing dwelling.

#### **Achieving well-designed places**

3.3 Paragraph 126 states the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

3.4 As can be noted from the application drawings, the development being proposed is reflective in appearance and materials of the existing property and remains of a scale

which is respectful of the existing property, existing outbuilding, plot, street scene and neighbouring properties.

### **Meeting the challenge of climate change, flooding and coastal change**

- 3.5 The site is located within Flood Zone 2 and as such a Flood Risk Assessment has been prepared and submitted demonstrating that the site would have low/negligible impact on flood risk. The proposals incorporate the demolition of an existing outbuilding and the rebuild of a marginally increased footprint. As such, the difference in permeable area between the existing and proposed is negligible and would not impact the flood risk for the site or surrounding area. The flood risk will not detrimentally impact on the future residential use of the extension, and this will be achieved by complying with the requirements of the Flood Risk Assessment.

### **Conserving and enhancing the historic environment**

- 3.6 As detailed at Section 1 the application site is within the Marton Moss Conservation Area and there is therefore a need to consider the impact the development may have on this area designation. In this instance the scheme is well designed, proposes materials which are in keeping with the character of the area and the existing dwelling, and commensurate in scale to the existing built development at the site. The benefits of the scheme in terms of the ability to live in the property once renovated to modern standards, and the visual improvements the scheme will create for the site and wider local area, far outweigh any potential harm. A Heritage Statement has been submitted with this application and sets out a detailed assessment of the impact of the proposed development on the surrounding area in its context as a heritage designation. The scheme has evolved from the previous application in line with comments received from the Council's Development Management and Conservation Officers and is considered an appropriate form for the Site.
- 3.7 As part of this application we are proposing demolition of the existing redundant barn/outbuilding within a Conservation Area. A Structural Survey supports the application to confirm that the building should be demolished, and a new structure rebuilt, opposed to converted.

### **NPPF Comment**

- 3.8 The development is considered to be well-designed, of an appropriate scale and use of materials, and will not result in any detrimental impacts to neighbouring amenity, the

character and appearance of the street scene or result in harm to the Conservation Area. The scheme as submitted is therefore deemed to adhere to and promote the provisions and requirements of the NPPF.

## **4.0 LOCAL DEVELOPMENT PLAN**

- 4.1 The Local Development Plan for Blackpool consists of Part 1, the Core Strategy (Adopted 2016). It is noted that Part 2, the Site Allocations and Development Management Policies document, has been submitted to the Secretary of State for examination, however, is not yet formally adopted.

### **Blackpool Local Plan Part 1: Core Strategy (Adopted January 2016)**

- 4.2 The following policies from the Local Plan Part 1 are considered to be most referable to this Application (the full policy wording can be found at Appendix 5):

#### **Policy CS7: Quality of Design**

- 4.3 The development proposed at Ashley Villa Nurseries achieves all of the objectives outlined within Policy CS7, and ensures the creation of a dwelling well suited to its plot, is respectful of the existing property and local area, and ensures that there are no detrimental impacts to neighbouring properties by way of overlooking, loss of privacy, loss of light, overbearing etc. The proposal reuses the footprint of an existing structure through the demolition and rebuild including a glazed link to reduce the massing of the scheme. The proposals are well-designed and are therefore considered to be wholly consistent with the requirements of Policy CS7.

#### **Policy CS8: Heritage**

- 4.4 The development now proposed at Ashley Villa Nurseries reflects the character of the Conservation Area. The main consideration is the demolition of the existing outbuilding/redundant barn and this has been assessed by a structural engineer to determine the structural integrity of the building. It is clear that the best option for the development of the site is the demolition of this building and replacement with a more appropriately constructed building but of a character and appearance comparable to the building proposed to be replaced. The proposed materials will respect the existing materials used for the host dwelling and in turn will respect the wider Marton Moss Conservation Area. As such, the scheme is considered to have no heritage impacts on the designated heritage asset. Further details on heritage consideration have been included within the supporting Heritage Statement.

### **Policy CS26: Marton Moss**

- 4.5 Whilst Policy CS26 states that extensions or replacement dwellings should not exceed 35% of the original ground floor footprint, it is noted that as the proposal incorporates the demolition of the existing outbuilding, it is considered that the development would be commensurate with the existing and as such, would accord with Policy CS26 in this respect. The scheme has been amended since the previous refusal to ensure that it reads as one family home opposed to two different living areas attached. The proposed extension would clearly assist in providing much needed additional family space, whilst also respecting the character of the plot, and wider area of Martin Moss.

### **Local Development Plan Comment**

- 4.6 For the reasons laid out above the development subject of this application is deemed to have addressed the previous reasons for refusal for the redevelopment of the site. Furthermore, the development is of an appropriate scale, height, form, mass, design and use of material to respect and reflect the character and appearance of the existing building and wider Marton Moss Conservation Area. The scheme will not result in any other impacts to the site and matters such as flood risk, biodiversity and heritage impacts have all been addressed through the technical documents supporting this application. We therefore kindly request that officers seek to support this application at Ashley Villa Nurseries, as per the comments received at pre-application stage.

