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Blackpool Council

30 May 2014

To: Councillors Brown, Elmes, Hutton, Mrs Jackson, Lee, Matthews, Owen, Smith and Stansfield

The above members are requested to attend the:

PLANNING COMMITTEE

Monday, 9 June 2014 at 5.00 pm
in Committee Room A, Blackpool

A G E N D A

1 APPOINTMENT OF VICE CHAIRMAN

In accordance with the decision of the Council on 12th May 2014, the Committee is requested to consider the appointment of a Member to the position of Vice Chairman.

2 DECLARATIONS OF INTEREST

Members are asked to declare any interests in the items under consideration and in doing so state:

- (1) the type of interest concerned; and
- (2) the nature of the interest concerned

If any Member requires advice on declarations of interest, they are advised to contact the Head of Democratic Services in advance of the meeting.

3 MINUTES OF THE MEETING HELD ON 7TH MAY 2014 (Pages 1 - 12)

To agree the minutes of the last meeting held on 7th May 2014 as a true and correct record.

4 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED (Pages 13 - 18)

The Committee will be requested to note the planning/enforcement appeals lodged and determined.

5 PLANNING ENFORCEMENT UPDATE REPORT (Pages 19 - 22)

The Committee will be asked to note the outcomes of the cases and approve the actions of the Service Manager – Public Protection.

6 LIST OF BUILDINGS OF LOCAL ARCHITECTURAL AND/OR HISTORIC INTEREST (Pages 23 - 44)

The Committee is requested to consider the proposed list of buildings of local architectural and/or historic interest for Norbreck, Bispham, Warbreck, Greenlands, Ingthorpe, Highfield, Squires Gate and Stanley wards.

7 PLANNING APPLICATION 14/0333 - 7-9 GENERAL STREET (Pages 45 - 56)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

8 PLANNING APPLICATION 14/0150 - ST. STEPHENS REST HOME, 4 ST STEPHENS AVENUE AND 4-8 CARLIN GATE (Pages 57 - 74)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

9 PLANNING APPLICATION 14/03002 - LAND BOUNDED BY FISHERS LANE, COMMON EDGE ROAD AND ECCLES GATE ROAD (Pages 75 - 92)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Chris Kelly, Senior Democratic Services Adviser, Tel: (01253) 477164, e-mail chris.kelly@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

MINUTES OF PLANNING COMMITTEE MEETING - 7TH MAY 2014

Present:

Councillor Owen (in the Chair)

Councillors

Brown Lee Smith Wright

Elmes O'Hara Stansfield

In attendance:

Mrs C White, Assistant Head - Legal Services
Mr M Shaw, Principal Planning Officer
Mrs K Galloway, Principal Engineer - Transportation
Mrs P Greenway, Planning Officer
Mr C Kelly, Senior Democratic Services Officer

Apologies:

Apologies for absence were received from Councillor Martin Mitchell, who was engaged elsewhere on Council business.

1. DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2. MINUTES OF THE MEETING HELD ON 10th MARCH 2014

Resolved: That the minutes of the meeting held on 10th March 2014, be signed by the Chairman as a correct record.

3. PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

Resolved: To note the Planning/Enforcement Appeals lodged and determined.

Background papers: (1) Letter from the Planning Inspectorate dated 4th March 2014.

(2) Letter from the Planning Inspectorate dated 4th March 2014.

(3) Letter from the Planning Inspectorate dated 27th March 2014.

(4) Letter from the Planning Inspectorate dated 10th April 2014.

MINUTES OF PLANNING COMMITTEE MEETING - 7TH MAY 2014

4. PLANNING ENFORCEMENT UPDATE REPORT - FEBRUARY 2014

Resolved: To note the outcomes of the cases set out in the report and to support the actions of the Service Manager - Public Protection in authorising the Notices.

5. PLANNING ENFORCEMENT UPDATE REPORT - MARCH 2014

Resolved: To note the outcomes of the cases set out in the report and to support the actions of the Service Manager - Public Protection in authorising the Notices.

6. PLANNING APPLICATION 14/0092 - LAND AT BENNETT AVENUE / 102 PARK ROAD

The Committee considered application 14/0092 for the construction of a surface level college car park, utilising a new vehicular access/egress point from Bennett Avenue and an existing vehicular access/egress point from Park Road, with associated hard and soft landscaping, following the demolition of 16 Bennett Avenue (Barnardos building).

