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Blackpool Council

11 May 2018

To: Councillors Critchley, Hutton, Jackson, O'Hara, Robertson BEM, D Scott and L Williams

PLANNING COMMITTEE

Update Note and Public Speakers List

Please find attached the Update Note and Public Speakers List for Tuesday, 22 May 2018 meeting of the Planning Committee.

Agenda No	Item
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1a	<u>Update Note and Public Speakers List</u> (Pages 1 - 22)
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Yours sincerely

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Blackpool Council

Planning Committee:

22 May 2018

Planning Application Reports – Update Notes

Listed below are changes to the planning reports made as a result of additional information received since the publication of the agenda for this meeting.

Case:	Address:	Update:
16/0421	647-651 NEW SOUTH PROMENADE AND 2-4 HARROW PLACE	<p>Additional representations have been received from Mr Banks, the owner of 6-8 Harrow Place –</p> <p>Thank you for your response, I fully accept that you and the council have the decision making power, I am not trying to prevent this development. As previously stated I am merely trying to ensure that it is done in a fair, reasonable and lawful manner. I have raised my concerns to you and in turn you confirm that the committee will be made fully aware of the details.</p> <p>However, the point that still remains in question is the application process itself, You validated this amendment planning application lodged under Ron Richardson Construction Ltd, The granted permission for 16/0421 is granted to Harrow House Construction Ltd. The planning permission belongs to Harrow House Construction Ltd, the development and fees were paid by Harrow house Construction Ltd, these are not transferable without express agreement of all parties. As the majority shareholder of HHC I do not agree to these fees being transferred to a third party, I requested in my previous could you forward confirmation from the council legal department that it is lawful for you to transfer these fees, if this is in fact lawful will the fees paid for 6-8 Harrow Place be transferred to my application which will follow.</p> <p>With regards to data breach of my personal information, you state in your reply that the information is on website, I am aware that my name and address are on planning application, but Mr Richardson did not gather the information from there, as you have confirmed and apologised for during our meeting at your offices, you gave him my personal information in order for him to serve notice upon me. My issue is not that you made the mistake of giving out my information, my issue was the reason you gave it out, which I strongly believe was to speed the process and push through this application, this is borne out by the fact you validated the application and did not wait the 21 day's notice</p>

File name: \$il5lg3ec.doc220518

Updated:

		<p>period. This I feel was prejudicial to me.</p> <p>I am aware of the 12 noon deadline on Monday 21st May to lodge my application to speak at committee as well as the deadline for submission of printed material and documentation for the consideration of committee.</p> <p>The attached statement has been received from the applicant</p>
18/0136	31-33 HORNBY ROAD	<p>Additional letters of objection</p> <p>Four Rooms, 60 Reads Avenue- The Council stipulate how a property is used but if a property requires a change of use to residential due to ill health or unable to trade then the answer is "NO". Death happens and the property falls into disrepair, the council will then change its mind and alter to flats or HMO. It is all about money. Is this a holiday area or not? The Council stipulates this too.</p> <p>With the Conference Centre being built I would think that the profile of Blackpool should be raised instead of being dropped into the gutter. More and more flats and HMO's being inhabited by the lower end of society in the so called "Holiday area" will drive many more visitors and guests away.</p> <p>This is a Council with double standards and the deprived area as we know it will continue. As long as benefits are being paid, the Council will be happy. Universal Credit a godsend to the non-workers, alcoholics and drug dependant, just come and live in Blackpool as you will be accepted but don't expect to make a new start as business will be driven away and Blackpool in the north is just a dumping ground from other areas in the country. Holiday area or not just come in and trash it. I am just looking forward to properties next door to mine turning into drug dens, cannabis farms, anti-social resident neighbours. The Council will allow all of this which just reveals their sub-standard decisions and way of working to the full.</p> <p>Astoria Hotel, 43 Hull Road- As the chairman of The Central Blackpool Business Forum with over 100 members and who all have businesses in the Holiday area. I have been asked on their behalf to strongly object to this application. The core Strategy Policy states <i>in recognition of the significant viability issues by some</i></p>