## 5.0 PLANNING COMMENT – PRINCIPLE OF DEVELOPMENT

### Development Plan

- 5.1 **Section 70(2)** of the Town and Country Planning Act 1990 requires a local planning authority, in dealing with a planning application, to have regard to the provisions of the Development Plan, as far as material to the application, and to any other material considerations.
- 5.2 **Section 38(6)** of the Planning and Compulsory Purchase act 2004 refers to determinations to be made under the Planning Acts as follows:

*“If regard is to be had to the Development Plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.”*

- 5.3 **Plan-making:** The Supreme Court ruling clearly states “The principle that the decision-maker should have regard to the development plan so far as material and “any other material considerations” (paragraph 8) has been part of the planning law since the Town and Country Planning Act 1947. The additional weight given to the development plan by section 38(6) reproduces the effect of a provision first seen in the Planning and Compensation Act 1991 section 54A. In *City of Edinburgh Council v Secretary of State for Scotland* [1997] 1 WLR 1447, the equivalent provision (section 18A of the Town and Country Planning (Scotland) Act 1972) was described by Lord Hope (p 1450B) as designed to “enhance the status” (paragraph 8) of the development plan in the exercise of the planning authority’s judgment. Lord Clyde spoke of it as creating “a presumption” (paragraph 8) that the development plan is to govern the decision, subject to “material considerations” (paragraph 7), as for example where “a particular policy in the plan can be seen to be outdated and superseded by more recent guidance” (paragraph 8). However, the section had not touched the well-established distinction between the respective roles of the decision-maker and the court:

“It has introduced a requirement with which the decision-maker must comply, namely the recognition of the priority to be given to the development plan. It has thus introduced a potential ground on which the decision-maker could be faulted were he to fail to give effect to that

requirement. But beyond that it still leaves the assessment of the facts and the weighing of the considerations in the hands of the decision-maker ..." (p 1458) (paragraph 8)

- 5.4 **The interaction of law and policy:** The correct approach to the interpretation of a statutory development plan has been previously determined by the Supreme Court in *Tesco Stores Limited v Dundee City Council (2012)*. The judgement handed down ruled that "policy statements should be interpreted objectively in accordance with the language used, read as always in its proper context" (paragraph 22). This has led to concerns (expressed by counsel appearing in these proceedings) "about the over-legislation of the planning process, as illustrated by the proliferation of case law on paragraph 49 itself. This is particularly unfortunate for what was intended as a simplification of national policy guidance, designed for the lay reader". (Lord Carnwath, paragraph 23).
- 5.5 The Supreme Court made it clear that "it is important that the role of the court is not overstated" (paragraph 24). There was a specific development plan policy under consideration in *Tesco* and "some policies in the development plan may be expressed in much broader terms, and may not require, nor lend themselves to, the same level of legal analysis". (Lord Carnwath, paragraph 24). "It must be remembered that, whether in a development plan or in a non-statutory statement such as the NPPF, these are statements of policy, not statutory texts, and must be read in that light...Furthermore, the courts should respect the expertise of the specialist planning inspectors and start at least from the presumption that they will have understood the policy framework correctly" (paragraph 25) and the courts have "cautioned against undue intervention" (paragraph 25) in policy judgments within specialist tribunals' areas of competence. (Lord Carnwath, paragraph 25). Applicants for judicial review should "distinguish clearly between issues of interpretation of policy, appropriate for judicial analysis, and issues of judgement in the application of that policy." (Lord Carnwath, paragraph 26).

### **Comment**

- 5.6 As set out at Sections 3 and 4 of this report, the proposed development subject of this application is compliant with the policies contained within the adopted development plan, and there is therefore a legitimate expectation that consent should be granted.

## **6.0 OTHER MATERIAL CONSIDERATIONS**

- 6.1 In reviewing other material considerations it is necessary to have regard to the Supreme Court Judgement - Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant) before Lord Neuberger – 10<sup>th</sup> May 2017.

### **Other Material Considerations - Generally**

- 6.2 Section 70(2) of the 1990 Act deals with determination of applications: general considerations requires that the authority in dealing with the application shall have regard to the provisions of the development plan, so far as material to the application and to any other material considerations. Whether a consideration is material is a matter for the courts; the weight to be accorded to a material consideration is a matter for the decision-maker. There are a number of ‘other material considerations’ outlined below which would support the grant of consent.

### **Material Consideration – Reuse of Redundant Building**

- 6.3 As set out throughout this report the existing outbuilding is in a very poor state of repair and is not used other than for storage purposes by the Applicant. As such, the building is currently not being used to its full potential and this space could provide the existing dwelling with much needed additional space for the occupiers, without affecting the overall mass of the site. From a perspective of structural integrity, it is not feasible to convert the existing structure and as such it is proposed to be demolished and a new replacement structure which would be more energy efficient and sustainable would be developed.

### **Material Consideration – High Quality Design**

- 6.4 The scheme proposes a high specification design, extending the residential accommodation at the existing property in order to facilitate a suitably sized home for the applicant and their family which has regard to the character and design quality established within the wider area. The applicant has proposed a well-considered development which will significantly enhance the visual amenity of the site and the surrounding area.



## **Decision Making – Overall Advantage**

- 6.5 In addition to those matters relating to decision making, such as the development plan and sustainable development, there is inevitably a balancing exercise to be carried out; few decisions are free of such an approach. The phrase “overall-advantage” reflects this balance; at the end of the day the decision-maker must attach what weight he considers appropriate to the material consideration in question. The so-called “overall-advantage” is nothing more than the weighing of often disparate planning considerations so that it can be said that the advantages outweigh the disadvantages, or the reverse.
- 6.6 Section 70(2) of the 1990 Act deals with determination of applications: general considerations requires that the authority in dealing with the application shall have regard to the provisions of the development plan, so far as material to the application and to any other material considerations.
- 6.7 Whether a consideration is material is a matter for the courts; the weight to accorded to a material consideration is a matter for the decision-maker. However, in this instance collectively the other material considerations are overwhelmingly in favour of the development.