Mr Lewis addressed the Committee and spoke against the application.

Mr Crane, the applicant, addressed the Committee and spoke in support of the application and responded to a number of concerns raised by Mr Lewis.

The Committee considered that the benefits of redevelopment and of improving the college outweighed the loss of a locally listed building. The Committee also discussed the submissions from Mr Crane and Mr Lewis and considered that the applicant should consult with Mr Lewis regarding his concerns over the application, but that this should not constitute a matter for a condition of the planning permission.

Resolved: That the application be approved, subject to the conditions, and for the reasons, set out in the appendix to the minutes.

Background papers: Applications, plans and replies to consultations upon the applications.

7. PLANNING APPLICATION 14/0103 - LAND AT OXFORD SQUARE

The Committee considered application 14/0103 for the erection of a single storey retail store (Use Class A1) and single storey unit (Use Class A1-A5), including the incorporation of existing ground floor frontage of the CSL building, with vehicular access/egress from Park Road, car parking and servicing area with associated landscaping following demolition of existing buildings.

Mr Richards, the applicant, addressed the Committee and spoke in support of the application.

Mr Payne addressed the Committee and spoke in support of the application.

MINUTES OF PLANNING COMMITTEE MEETING - 7TH MAY 2014

The Committee discussed the implications of the proposed permitted delivery times for the store. Concerns were raised with regards to the potential for noise disturbance to nearby houses in the early hours of the morning and late in the evening. However, it was reported that the opening hours had been considered appropriate as the wall separating the properties would act as a buffer to the noise and the applicant had already consulted with the owners of the neighbouring properties and had not received any objections. Mr Shaw, Principal Planning Officer, advised that the Council's Environmental Health department would be able to deal with noise complaints should any be received in future.

The Committee noted that the bat surveys had now commenced and therefore Condition 9 could be deleted and, if necessary, replaced with a condition relating to mitigation measures once the bat surveys had been completed. The Committee did not consider that it was necessary for the application to be brought back to Committee upon the completion of the bat surveys.

Resolved: (1) To agree, in principle, to application 14/0103 for the erection of a single storey retail store (Use Class A1) and single storey unit (Use Class A1-A5), including the incorporation of existing ground floor frontage of CSL building, with vehicular access/egress from Park Road, car parking and servicing area with associated landscaping following demolition of existing buildings; and

(2) To authorise the Head of Development Management to determine the application, subject to the completion of the necessary bat surveys and the submission of details of any necessary mitigation measures being finalised; and subject to conditions and reasons.

Background papers: Applications, plans and replies to consultations upon the applications.

8. PLANNING APPLICATION 14/0257 - BAINES ENDOWED CHURCH OF ENGLAND SCHOOL, PENROSE AVENUE

The Committee considered application 14/0257 for the erection of a single storey extension to front elevation to provide additional office space.

Mr Cassidy, agent to the applicant, addressed the Committee and spoke in support of the application.

The Committee considered that the school may require additional floorspace in order to operate more effectively, but that the applicant should consider other options for the provision of new floorspace that would have a far less detrimental impact on the appearance of the existing main school building, which was recognised as a local heritage asset of architectural value.

Resolved: That the application be refused for the reasons set out in the appendix to these minutes.

Background papers: Applications, plans and replies to consultations upon the applications.

MINUTES OF PLANNING COMMITTEE MEETING - 7TH MAY 2014

9. PLANNING APPLICATION 14/0114 - 501-507 PROMENADE

The Committee considered application 14/0114 for external alterations to the ground and first floor to reconfigure entrances and fenestration, the erection of a glazed canopy over a raised decking area, including 1.4 metres high glazed screen to enclose forecourt, the installation of an access ramp to the south elevation and new roof plant, and the use of premises as altered as public house.

The Committee noted the proposal by the applicant regarding the external and internal appearance of the property, as well as the potential for a separate application to be made for the signage should the scheme be approved, which would be of an exuberant and fun design. The Committee considered that approving the application would result in regeneration benefits as it would bring a vacant building back into use and would provide an active frontage, which would benefit visitors and residents.

Resolved: That the application be approved, subject to the conditions, and for the reasons, set out in the appendix to the minutes.

Background papers: Applications, plans and replies to consultations upon the applications.