		<p><i>holiday accommodation owners in the main holiday accommodation areas, the guidance makes an allowance for EXCEPTIONAL CIRCUMSTANCES when change of use may be considered acceptable. In our strong opinion the application has not met this criteria and therefore should NOT be granted.</i></p> <p>Comments on Submitted Viability Information from Growth and Prosperity Officer</p> <p>My comments are as follows:-</p> <ul style="list-style-type: none"> • Anticipated sales, a month 12 figure of £4523 has been used. This equates to a daily room rate of £6.28 (if a 20% vacancy rate has been built in then it's more like £7.50). The business case used £12.50 as a comparable, so either the expected vacancy is more like 50%, or they have applied an incorrect room rate. • Council tax – it has been deleted from paying council tax (but likelihood is it'll be re-instated for owner/ manager / tenant) • Business Rates – the figures used are the rateable value not rates payable, so approx. 50% overstated. • Marketing – would this be incurred if they are using a booking agent who takes 20% fees? • You would not expect to employ a general manger for this type of hotel –if the owner if not living on site then it would more than likely be let the whole unit to a third party. <p>As presented the project sets off with a debt of £50k and the debt increases by £47k each year – clearly not viable. However, making the above amendments shows that the initial debt is reduced in the first year and the hotel is in profit by year 3.</p> <p>Applicant's Response</p> <p><i>-Do not understand the sales figures or the 20% occupancy rate. 'Case Study' assumes a room rate of £14.16 per night (an average of the 3 case studies) and 70% occupancy rate during the 7 month season.</i></p> <p><i>-Payment of utilities and cleaners would be seasonal and not a flat rate</i></p> <p><i>-The loan repayment should include a 0.5% increase during the loan term</i></p> <p><i>-Waste removal costs should be included</i></p> <p><i>-Confirms that he is content with the figures previously given for marketing costs and the managers salary</i></p>
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		<p>Subsequent Officer Comments:-</p> <p>My figures showed a 20% vacancy rate (i.e 80% occupancy) which is no too far off their figure of 70% occupancy. However I had assumed they were open all season not just 7 months peak season. This seems contrary to their cash flow forecast as they have the same income forecast for 9 months and a lower income for three months.</p> <p>Assuming a rate of £14.16 per room and working with their forecasted income I find a low season occupancy of 5% and a peak season occupancy of 44% (but averaged over the year at 65%) I have used their supplied figures utilities which they show £381 per month over a 12 month period. I'd missed the increases in cleaner's rates and amended my figures accordingly. They did not include waste in their original cash flow.</p> <p>The above (excluding any additional cost of waste removal) keeps the development just viable, however it'll be year 10 before they start to see any return (and then only £3k a year). Whilst saying it is just viable, I think having to wait 10 years to see any return making it not viable on a commercial basis. If you then, as they are, factor in marketing and full time manager, the debts would be increasing by some £20k a year, and clear would not be viable.</p>
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16/0421 Amendment - 647/651 New South Promenade and 2/4 Harrow Place

Letter to the Planning Committee submitted by Ronald and David Richardson

1. Committee unanimously passed this £15m application on 23 August 2016 with authority delegated to Mr Johnston for the provision of a Section 106 car parking scheme. The Council have spent an enormous amount of time assisting us with this landmark project especially the Head of Development Management, Mr Johnston, the architect Mr Stephen Tortely, Mr Alan Cavill, Highways, Parking and Legal.

We have met the Committee's main requirement of providing one parking space per apartment.

2. We have also worked with the local residents committee and any objections they had (mainly relating to balconies) have been resolved and subsequently withdrawn.

3. We have had enthusiastic support from local ward councillors Mr Alistair Humphreys and Mr Christian Cox as well as Gordon Marsden MP.

4. Now the only person objecting to this amendment is Mr Banks, owner of 6/8 Harrow Place who has produced a list of issues. These issues are either incorrect or not relevant to this amendment and have been dealt with and have been addressed below.