## 7.0 CONCLUSIONS

- 7.1 **Section 70(2)** of the Town and Country Planning Act 1990 requires a local planning authority, in dealing with a planning application, to have regard to the provisions of the Development Plan, as far as material to the application, and to any other material considerations.
- 7.2 **Section 38(6)** of the Planning and Compulsory Purchase Act 2004 refers to determinations to be made under the Planning Acts as follows:

*“If regard is to be had to the Development Plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.”*

- 7.3 As set out within Sections 3 and 4 of this submission, the proposed redevelopment of the site is deemed to be compliant with the provisions of the Development Plan. The application site consists of an existing dwelling with a redundant barn outbuilding that is underused and yet not in a suitable condition to feasibly convert. The barn represents a wasted resource in planning terms and its replacement with a sympathetically designed extension to the existing home will help to facilitate a suitably sized home for the applicant and their family which will be both sustainable and more energy efficient.
- 7.4 The proposed development will secure the provision of a well-considered, well-designed high-quality, residential extension in a suitable location, and will have no greater impact on neighbouring properties and the wider Conservation Area than the existing built development. The proposals may in fact enhance the character of the area by tying in the materials associated with the existing dwelling. Further, as detailed above, there are a number of other material considerations which also weigh in favour of the grant of consent.

## Appendix 1 Decision Notice

# Blackpool Council

Town and Country Planning Act 1990  
Town and Country Planning General Regulations 1992

### REFUSAL OF PLANNING PERMISSION

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#### PART 1 : PARTICULARS OF DEVELOPMENT

**PROPOSAL:** Erection of a part single-storey part two-storey rear extension following demolition of two-storey outbuilding.

**LOCATION:** ASHLEY VILLA NURSERIES, JUBILEE LANE, BLACKPOOL, FY4 5EP

**DATE OF APPLICATION:** 18/05/20

**APPLICATION NUMBER:** 20/0271

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#### PART 2 : PARTICULARS OF DECISION

Blackpool Borough Council as Local Planning Authority gives notice that PERMISSION HAS BEEN REFUSED for the development referred to in Part 1 for the following reasons :

- 1 The extension proposed would be disproportionate to the host dwelling by virtue of its size and the fact that it would provide a layout offering all of the facilities required for day-to-day living. The resultant property would not have a layout consistent with single-household occupation. As such the extension would not be ancillary to the existing property and would exceed the allowances of householder development. The proposal would therefore be contrary to Policies CS7 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.
- 2 ARTICLE 35 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 38):  
The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors which conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and the Blackpool Local Plan 2001-2016, which justify refusal

#### THE PLANS TO WHICH THIS DECISION RELATES

Location Plan received by the Council on 18/05/2020 and drawings;  
Proposed Floor Plans and Elevations - J743/2 A  
Existing and Proposed Site Plans - J743/4 A




Planning Division  
P.O. Box 17  
Corporation Street  
Blackpool, FY1 1LZ

Contact  
T: (01253) 476 206  
F: (01253) 476 201  
E: [planning@blackpool.gov.uk](mailto:planning@blackpool.gov.uk)

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DATE OF DECISION : 21/12/2020

Signed: 

HEAD OF DEVELOPMENT MANAGEMENT

Name and address of Applicant  
Mr Kishmashian

Ashley Villa Nurseries  
Jubilee Lane  
Blackpool

FY4 5EP

Name and address of Agent (if any):

Mr N Joyce  
ntjdesign  
11 SPEYSIDE  
BLACKPOOL

FY4 2BS

DEVELOPMENT MANAGEMENT PROCEDURE (ENGLAND) ORDER 2010

PART 2

TOWN AND COUNTRY PLANNING ACT 1990

**Notification to be sent to an applicant when a local planning authority refuse planning permission or grant it subject to conditions (*To be endorsed on notices of decision*)**

**Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision to refuse planning permission (or grant it subject to conditions) for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- Appeals must be made using the appropriate form, for this appeal you will need to complete the Householder Planning Appeal Form, which you can obtain from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.gov.uk/appeal-planning-inspectorate](http://www.gov.uk/appeal-planning-inspectorate). When you request the form you must state which form you require.
- The Secretary of State can allow a longer period for giving notice of an appeal, but they will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to them that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

**Purchase Notices**

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

## Appendix 2 Officer's Report

### Blackpool Council Development Management

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#### Delegated Report and Recommendation

**Application number:** 20/0271

**Expiry date:** 25/12/2020

**Address:** Ashley Villa Nurseries, Jubilee Lane, Blackpool, FY4 5EP

**Proposal:** Erection of a part single-storey part two-storey rear extension following demolition of two-storey outbuilding.

**Recommendation:** Refuse

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Neighbours notified: 26/05/2020

Site visited: 15/12/2020



#### 1.0 SITE DESCRIPTION

- 1.1 A two-storey detached dwelling on the north eastern side of Jubilee Lane. There is a part two-storey part single-storey outbuilding to the rear of the dwelling and the curtilage includes a large area of land to the rear and side of the buildings. The outbuilding has previously received a certificate of lawfulness for proposed use as a granny annex and two private garages, however it currently contains a gym to the rear and store room/barn in the two-storey element. The outbuilding includes non-original extensions, however the footprint of the main dwelling appears unaltered.