10. PLANNING APPLICATION 14/0188 - 343-347 PROMENADE

The Committee considered application 14/0188 for the erection of a partially covered timber decking area to the front elevation with a covered entrance walkway, glazed windbreaks, disabled access ramp and the formation of first floor level balcony to front.

The Committee raised a number of concerns with the application, with particular concern that the scheme would result in the loss of all 23 off-street car parking spaces currently available on the site and would create an overly large and dominant feature, which would appear incongruous within the streetscene and detrimental to the appearance of the site and immediate area. It was also considered that the proposal would have a detrimental impact on highway safety and that the plans submitted were of poor quality and lacked detail.

Resolved: That the application be refused for the reasons set out in the appendix to these minutes.

Background papers: Applications, plans and replies to consultations upon the applications.

Chairman

(The meeting ended at 5:40 pm)

Any queries regarding these minutes, please contact:
Chris Kelly, Senior Democratic Services Adviser
Tel: 01253 477164
E-mail: chris.kelly@blackpool.gov.uk

Application Number: 14/0092 Construction of a surface level college car park utilising new vehicular access/egress point from Bennett Avenue and existing vehicular access/egress point from Park Road, with associated hard and soft landscaping, following demolition of 16 Bennett Avenue (Barnardos building) on land at Bennett Avenue / 102 Park Road.

Decision: Grant Permission

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

2. a) No development shall take place until full details of soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed changes to existing ground levels, areas of soft landscaping, planting plans specifications and schedules (including plant size, species and number/ densities) and shall show how account has been taken of any underground services.

b) The landscaping works shall be carried out in accordance with the approved details within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner.)

c) Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall with regards to Policy LQ6 of the Blackpool Local Plan 2001-2016.

3. Details of the surfacing materials to be used within the car park, delivery area and roundabout shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ1 of the Blackpool Local Plan 2001-2016.

4. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:

- dust mitigation measures during the construction period
- control of noise emanating from the site during the construction period
- hours and days of construction work for the development
- contractors' compounds and other storage arrangements

- provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
- arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways
- the routing of construction traffic.

The construction of the development shall then proceed in accordance with the approved Construction Management Plan.

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

5. Details of the number and design of the secure cycle storage provision shown on the approved plans shall be agreed in writing with the Local Planning Authority, implemented prior to the development being first brought into use, and shall thereafter be retained.

Reason: To enable access to and from the property by sustainable transport mode, in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

6. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. If surface water is allowed to be discharged to the public surface water sewerage system, the drainage strategy should demonstrate how the surface water flow is to be attenuated to a maximum discharge rate of five litres per second. The scheme shall also include details of how the scheme shall be maintained and managed after completion. The scheme shall subsequently be implemented in accordance with the approved details before the development is brought into use.

Reason: To prevent the increased risk of flooding, both on and off site, in accordance with Policy NE10 of the Blackpool Local Plan 2001 - 2016.

7. Prior to commencement of any demolition, a bat emergence/roost survey shall be carried out in order to detect the presence of bats. Any features which are suitable for roosting bats (including roofing materials) must be removed first by hand, and demolition workers must be observant for the possible presence of bats. If the presence of roosting bats is detected or suspected at any stage before or during the proposed demolition, then works shall not proceed until it has been established whether or not a Natural England licence is required.

Reason: To ensure that there are no adverse effects on the favourable conservation status of bats, in accordance with Policy NE6 of the Blackpool Local Plan 2001 - 2016 and The Wildlife & Countryside Act 1981 (as amended).

8. The use of the car park hereby approved shall not commence until details of the provision to be made for bat roost boxes has been submitted to and approved by the Local Planning Authority. The approved works shall be implemented in full before the development is first brought into use, unless otherwise agreed in writing by the Local Planning Authority and maintained thereafter.

Reason: To ensure that bat species are protected and their habitat enhanced in accordance with the Wildlife and Countryside Act 1981, as amended, the Conservation [Natural Habitats and c] Regulations 1994 and Policy LQ6 of the Blackpool Local Plan 2001 - 2016.

9. Unless the absence of nesting birds has been confirmed by further surveys or inspections, any removal of vegetation including trees and hedges shall be undertaken outside the nesting bird season [March - August inclusive]. Any removal of vegetation outside the nesting bird season shall be preceded by a pre-clearance check by a licensed ecologist on the day of removal.