5. Initially Mr Banks was an enthusiastic part of the scheme, and indeed led the consortium, stressing the importance of the development to the area and the re-generational benefits to the town as a whole. However, the moment Committee resolved to grant planning permission, he totally changed his approach and this is why we have had to submit an amended application.

6. Despite initially promising to grant access across a small piece of his land (to provide access to the rear parking area for the scheme) Mr Banks informed us that he would not sign the Section106 agreement with the Council for the parking scheme unless payment of £60,000 was made to him.

He took the view that if he did not sign the Section106 agreement then there would be no parking scheme, and without a parking scheme there would be no planning permission. **(please see email 1 below).**

For the last 18 months we have tried to reach an agreement to progress the development but it has proved to be an impossible task. Each time we thought we were there, another demand would appear, resulting in yet more legal costs and lengthy delays. In the last correspondence with our legal team Mr Banks was demanding £100,000 for access across his land **(please see email extract 2 below).**

7. Working with the Council we have tried to find a way forward with Mr Banks but we can't delay any longer. Back in January 2017 the Council asked him whether he still wanted to be part of the scheme and he said he did. But he has delayed and delayed increasing his demands each time. So in the end we have had no alternative but to amend the application.

8. Essentially the amended scheme is the same as the one Committee passed nearly 2 years ago without 6/8 Harrow Place. 6/8 always was such a small part of the overall development, accounting for approximately 10% of the total frontage of the development and is furthest away from the promenade.

There are no changes to the development on the New South Promenade side and no changes to the feature celebration corner (the most important parts as far as visual impact for the area is concerned) and only minor changes to the Harrow Place elevation.

Firstly, we have worked with Development Management and Highways and have created a passageway in number 2 Harrow Place to access the rear parking area.

Secondly, to balance the development and after consulting Mr Johnston, the elevation on number 2/4 Harrow Place now matches the elevation on the promenade and promotes the transition from existing to new.

Thirdly, again following advice from Mr Johnston, we are not adding the extra storey at 4 Harrow Place. The residents at 10 Harrow Place and Clifton Drive are very pleased that we are not adding the additional storey.

We have kept the number of apartments in our part of the scheme the same and added additional facilities such as a fitness room, changing facilities and a residents lounge.

9. We have worked meticulously with Mr Johnston and have satisfied all his queries and his report supports the amended application. We have worked with local residents, listened to their concerns and acted upon them, and they now either support the scheme or have withdrawn any initial objections they had. We have the full support of our closest neighbours on both sides, Mr David and Mrs Paula Storton at number 10 Harrow Place and Mr Ken Hoskins, the Carn Brae Hotel, 657/659 New South Promenade.

10. There is only one person who is objecting to the amended scheme and that is the owner of number 6/8 Harrow Place. Mr Banks is not a resident but owns the empty 6/8 Harrow Place.

Our response to the objections from Mr Banks

Mr Banks has come up with a long list of objections which are either not relevant to the planning application process, incorrect or are issues relating to the adjoining building at 653/655 New South Promenade, which was passed under previous separate planning applications. Mr Banks appears to be confusing the two.

Mr Banks property 6/8 Harrow Place is a derelict building and the amended scheme has been redesigned so that it does not impact on his property e.g. no additional storey on 4 Harrow Place. It should be noted that it was Mr Banks decision not to be part of the scheme and he withdrew from the development, forcing us to submit this amendment.

Nevertheless we have worked through the list with Mr Johnston and he is satisfied with our responses. Mr Johnson has summarised the list of objections from Mr Banks and our responses are noted below.

A. Quality of the build

This is incorrect according to the professionals involved in the scheme.

- We have used top quality materials (e.g. composite decking for the roof terrace at £42 per metre plus labour cost, marine grade steel for the balustrades).
- All the work has been passed and signed off by Building Control, Ball and Berry Ltd.
- All structural work has been supervised by Mr Bruce Scott our structural engineer.
- We have structural warranties for all the apartments we have completed in 653/655 NSP. (please see **Email 3 below** - response from Mr Paul McNeil, Ball & Berry Ltd, our building control inspectors).

B. Quality of drawings

This is not relevant to this amendment.