- 1.2 The property and those surrounding it on Marton Moss are characterised by the generous spacing between properties and the green open nature of the area. The property itself was one of the earlier nurseries established on Marton Moss.
- 1.3 The rear of the site is on the boundary between Blackpool and Fylde and the site falls within the Airport Safeguarding Consultation Area, Landfill Gas Consultation Area, and Flood Zone 2. The site also falls within the Countryside Area allocated by the Blackpool Local Plan (2006) and the Marton Moss Strategic Site as defined in the Blackpool Local Plan Part 1: Core Strategy (2012-2027). The site falls with the Marton Moss Conservation Area.

## **2.0 PROPOSAL**

- 2.1 Demolition of existing outbuilding and erection of a part two-storey part single-storey rear extension.
- 2.2 The proposed extension would occupy the same footprint as the existing outbuilding with an additional 5.8m wide single-storey element linking the main dwellinghouse and the extension together. As well as following the footprint of the existing outbuilding, the proposed extension would also mirror the height of the existing outbuilding. The two-storey element would be 4.8m high to the eaves and 7m high to the ridge of the gabled roofing, whilst the single storey section to the rear would be 2.8m high to the eaves and 4.1m high to the ridge. The main part of the extension would use brick and tiles to match the existing dwelling, whilst the linking section would be glazed. The siting of the windows in the rear single storey element of the proposed extension would duplicate those on the existing outbuilding. However, on the two storey element two sets of bi-folding doors would be installed in the south elevation at ground floor and two windows and a set of patio doors in the north elevation. Whilst the existing outbuilding has no first floor windows on the side elevations, the proposed extension would have small gabled roof projections to allow for the addition of three first floor windows on the north elevation and two on the south.
- 2.3 The extension would include a dining room in the glazed link. In the two-storey element an entrance hall from the driveway would give access to a kitchen with a room over it, a ground-floor lounge, and a bedroom and bathroom at first floor level. There are no doors proposed to access the additional space above the kitchen, however the room would have a dormer window. At ground floor there would also be a store, a gym/office, and a shower room which could only be accessed externally.

## **3.0 RELEVANT PLANNING HISTORY**

- 3.1 **18/0586** – External and internal alterations to barn and use as altered as a single private dwelling house – REF  
Dwelling not needed to support the use of the land for agricultural or horticultural purposes. The proposed dwelling would compromise the existing open and rural character created by the existing separation of open land between dwellings.  
The size and relationship of the proposed dwelling in relation to the existing house would materially reduce the open and rural character of the area.  
The creation of an additional dwelling in the area would not constitute sustainable development because of its inaccessible siting and detrimental impact on highway safety.
- 15/0140** – Erection of extension and alterations to existing barn and new windows and doors to form 2 private garages and use as altered as ‘granny annex’ (CLUP) – GTD

**14/0011** – Erection of detached single storey building to rear to form two stables, tack room and store - GTD

**11/0200** – Erection of private garages at rear of barn (CLUP) – GTD

**96/0185** – Erection of single storey side and rear extensions to the dwelling and garage extension to storage building – GTD

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

##### **4.1 National Planning Policy Framework (NPPF)**

4.1.1 The NPPF was adopted in February 2019. It sets out a presumption in favour of sustainable development. Section 12 on design and Section 16 on conserving an enhancing the historic environment are most relevant to this application.

##### **4.2 National Planning Practice Guidance (NPPG)**

4.2.1 The NPPG expands upon and offers clarity on the points of policy set out in the NPPF. For the purpose of this application the sections on design and historic environment are most relevant.

##### **4.3 Blackpool Local Plan**

4.3.1 The Core Strategy (Local Plan Part 1: 2012-2027) was adopted in 2016 with policies from the former local plan (2001-2016) saved for continued use in the absence of an adopted part 2. The following policies are most relevant:

- CS7 Quality of Design
- CS8 Heritage
- CS9 Water Management
- CS26 Marton Moss
  
- LQ1 Lifting the Quality of Design
- LQ10 Conservation Areas
- LQ14 Extensions and Alterations
- BH3 Residential and Visitor Amenity
- NE2 Countryside Areas
- NE3 Replacement Dwellings and Extensions in the Countryside
- AS1 Access, Parking and Highway Safety

##### **4.4 Other Documents**

4.4.1 Extending Your Home Supplementary Planning Document (SPD) – this document was adopted in 2007 and sets out the Council’s standards with regards to domestic extensions.

#### **5.0 CONSULTEE RESPONSES**

5.1 **Built Heritage** – The proposed two-storey extension would extend beyond the side elevation of the main dwelling and therefore the modern extension would dominate the original building in the townscape. Conversion of the existing outbuilding and a glass link connecting the two parts of the dwelling could be acceptable, however refusal is recommended for the current scheme.



The modern design of the extension would be out of keeping with the existing outbuilding and main dwelling – a modern glass link between the two buildings would be acceptable as the original design would still be legible.

Extending the building out to the side would be a problem particularly because it would alter the original footprint of the property and would harm the legible agricultural character and historic function of the building.

The application has been amended since the above comments were given.

**Blackpool Civic Trust** – The proposed development is incongruous for the conservation area and the scale is too large. The application does not align with planning guidelines for the area.

**Environmental Protection (Contaminated Land)** – No comment.

**Drainage** – The proposal would increase the impermeable area within the site, however this could be dealt with by means of SuDS. A scheme should be submitted with the application or conditioned.