Reason: To ensure that there are no adverse effects on the favourable conservation status of birds and to protect the bird population from damaging activities and reduce or remove the impact of development, in accordance with Policy LQ6 of the Blackpool Local Plan 2001 - 2016 and The Wildlife & Countryside Act 1981 (as amended).

10. No demolition shall take place until an external photographic survey of 16 Bennett Avenue and its boundary has been carried out and 1:50 scale drawings (elevations and plan) produced, submitted to and approved in writing by the Local Planning Authority.

Reason: In order to preserve a record of the locally listed building and in the interests of residential amenity in accordance with paragraph 131 of the NPPF and Policy BH3 of the Blackpool Local Plan 2001 - 2016.

11. No demolition shall take place until a scheme and timetable for the reclamation and reuse of the roof tiles and perimeter railings of 16 Bennett Avenue has been submitted to and approved in writing by the Local Planning Authority. That scheme shall be implemented in accordance with the agreed timetable and thereafter retained. If the College cannot reuse the roof tiles and railings on the Palatine Road site, they shall be offered free of charge to the Council for storage and appropriate future re-use.

Reason: In order to preserve a physical record of the locally listed building and in the interest of residential amenity in accordance with paragraph 131 of the NPPF and Policy BH3 of the Blackpool Local Plan 2001 - 2016.

12. Prior to first use of the car park, a signage scheme for pedestrians (crossing points), drivers (roundabout) and drop-off area shall be submitted to and approved in writing by the Local Planning Authority. Such signage shall be installed prior to first use of the car park and thereafter retained.

Reason: In the interests of vehicular and pedestrian safety in accordance with Policy AS1 of the Blackpool Local Plan 2001 - 2016.

13. No installation of any lighting shall take place within the development until full details thereof have been submitted to and approved in writing by the Local Planning Authority. All lighting shall be installed only in accordance with the approved details and shall thereafter be retained.

Reason: To ensure that the lighting does not adversely affect residential amenity or highway safety, in accordance with Policies AS1 and BH3 of the Blackpool Local Plan 2001 - 2016.

Application Number: 14/0103 Erection of single storey retail store (Use Class A1) and single storey unit (Use Class A1-A5) including incorporation of existing ground floor frontage of CSL building, with vehicular access/egress from Park Road, car parking and servicing area with associated landscaping following demolition of existing buildings on land at Oxford Square, bounded by Preston New Road and Waterloo Road.

Decision: Agree in principle and to authorise the Head of Development Management to determine the application, subject to the completion of the necessary bat surveys and the submission of details of any necessary mitigation measures being finalised.

Application Number: 14/0114 External alterations to ground and first floor to reconfigure entrances and fenestration, erection of glazed canopy over raised decking area including 1.4 metres high glazed screen to enclose forecourt, installation of access ramp to south elevation and new roof plant, and use of premises as altered as public house at 501 – 507 Promenade.

Decision: Grant Permission

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The premises shall be used as a public house within Use Class A4 and for no other purpose (including any other purpose within Class A4, or purposes within Classes A3, A2, A1 or B1) within the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: In order to protect the vitality and viability of the existing town and district centres, in accordance with Policies BH11, BH12, BH13 and BH17 of the Blackpool Local Plan 2001 - 2016.

3. Before development commences, a sound consultant shall undertake a detailed noise assessment, which shall consider all proposed mechanical ventilation and plant and should also provide in detail, a suitable sound attenuation scheme. The noise assessment shall then be submitted to the Local Planning Authority for recommendations and approval. Any recommendations made by the Local Planning Authority shall then be incorporated into the scheme which shall then be implemented before the premises are first brought into use and thereafter retained. Any changes to the approved scheme shall be agreed in writing with the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby properties, in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016.

4. Prior to the development hereby approved being first brought into use, the kerb to the junction of Withnell Road with Simpson Street and the pavement to Simpson Street shall be reinstated; and bollards (to a design and location to be agreed in writing with the Local Planning Authority) shall be erected on the forecourt sufficient to prevent vehicular access across the junction of Simpson Street with Withnell Road; and all shall thereafter be retained.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

5. Details of the external finish (es) to be used on the external elevations of the building, including fenestration details, and boundary enclosures shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced and the agreed details shall be implemented before the use as a public house commences.

Reason: In the interests of the appearance of the locality, in accordance with Policies BH3 and LQ14 of the Blackpool Local Plan 2001-2016.