- There are no changes to the elevation on New South Promenade or the celebration corner.
- The changes on the Harrow Place elevation have been necessitated by number 6/8 no longer being part of the scheme (e.g. a passage created through no.2 Harrow Place to create additional parking). We amended these in-house due to time constraints at the architects.
- New floor plans were professionally produced by Mr Chris Sinkinson, architectural consultant.
- Mr Johnston is satisfied that the quality of the submitted drawings depict what is proposed as they are based on the original drawings.

C. Red edge/site drawings are incorrect

This is incorrect.

We have discussed this with Mr Johnston and he is satisfied that the red edge and site drawings are correct.

D. Change of materials

This is not relevant to this amendment.

- Any changes to the materials in the application have been discussed with Mr Johnston. We will be using top quality grade materials e.g. K-rend to match the original 'colour' scheme on the outside walls, using different colouring to provide a strong base, a middle and a top, as requested by the Council's architect and Mr Johnston.

E. Lack of Computer Generated Image

This is not relevant to this amendment.

- We have checked with Mr Johnston and this is not a planning requirement especially in light of the fact that the main elevation on New South Promenade remains the same.

F. Validation of application

This is incorrect.

- Mr Johnston has followed policy procedures. We have been informed by Mr Johnston that an amendment is the correct procedure as the red edge of the proposed development is smaller than the original red edge and the original planning application hasn't been determined yet. If the red edge had been larger than the original application or the original planning application had been determined then a new planning application would have been the correct procedure.

G. Quality of supporting information

This is incorrect.

- Mr Johnston is satisfied with any additional supporting evidence and the source of this information.

H. DDA to communal areas

This is incorrect.

- DDA has been discussed with Mr Johnston and has been indicated on the amended plans. (DDA was in fact not shown on the original application in 2016).

I. Undercroft/passage to rear parking - width/supporting columns issues

This is not relevant to this amendment.

- Both Highways and Development Management are satisfied with the width of the access and the support columns. Also it is common practice in apartment blocks to use an undercroft/ passage to access the rear.

J. Increased Sales Values compared to 2016 viability

This is incorrect.

- Supplementary supporting evidence has been presented to the Council and shows that the proposal does not support an affordable housing contribution, only an Open Spaces contribution.

K. Light levels/light wells

This is not relevant to this amendment.

- There is no national or local policy in regards to light wells and Mr Johnston is satisfied with the use of light wells in the development. Indeed some were proposed as part of the original application.

L. Shareholder of original application and he believes amended application to be void

This is incorrect.

- The original application was made in the name of Ronald Richardson, Harrow House Construction Ltd. Ronald Richardson is the only shareholder in Harrow House Construction Ltd.
- The Confirmation Statement downloaded from Companies House clearly shows (on the Full Details of Shareholders page) that Ronald Richardson is the only shareholder in Harrow House Construction Ltd. Mr Banks is not a shareholder but is a director only. Ronald and David Richardson are also directors. **(please see attachment 4 below)**

M. Mention of 653/655 NSP in relation to this amendment

This is not relevant to this amendment.

-653/655 comprised of 3 earlier planning applications, all of which have been passed without the need for parking spaces to be provided. The three applications do not have any connection to 16/0421 application or indeed the amendment to 16/0421.

Email 1.

From:

Sent: 18 October 2016 15:46

To: Joseph Boniface

Cc:

Subject: Re: Acolaid Case 16/0421

Hi Joe

With regards to extension, I was made aware of the meeting yesterday.

I will meet and discuss with Ron and dave next week upon Rons return, as you may already be aware the partnership between myself, Ron and dave is in the process of being dissolved and therefore the planning application will become null and void as we have failed to agree terms going forward, I intend to sell or mothball the scheme for 6-8 Harrow place, i will not be agreeing to any parking scheme that involves access over 6-8 boundary.

Should you wish to discuss the above please call me to discuss.

Kind Regards

Tony Banks

Email 2.