**Highways** – Plans should indicate the proposed additional parking to accommodate the increased occupancy. Otherwise, there are no significant objections.

**Fylde Borough Council** – No specific observations in regards to the application.

**Blackpool International Airport** – No comments received.

**Marton Moss Neighbourhood Forum** – No comments received.

## **6.0 REPRESENTATIONS**

- 6.1 A representation has been received from Poplar Cottage in support of the application.

## **7.0 ASSESSMENT**

### **7.1 Principle**

- 7.1.1 In principle, householder extensions are expected to propose an ancillary addition to an existing dwelling. Whilst the proposed extension and alterations have been submitted under a householder application, the proposed work exceeds what would reasonably be considered an ancillary extension and involves the creation of what could reasonably be compared to an additional dwellinghouse. The extension as originally proposed included an additional kitchen, lounge, dining room, and family room, all of which are already incorporated into the existing dwelling. The scheme has since been amended to reduce the scale of the extension, however it would still provide all of the facilities required for day-to-day living in an arrangement which is or certainly could be entirely separate to the existing house. The layout of the main house has been amended to show two lounges and a playroom, which suggests that it would be dependent upon the kitchen in the proposed extension. However, the plan equally appears to show the retention of a kitchen area in the indicated playroom, which again suggests that it would afford all the requirements for day-to-day living independently from the extension. The proposed extension includes habitable space at first floor – whilst only one bedroom is annotated onto the plan, there is an additional room which is served by a window which is easily large enough to be considered another bedroom. As such, if the existing dwellinghouse were to be discounted, the proposed extension could reasonably function as an independent dwellinghouse and therefore is not considered ancillary to the existing dwellinghouse.

Therefore the proposed extension is not considered acceptable as a householder extension. Furthermore, the principle of an additional dwellinghouse on the site has previously been refused under planning application 18/0586 as it is contrary to Policy CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and the Marton Moss neighbourhood plan.

- 7.1.2 It is acknowledged that a Certificate was granted in 2015 for the proposed conversion of part of the existing outbuilding into a 'granny annex'. The conversion included a lounge, bedroom, bathroom, and a gym, suggesting that the principle of additional living space at the property is acceptable and a conversion of that scale would not be considered development. However, even disregarding any external alterations (including the demolition and rebuilding of the outbuilding), the proposed scheme is on a significantly larger scale, as it incorporates floorspace at first floor and to the rear which under the 2015 certificate would not have been habitable space. As such, whilst the conversion of part of the existing rear outbuilding to additional living space would be considered acceptable in principle, the scale of the proposal scheme significantly exceeds this.
- 7.1.3 Additionally, policy CS26 of the Local Plan seeks to prevent extensions to properties on Marton Moss that exceed the footprint of the original dwelling by more than 35%. The policy exists to safeguard the semi-rural character of the Moss which is typified by sporadic dwellings set within large plots. In this case, the original footprint of the dwelling was approximately 104sqm with additional outbuildings to the rear. The proposed scheme to demolish the existing outbuilding and erect an extension linked with the existing dwellinghouse would increase the footprint of the dwellinghouse to approximately 318sqm. This means that the proposed scheme would increase the footprint of the original dwellinghouse by 205% which exceeds the provisions of CS26 to an overwhelmingly significant extent. However, as there is already an existing outbuilding which occupies the footprint of the proposed extension, the only additional element which would potentially impact the open character of the site would be the proposed glass link which, due to its scale and siting, would cause minimal harm to the semi-rural character of the plot and the surrounding area.

## **7.2 Amenity**

- 7.2.1 Due to the distance between the properties on Jubilee Lane and the large plots of land surrounding them, the proposed extension would have minimal impact on the amenity of any neighbouring properties.

## **7.3 Visual Impact**

- 7.3.1 Policies regarding conservation areas and heritage focus heavily on the aim of retaining or enhancing the existing distinctive character of a given area. Development within conservation areas should be considered in conjunction with existing buildings and neighbouring properties. Jubilee Lane is characterised by a range of different property types and styles, including some newer replacement buildings, which is pointed out in the Heritage Statement submitted with the application. The council's Conservation Officer has indicated that this particular property is of heritage value due to its history as one of the original purpose built nurseries on Jubilee Lane. As such, and in accordance with policy LQ14 of the Blackpool Local Plan, the scheme should not be compared with past modern alterations and extensions of adjoining properties and should instead focus on the retention and enhancement of the character of the existing property on the site.
- 7.3.2 In response to officer concerns, the scheme has been altered since its original submission to reduce the footprint of the extension to mirror the existing outbuilding. The original scheme

extended the footprint of the outbuilding to the south significantly, making the scale of the rear appear overly dominant and disproportionate to the original dwellinghouse at the front of the site. Retaining the existing building line safeguards the open character of the site and ensures that the original historical dwellinghouse is not dominated by the mass of the outbuildings to the rear. The proposed single-storey glazed link would be mostly hidden behind the existing dwellinghouse. Though it would still be visible to some extent due to the open nature of the moss, the link is not considered to be overly dominant and due to its siting and scale would not subvert the historical and agricultural character of the property.

- 7.3.3 The design of the proposed extension would largely reflect that of the existing outbuilding, including the retained rooflines and proportionate windows and doors. The main addition would be the first floor windows, which themselves are lined up well with the fenestration at ground floor and incorporated into the roofing with small gables. The materials used would be brick and tile which would match the main dwellinghouse and as such would be in keeping with the character of the site and the conservation area.