Application Number: 14/0188 Erection of partially covered timber decking area to front elevation with covered entrance walkway, glazed windbreaks, disabled access ramp and formation of first floor level balcony to front at 343-347 Promenade.

Decision: Refuse

Reasons:

1. The plans submitted lack necessary detail and are unclear, confusing and inconsistent. No information has been submitted with the application to explain how the decking proposed at the front of the hotel would be used. As such, it is not possible to accurately and robustly assess the proposal and its likely impacts upon the appearance of the site, the character and function of this section of the Promenade, and the amenity of visitors. Consequently the application is considered to be contrary to Policies RR7, LQ1, BH3 and BH11 of the Blackpool Local Plan 2001-2016.

2. Notwithstanding the inadequacy of the submitted plans, it is considered that the external works proposed to create the three levels of decking with glazed windbreaks, the covered walkway and the covered terrace area would, when taken as a whole, present an overly large and dominant feature within the streetscene that would appear incongruous and detract from the quality, character and function of this section of the Promenade. As such, the proposal is considered to be contrary to Policies RR7, LQ1, LQ2 and LQ14 of the Blackpool Local Plan 2001-2016.

3. Notwithstanding the inadequacy of the submitted plans, the scheme would result in the loss of all off-street car parking currently available on the site. No information has been submitted to justify this loss of parking provision. The loss of this provision combined with the position of the glazed windbreak proposed at the back of the pavement would be likely to lead to visitors and luggage blocking the pavement for pedestrians which could then lead to pedestrians having to step out into the carriageway. There is no provision for coach drop-off/collection close to the site. On-street parking is restricted along both the Promenade and Crystal Road frontages of the site. The loss of the car parking provision on-site may lead to inconsiderate drop-off/collection parking to the detriment of highway safety, and any associated reliance on coach-borne custom could similarly have a detrimental impact on

highway safety. As such, the application is considered to be contrary to Policy AS1 of the Blackpool Local Plan 2001-2016.

4. ARTICLE 31 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)

Wherever possible, the Local Planning Authority seeks to work proactively with applicants to secure sustainable development that would improve the economic, social and environmental conditions of Blackpool. However, the current application lacks sufficient detail and information to make a robust assessment of the impacts of the proposal. Based on the plans that have been submitted, it is anticipated that the scheme would be sufficiently detrimental to the appearance of the streetscene and potentially the amenity of neighbours and the character and function of the area so as to conflict with paragraphs 14, 17 and 64 of the National Planning Policy Framework and Policies RR7, LQ1, LQ2, LQ14, BH3, BH11 and AS1 of the Blackpool Local Plan 2001-2016 sufficiently to justify refusal.

Application Number: 14/0257

Erection of a single storey extension to front elevation to provide additional office space at Baines Endowed C of E School, Penrose Avenue.

Decision: Refuse

Reasons:

1. The extensions, by virtue of their position, size and design and the fact that they would require the removal of all of the existing trees to the front of the main school building, would have a cramped appearance and have a significantly detrimental impact on the appearance of the existing building, site and streetscene. As such, the proposal is considered to be contrary to Policies LQ1, LQ2 and LQ14 of the Blackpool Local Plan 2001-2016 and the provisions of the National Planning Policy Framework.

2. ARTICLE 31 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)

Wherever possible, the Local Planning Authority seeks to work proactively with applicants to secure sustainable development that would improve the economic, social and environmental conditions of Blackpool. However, it is considered that the current proposal would be sufficiently detrimental to the appearance of the existing building, site and streetscene so as to conflict with paragraphs 14, 17 and 64 of the National Planning Policy Framework and Policies LQ1, LQ2 and LQ14 of the Blackpool Local Plan 2001-2016 and thereby justify refusal.