From:

Sent: 10 January 2018 20:20

To: Paul Hardy

Cc:

Subject: Re: ***SPAM*** Deed Of Easement - Harrow Place - 196964-002

Hi Paul

If these terms are not adhered to then the right of access is withdrawn.

I go away on 15th Jan, therefore if this is not agreed and paid before this date then this will result in either full withdrawal from deed or an increase in the price for a new deed to £100,000.

It is your clients decision, for the avoidance of any doubt, if agreed is not meet then I will also withdraw my acceptance of the S106 and with immediate affect restrict all access across over my property

Your clients have until 10.00 on Friday 12th Jan 2018 to confirm their acceptance of the above and until Monday 16.00 on Monday 15Th Jan 2018 to complete terms of the agreement.

Kind Regards

Tony Banks

Email 3.

From: Paul McNeill

Date: 4 May 2018 at 14:50:22 BST

To:

Subject: RE: New South Promenade

Hi Ron.

It is our considered opinion that the works are being carried out in accordance with the Building Regulations 2010.

We have received sufficient structural information, to date, and have also carried out statutory consultations with Lancashire Fire & Rescue Service.

Approved Inspectors are required to carry out their work with reasonable skill, care, and judgement.

Approved Inspectors are independently regulated by the Construction Industry Council Approved Inspectors Register.

It would appear that such an objection on these grounds are folly and the council should disregard them.

We trust that this will be sufficient for you to robustly contest this unfounded objection.

Kind regards,

Paul McNeill

Director

Attachment 4 (2 pages) - Companies House information regarding the shareholding of Harrow House Construction Ltd. This confirms that Ronald Richardson is the only shareholder.



Companies House

CS01 (ef)

Confirmation Statement

Company Name: **Harrow House Construction Limited**
Company Number: **09896875**



Received for filing in Electronic Format on the: **03/01/2018**

X6WUQTOB

Company Name: **Harrow House Construction Limited**

Company Number: **09896875**

Confirmation Statement date: **01/12/2017**

Statement date:

Electronically filed document for Company Number:

09896875

Full details of Shareholders

The details below relate to individuals/corporate bodies that were shareholders during the review period or that had ceased to be shareholders since the date of the previous confirmation statement.

Shareholder information for a non-traded company as at the confirmation statement date is shown below

Shareholding 1: **1 ORDINARY shares held as at the date of this confirmation statement**
Name: **MR RONALD RICHARDSON**