#### **7.4 Access, Highway Safety and Parking**

- 7.4.1 The proposals would increase the number of bedrooms at the property and therefore traffic generation and parking demand may be affected. The proposed plans do not include any additional designated parking, however it is evident that there is ample space on site for this to be provided. The additional parking provisions should be included in the proposed plans.

#### **7.5 Other Issues**

- 7.5.1 The site falls within Flood Zone 3 and therefore ordinarily a Flood Risk Assessment would have been required. However, as it has been determined that the proposed scheme is not acceptable in principle, a FRA has not been requested as it would have been considered abortive work. The proposals would also increase the area of impermeable hard surfacing on the site, therefore the submission of a drainage scheme would have to be conditioned.
- 7.5.2 The proposal would not affect any features of particular ecological interest or trees of significant value. As such, no unacceptable biodiversity impacts are anticipated.
- 7.5.3 The proposal would not have any impact on air, land or water quality and there is no reason to suppose that the development would be at undue risk from contamination.
- 7.5.4 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).
- 7.5.5 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.

#### **7.6 Sustainability and planning balance appraisal**

- 7.6.1 Sustainability comprises economic, environmental and social components.

## Appendix 3 Pre-application Response

### Blackpool Council Development Management

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#### Pre-application advice report

Reference: 21/0444

Address: Ashley Villa Nurseries, Jubilee Lane, Blackpool, FY4 5EP

**Proposal:** Demolition of part of existing barn and rebuild to include glazed link and conversion of barn to form extension to the existing dwelling.

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Site photos from visit carried out 15/12/2020 as part of previous application

#### 1.0 SITE DESCRIPTION

- 1.1 The property is a two-storey detached dwellinghouse on the north eastern side of Jubilee Lane set within a large plot of land. There is a part two-storey part single-storey outbuilding to the rear of the dwelling; the outbuilding is an old barn now used for storage with a more recent extension to the rear which contains a home gym/office. The footprint of the main dwelling appears to be mostly unaltered from the original footprint of the dwelling except for the erection of a small single-storey extension to the rear to square off the footprint.
- 1.2 The property and those surrounding it on Marton Moss are characterised by generous spacing between dwellings and the green open nature of the area. The site itself was one of the earlier nurseries established on Marton Moss.
- 1.3 The rear of the site is on the boundary between Blackpool and Fylde and the site falls within the Airport Safeguarding Consultation Area, Landfill Gas Consultation Area, and Flood Zone 2. The site also falls within the Marton Moss Conservation Area and the Marton Moss Strategic Site as defined in the Blackpool Local Plan Part 1: Core Strategy (2012-2027).

## **2.0 PROPOSAL**

- 2.1 Demolition and re-building of the two-storey part of the existing outbuilding; the rebuilt building would remain within the same footprint of the existing building, though the height would be increased slightly, though would still not reach the height of the full two-storey dwelling. The height of the eaves would be increased by approximately 0.8m and the height of the apex would be increased by approximately 0.4m. Whilst this would result in a less steep roof pitch, the gabled roof design would be retained and would more closely reflect the appearance of the roofing on the single-storey rear extension. The rebuilt structure would have large bi-folding doors at ground floor on the northern elevation with smaller windows above just below the eaves and smaller windows at ground and first floor on the southern elevation. A single window would be installed on the gable end above the roof of the single-storey extension.
- 2.2 The interior layout of the new building would include a large kitchen and lounge at ground floor and a double bedroom with ensuite at first floor. The first floor would only occupy half of the footprint of the building; the space above the kitchen would be left open. The existing gym and store/office to the rear of the building would be retained, however whereas this space is currently only accessible externally there would be a door installed allowing access from the new lounge.
- 2.3 A single-storey orangery would be erected between the two building to link them together and create a large single dwelling. The existing layout of the main dwelling would also be altered to accommodate the kitchen moving into the new annex.

## **3.0 RELEVANT PLANNING HISTORY**

- 3.1 **20/0271** – Erection of a part single-storey part two-storey rear extension following demolition of two-storey outbuilding. – REF  
The development was considered disproportionate to the host dwelling and the layout and proposed use exceeded what could be reasonably considered ancillary to the existing dwellinghouse.
- 18/0586** – External and internal alterations to barn and use as altered as a single private dwellinghouse. – REF  
The principle of a new dwelling in this location was not considered acceptable and would conflict with the open and rural character of the area.
- 15/0140** – Erection of extension and alterations to existing barn and new windows and doors to form 2 private garages and use as altered as 'granny annex' (CLUP) – GTD  
It does not appear that this development was ever carried out in full; the rear extension was constructed but was not used for garages and the barn was not converted into an annex.
- 14/0011** – Erection of detached single storey building to rear to form two stables, tack room and store. – GTD
- 11/0200** – Erection of private garages at rear of barn (CLUP). – GTD  
Development does not appear to have been carried out.

**96/0185** – Erection of single storey side and rear extensions to dwelling and garage extension to storage building. – GTD  
Side extension not erected.

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

4.1 Your application will be considered against the provisions of the National Planning Policy Framework (NPPF) and the relevant policies of the Council's Core Strategy and saved Local Plan.

4.2 The following local policies are considered relevant to your proposal:

- CS7 Quality of Design
- CS8 Heritage
- CS9 Water Management
- CS26 Marton Moss
  
- LQ1 Lifting the Quality of Design
- LQ2 Site Context
- LQ10 Conservation Areas
- LQ14 Extensions and Alterations
- BH3 Residential and Visitor Amenity
- AS1 General Development Requirements (Access and Transport)
- AS7 Aerodrome Safeguarding

4.3 Extending Your Home Supplementary Planning Document (SPD) – this document was adopted in 2007 and sets out the Council's standards with regards to domestic extensions.