MINUTES OF PLANNING COMMITTEE MEETING - 7TH MAY 2014

Present:

In attendance:

Mr M Shaw, Principal Planning Officer
Mrs K Galloway, Principal Engineer - Transportation
Mrs P Greenway, Planning Officer
Mr C Kelly, Senior Democratic Services Officer

1. SITE VISITS

1. Land at Bennett Avenue / 102 Park Road.
2. Land at Oxford Square, bounded by Preston New Road, Waterloo Road.
3. Baines Endowed CofE School, Penrose Avenue.
4. 501- 507 Promenade
5. 343 - 347 Promenade

Chairman

(The meeting ended at 4:20 pm)

Any queries regarding these minutes, please contact:
Chris Kelly, Senior Democratic Services Adviser
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E-mail: chris.kelly@blackpool.gov.uk

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Report to:	Planning Committee
Item number	4
Relevant Officer:	Gary Johnston, Head of Development Management
Date of Meeting	9 th June 2014

PLANNING/ENFORCEMENT APPEALS DETERMINED/LODGED

1.0 Purpose of the report:

1.1 The Committee is requested to note the planning and enforcement appeals, lodged and determined

2.0 Recommendation(s):

2.1 To note the report.

3.0 Reasons for recommendation(s):

3.1 The Committee is provided with details of the planning and enforcement appeals, lodged and determined for its information.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

None.

4.0 Council Priority:

4.1 Not applicable.

5.0 Planning/Enforcement Appeals Determined

5.1 Land at Runnell Farm, Marton Moss, Blackpool FY4 5HS

Appeal by Kensington Developments against the failure of Blackpool Council to determine whether the Section 106 agreement should be modified in relation to affordable housing
Appeal allowed

In April 2013 the Growth and Infrastructure Act was introduced and one of the clauses allows developers to challenge the affordable housing requirements set out in Section 106 Agreements where it can be shown that the requirement is impeding the commencement of development on viability grounds. The Council has 28 days to make a decision whether to modify the Section 106 Agreement or not. In this case the Council requested more time to consider Kensington's application. Kensington was not prepared to give the Council more time and hence chose to take the matter to appeal.

The Planning Obligation (section 106 Agreement) was signed in April 2012 at the time of the Runnell Farm planning appeal. The Council adopted a pragmatic approach to the preparation of the Planning Obligation and as such it agreed to the phased payments of the sums of money towards affordable housing, education, transportation/highways and public open space. The total sums are as follows -

- affordable housing - £1,619,550
- education - £333,000
- transportation/highways - £100,000
- public open space - £30,000

The phasing of the payments would be as follows -

- affordable housing - three payments each of £539,850 (prior to the occupation of the 31st, 56th and 71st dwellings).
- education - three payments each of £111,000 (prior to the occupation of the 31st, 56th and 71st dwellings).
- transportation/highways - five payments each of £20,000 over a four year period.
- public open space - three payments each of £10,000 (prior to the occupation of the 31st, 56th and 71st dwellings).

This has been changed by the Inspector's decision - the overall sum is £350,000 and this is to be paid as follows -

Prior to the occupation of the 31st residential unit -£117,000
Prior to the occupation of the 56th residential unit - £117,000
Prior to the occupation of the 71st residential unit - £116,000

This change is valid for a period of three years and then it reverts back to the original Section 106 Agreement. The sums for education provision, public open space provision and transportation/highways are unaffected by the decision.

In reaching the decision the Inspector was mindful that the Council and Kensingtons had moved closer on matters such as sales revenue from the development, land acquisition costs, build costs, infrastructure and abnormal costs and profit levels.

5.2 **Land at Moss House Road, Marton Moss, Blackpool FY4 5JF**

Appeal by Kensington Developments against the failure of Blackpool Council to determine whether the Section 106 agreement should be modified in relation to affordable housing
Appeal allowed

In April 2013 the Growth and Infrastructure Act was introduced and one of the clauses allows developers to challenge the affordable housing requirements set out in Section 106 Agreements where it can be shown that the requirement is impeding the commencement of development on viability grounds. The Council has 28 days to make a decision whether to modify the Section 106 Agreement or not. In this case the Council requested more time to consider Kensington's application. Kensington was not prepared to give the Council more time and hence chose to take the matter to appeal.

The original Section 106 Agreement was signed in July 2010. The negotiations which took place prior the signing of the Agreement were predicated on the overall viability of the development and the eventual agreement allowed for phased payment of contributions towards affordable housing, education provision, public open space provision and transportation/highways.

The total level of contributions in the original Section 106 Agreement is as follows -

- affordable housing £9,184,000 (30 per cent provision would require a sum of £21,974,992)
- education £2,430,000
- transportation/highways £1,400,000
- public open space £236,000

The phasing of the payments is set out in the schedules in the Agreement and can be summarised as follows -

- affordable housing - on commencement of the development £1,000,000. Then nine payments based on the prior occupation of the following numbers of dwellings -150, 175, 225, 250, 300, 350, 400, 450 and 584 with eight payments of £1,000,000 and one of £184,000.