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ANNEX 1

Digital Images

Digital Images/Photographs
The Northlands Hotel, 31-33 Hornby Road, Blackpool

FRONT ELEVATION – RAIN WATER GOODS



FRONT ENTRANCE DOOR

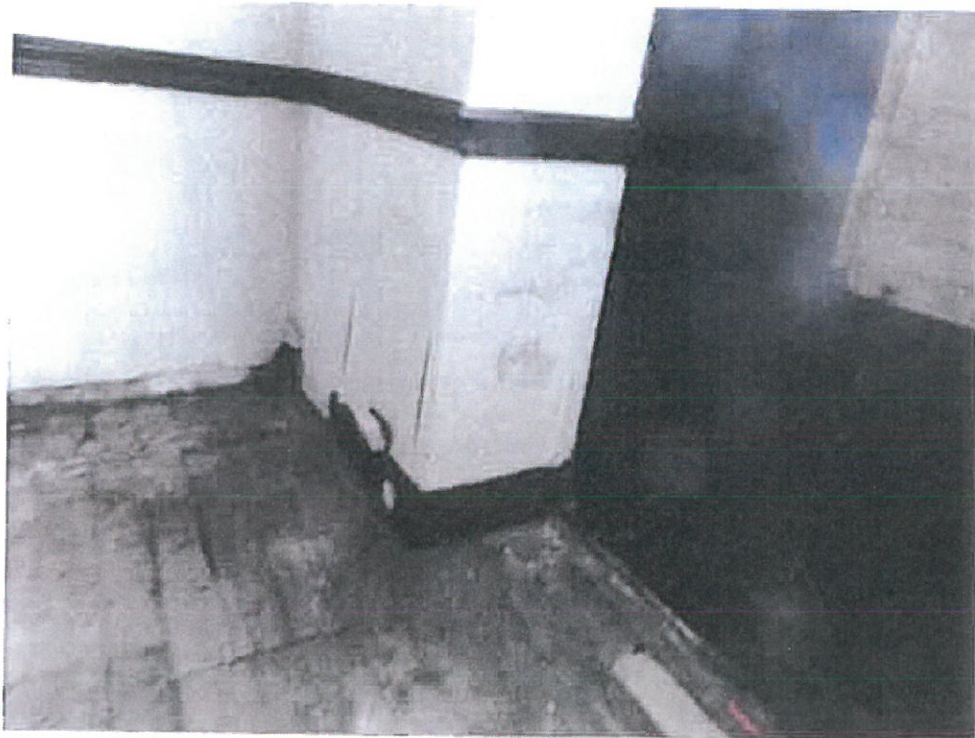


Digital Images/Photographs
The Northlands Hotel, 31-33 Hornby Road, Blackpool

SINGLE STOREY EXTENSION TO REAR

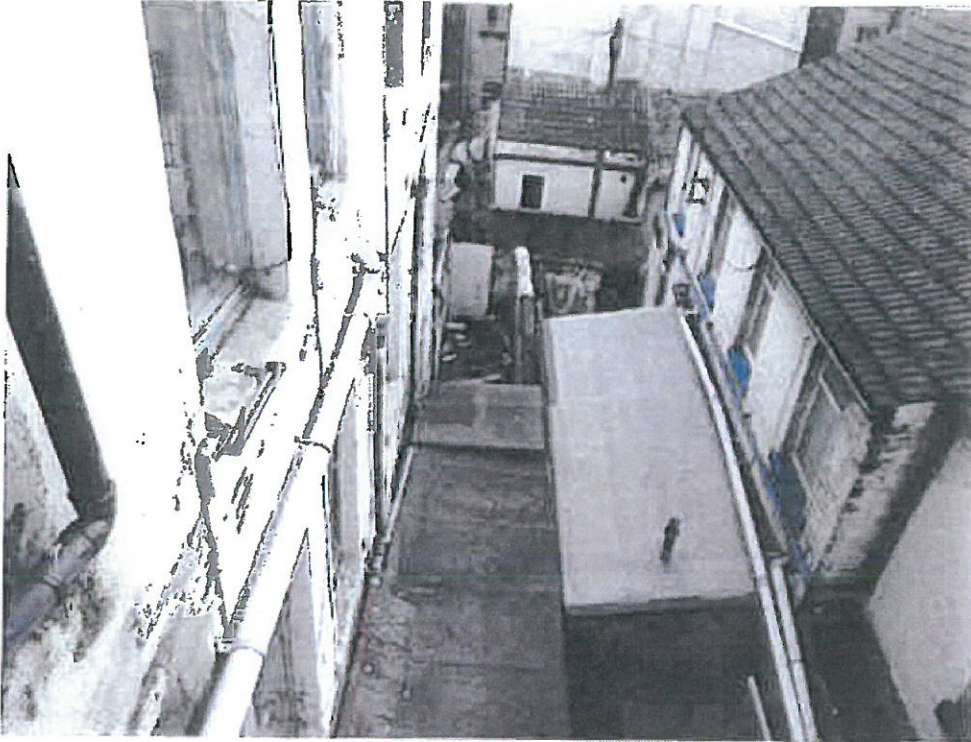


INTERNAL GROUND FLOOR DAMPNES AND FLOORING



**Digital Images/Photographs
The Northlands Hotel, 31-33 Hornby Road, Blackpool**

SIDE ELEVATION EXTENSION

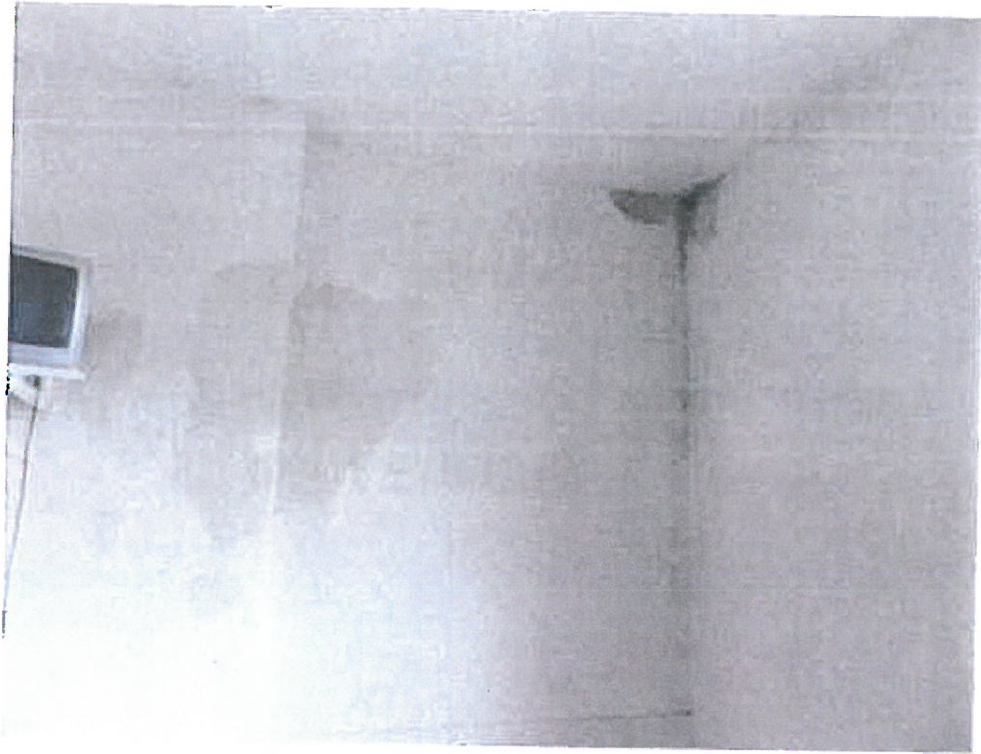


TYPICAL VIEWS OF LETTING ROOMS



Digital Images/Photographs
The Northlands Hotel, 31-33 Hornby Road, Blackpool

TYPICAL VIEW OF LETTING ROOMS



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**PLANNING COMMITTEE
22 MAY 2018 – ORDER OF BUSINESS**

AGENDA ITEM NO /Recommendation	DESCRIPTION	ORDER OF BUSINESS	DETAILS
Agenda Item 7 Application 16/ 0421 Officer’s recommend: Defer for Delegation Pages 39 - 66	External alterations to include front extension and whole roof lift, balconies to Harrow