#### **5.0 ADVICE**

##### **5.1 Principle**

5.1.1 Previous applications for the conversion of the existing outbuilding into an annex have been refused on principle as the development exceeded what would reasonably be considered an ancillary extension and involved the creation of what could reasonably be compared to an additional dwellinghouse as the scale and nature was not proportionate to the existing dwelling. Whilst the proposed scheme would still make use of the same scale building to extend the existing dwellinghouse, the internal layout had been designed so that it would be more appropriately proportionate; this development would include the creation of an additional living room, the relocation of the kitchen and the conversion of the existing kitchen into a utility room, the creation of one additional bedroom with an ensuite, and a smaller linking structure. The layout has been designed to use the large space within the building in an advantageous way without unacceptably increasing the intensity of the use or density of the layout by creating a kitchen with a high ceiling and mezzanine landing. The linking structure would also be reduced in scale so that it would function primarily as a hallway rather than additional room. However, the proposed scheme would still result in a dwelling with two main living areas, two offices, and another recreational room, and unlike the previous proposal this scheme would also absorb the rear extension with a gym and office into the main dwelling by installing an internal door. Although the gym and offices have been labelled as such on the plans, there would be little control over whether these rooms could be used as

bedrooms and result in a seven bedroom dwelling whilst still retaining all of the rooms necessary for a typical household plus an additional living space and orangery. As such, in order to scale the development back down to what could reasonably be considered an ancillary extension, alterations should be made to rear section of the building.

- 5.1.2 Firstly, the rear section of the building should be kept separate from the main dwelling so that it can only be accessed externally as is currently the case. This would help to ensure that the rooms are indeed used as ancillary recreational rooms as opposed to habitable rooms that could easily be converted into bedrooms. Secondly, in various previous planning applications garages have been proposed and approved in place of this rear extension. Considering that there is already an office proposed at the front of the dwelling and that the scheme would be increasing the occupancy of the dwelling and as such would require additional parking provision it would be reasonable for the space at the rear of the dwelling currently proposed as another office to be converted into a garage.
- 5.1.3 Should these changes be implemented, it is considered that whilst the extension to the existing main dwelling would still be significant, it would be laid out and used in a way that could reasonably be considered ancillary to create a larger single dwelling and would be a practical and proportionate use of the space.
- 5.1.4 Policy CS26 of the local plan seeks to prevent extensions to properties on Marton Moss that exceed the footprint of the original dwelling by more than 35%. The policy exists to safeguard the semi-rural character of the Moss which is typified by sporadic dwellings set within large plots. In this case, the original footprint of the dwelling was approximately 89sqm with a single-storey rear extension granted in 1996 bringing the existing footprint up to 104sqm. The proposed development would link the existing outbuilding to the main dwelling, increasing the footprint of the single dwelling as a whole to 313sqm, meaning the footprint would be approximately 250% larger than the original footprint and 200% larger than the existing footprint. However, as there is already an existing outbuilding which occupied the footprint of the proposed extension, the only actual addition to the footprint of the existing buildings would be the proposed glass link which, due to its scale and siting would cause minimal harm to the semi-rural character of the area. Overall, whilst statistically the development would conflict with the limitations of Policy CS26, it is not felt that the proposal would undermine the character of the area or cause signification harm to the area of the nature which Policy CS26 seeks to prevent.
- 5.1.5 The site falls within the Marton Moss Conservation Area and therefore the demolition of a building must be justified and it must be demonstrated that the demolition would not have an unacceptable impact on the Conservation Area. As such, a condition report should be submitted with any application for permission for the demolition of the existing barn to demonstrate why it is necessary for the structure to be demolished and rebuilt along with a heritage statement.

## **5.2 Amenity**

- 5.2.1 Due to the distance between the properties on Jubilee Lane and the large plots of land surrounding them, the proposed extension would have minimal impact on the amenity of neighbouring properties.

### **5.3 Design and visual impact**

- 5.3.1 Though the scheme proposes to demolish and rebuild part of the existing barn, the differences between the existing building and proposed building would be minimal; the new building would be erected with the same footprint as the existing building and would have the same style of gabled roofing with no external additions except for new windows and doors which would be well aligned and spaced out. The pitch of the gable and the height of the eaves and apex would be raised slightly, however this would have a negligible impact on the overall appearance of the building and would align better with the existing single-storey rear extension in terms of roof shape.
- 5.3.2 The proposed single-storey glazed link would be mostly hidden behind the existing dwellinghouse. Though it would still be visible to some extent due to the open nature of the Moss, the link is not considered to be overly dominant and due to its siting and scale would not subvert the historical and agricultural character of the property. However, the link should be entirely glazed to retain the appearance of space between the two buildings. As currently proposed the solid roofing would appear as a prominent feature which would increase the appearance of the mass of the building.
- 5.3.3 Though no annotations have been included on the plans, it appears that the materials used (except for the glazed link) would match the existing materials used for the buildings. This is what would be expected of the development.