Place and New South Promenade elevations and use of premises as altered as 66 self-contained permanent flats with associated car parking, bin store, boundary treatment and highway works. 647-651 NEW SOUTH PROMENADE AND 2-4 HARROW PLACE, BLACKPOOL, FY4 1RP	INFORMATION FROM OFFICERS	
		OBJECTORS	
		APPLICANT/AGENT/SUPPORTER	Mr Ronald Richardson and Mr David Richardson - Applicant
		WARD COUNCILLOR	Councillor Humphreys
		<ul style="list-style-type: none"> • DEBATE BY COMMITTEE • DECISION 	

**PLANNING COMMITTEE
22 MAY 2018 – ORDER OF BUSINESS**

APPLICATION No/Recommendation	DESCRIPTION	ORDER OF BUSINESS	DETAILS
Agenda Item 8 Application 18/0136 Officer's recommend: Grant Permission Pages 67 - 82	External alterations including provision of cycle/bin stores to rear and use of premises as six self-contained permanent flats following demolition of single storey rear extension. 31-33 HORNBY ROAD, BLACKPOOL, FY1 4QG	INFORMATION FROM OFFICERS	
		OBJECTORS	Mr Ian White, Public Objector
		APPLICANT/AGENT/SUPPORTER	
		WARD COUNCILLOR	
		<ul style="list-style-type: none"> • DEBATE BY COMMITTEE • DECISION 	