### **5.4 Other issues**

- 5.4.1 The scheme would increase the number of bedrooms at the property with the creation of an additional double bedroom and provision for additional recreational rooms which could potentially be converted into bedrooms with little control over their use. As such, traffic generation and parking demand would be expected to be affected, though no additional parking has been proposed. The property is set within a large plot of land where there would be ample space for parking, however as set out above there is opportunity to make practical use of excess internal space to the rear of the dwelling which could be utilised to create a garage.
- 5.4.2 The site falls within Flood Zone 2 and therefore a Flood Risk Assessment will be required.
- 5.4.3 As the existing barn is proposed to be demolished, an ecological survey would be required to ensure that no nesting birds or bats would be affected by the development. The scheme would not affect any trees or other features of green infrastructure.
- 5.4.4 The proposal would not have impact on air, land or water quality. However, the site is located within the landfill gas consultation area and therefore the Council's Environmental Protection team will be consulted on any application and further information such as a desk top study may be requested.

## **6.0 SUBMISSION REQUIREMENTS**

- 6.1 An application for planning permission would need to include the following as a minimum:
- Completed application for including ownership certificate and signed declaration
  - Fee



- Location plan
- Existing and proposed floor plans
- Existing and proposed elevations
- Flood risk assessment
- Heritage Statement
- Condition report to justify the demolition of the existing building
- Ecological survey

6.2 Please note that it would be preferable for existing and proposed plans to be submitted separately without the inclusion of dotted lines to indicate the existing structure on the proposed plans to make sure that the proposed layout as is as clear as possible. The plans should also include the height AOD.

## 7.0 OTHER

7.1 Any advice given by Council officers for pre-application enquiries represents their professional opinion, without the benefit of a site visit, and should not be taken as indicating any formal decision by the Council as local planning authority due to the democratic requirements of the application process. Any views or opinions expressed are given in good faith and, to the best of the officer's ability, without prejudice to the formal consideration of any planning application following statutory public consultation. Any subsequent alterations to local and national planning policies might affect the advice given and the subsequent formal consideration of the application, especially if some time elapses between the pre-application advice and the submission of an application. The weight that can be given to the pre-application advice will, therefore, diminish over time.

7.2 The details of any pre-application enquiry and responses given are treated in confidence as far as the law will allow. Please be aware that under the provisions of the Freedom of Information Act and the Environmental Information Regulations any information submitted as part of pre-application discussion cannot automatically be deemed to be in confidence as the Council may receive a request for information under these Acts. If such a request is received the Council will ask you to identify any information that you require not to be disclosed under these Regulations together with any supporting reasons. Please note, however, that the Council shall be responsible for deciding at its absolute discretion whether any information requested is exempt from disclosure under the Regulations.

Case officer: *Bethany Thornton*

Date: 04/06/2021

Agreed by: *S. Parver*

Date: 07/06/21

Head of Development Management

## Appendix 4 NPPF Sections

Section	
Section 11 – Paragraph 120	<p>Planning policies and decisions should:</p> <p>e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well- designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.</p>
Section 12 – Paragraph 126	<p>The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.</p>
Section 14 – Paragraph 161	<p>The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.</p>
Section 16 – Paragraph 194	<p>In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.</p>
Section 16 – Paragraph 195	<p>Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.</p>

## Appendix 5 Local Development Plan Policies

<b>Blackpool Local Plan Part 1: Core Strategy (Adopted January 2016)</b>	
<b>Policy</b>	
<b>Policy CS7: Quality of Design</b>	<p>1. New development in Blackpool is required to be well designed, and enhance the character and appearance of the local area and should:</p> <ol style="list-style-type: none"> <li>Be appropriate in terms of scale, mass, height, layout, density, appearance, materials and relationship to adjoining buildings</li> <li>Ensure that amenities of nearby residents and potential occupiers are not adversely affected</li> <li>Provide public and private spaces that are well-designed, safe, attractive, and complement the built form</li> <li>Be accessible to special groups in the community such as those with disabilities and the elderly</li> <li>Maximise natural surveillance and active frontages, minimising opportunities for antisocial and criminal behaviour</li> <li>Incorporate well integrated car parking, pedestrian routes and cycle routes and facilities</li> <li>Provide appropriate green infrastructure including green spaces, landscaping and quality public realm as an integral part of the development</li> <li>Be flexible to respond to future social, technological and economic needs</li> </ol> <p>2. Development will not be permitted that causes unacceptable effects by reason of visual intrusion, overlooking, shading, noise and light pollution or any other adverse local impact on local character or amenity.</p> <p>3. Contemporary and innovative expressions of design will be supported, where appropriate.</p>
<b>Policy CS8: Heritage</b>	<p>1. Development proposals will be supported which respect and draw inspiration from Blackpool's built, social and cultural heritage, complementing its rich history with new development to widen its appeal to residents and visitors.</p> <p>2. Proposals will be supported that:</p> <ol style="list-style-type: none"> <li>Retain, reuse or convert, whilst conserving and enhancing the significance of designated and non-designated heritage assets and their setting.</li> <li>Enhance the setting and views of heritage assets through appropriate design and layout of new development and design of public realm</li> <li>Strengthen the existing townscape character created by historic buildings</li> </ol> <p>3. Developers must demonstrate how any development affecting heritage assets (including conservation areas) will conserve and enhance the asset, its significance and its setting.</p>
<b>Policy CS26:</b>	<p>1. The character of the remaining lands at Marton Moss is integral to the local distinctiveness of Blackpool and as such is valued by the local community. A neighbourhood planning approach will be promoted for this area to develop neighbourhood policy which</p>

**Marton  
Moss**

supports the retention and enhancement of the distinctive character, whilst identifying in what circumstances development including residential may be acceptable.