On 21st December 2012 the Council agreed a Deed of Variation to the original Section 106 Agreement to further assist with the timing of the contributions over the life of the development. The changes are as follows –

- affordable housing - the contributions would be on the basis of seven payments rather than the originally agreed ten payments. £2,500,000 would be paid in the first half of the development and £6,684,000 would be paid over the second half of the development with the largest single payment of £2,500,000 to be paid prior to the occupation of the 500th dwelling.

This has been changed by the Inspector's decision - the overall sum is £5,070,000 and this is to be paid as follows -

Prior to the occupation of the 125th residential unit -£1,070,000.
 Prior to the occupation of the 225th residential unit - £1,000,000.
 Prior to the occupation of the 325th residential unit - £1,000,000.
 Prior to the occupation of the 425th residential unit - £1,000,000.
 Prior to the occupation of the 525th residential unit - £1,000,000

This change is valid for a period of three years and then it reverts back to the original Section 106 Agreement. The sums for education provision, public open space provision and transportation/highways are unaffected by the decision.

In reaching the decision the Inspector was mindful that the Council and Kensingtons had moved closer on matters such as sales revenue from the development, land acquisition costs, build costs, infrastructure and abnormal costs and profit levels.

Does the information submitted include any exempt information? No

List of Appendices:

None.

6.0 Legal considerations:

6.1 None.

7.0 Human Resources considerations:

7.1 None.

8.0 Equalities considerations:

8.1 None.

9.0 Financial considerations:

9.1 None.

10.0 Risk management considerations:

10.1 None.

11.0 Ethical considerations:

11.1 None.

12.0 Internal/ External Consultation undertaken:

12.1 None.

13.0 Background papers:

13.1 None.

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Report to:	Planning Committee
Item number	5
Relevant Officer:	Tim Coglean, Service Manager, Public Protection.
Date of Meeting	9 th June 2014

PLANNING ENFORCEMENT UPDATE

1.0 Purpose of the report:

1.1 The Committee is requested to consider the summary of planning enforcement activity within Blackpool during April 2014.

2.0 Recommendation(s):

2.1 To note the outcomes of the cases set out below and to support the actions of the Service Manager, Public Protection Department, in authorising the notices set out below.

3.0 Reasons for recommendation(s):

3.1 The Committee is provided with a summary of planning enforcement activity for its information.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:
Not applicable. The report is for noting only.

4.0 Council Priority:

4.1 Not applicable.

5.0 Background Information

5.1 Cases

New cases

In total, 54 new cases were registered for investigation, compared to 58 received in April 2013.

Resolved cases

In April 2014, seven cases were resolved by negotiation without recourse to formal action, compared with 13 in April 2013.

Closed cases

In total, 26 cases were closed during the month (54 in April 2013). These cases include those where there was no breach of planning control found, no action was appropriate (e.g. due to more effective action by other agencies, such as the police) or where it was considered not expedient to take action, such as due to the insignificant nature of the breach.

Formal enforcement notices / s215 notices / BCNs

- Three enforcement notices authorised in April 2014 (one in April 2013);
 - No s215 notices authorised in April 2014 (one in April 2013);
 - No Breach of Condition notices authorised in April 2014 (none in April 2013);
- relating to those cases set out in the table below
- No enforcement notices served in April 2014 (1 in April 2013);
 - No s215 notices served in April 2014 (2 in April 2013);
- No Breach of Condition notices served in April 2014 (none in April 2013).

Enforcement notices / S215 notices / BCNs authorised in April 2014

Ref	Address	Case	Notice
11/8477	29-31 Grasmere Road	Without planning permission, the installation of externally housed roller shutters with associated housing boxes and guide rails, and installation of a new ATM machine with associated external alterations	Enforcement
11/8418	244-246 Dickson Road	Without planning permission, the installation of an externally housed roller shutter with associated housing box and guide rails at 244-246 Dickson Road	Enforcement
13/8370	351 Promenade	Without planning permission, the erection of timber seating structures and tables on the forecourt	Enforcement

Does the information submitted include any exempt information?

No

List of Appendices:

None.

6.0 Legal considerations:

6.1 None.

7.0 Human Resources considerations:

7.1 None.

8.0 Equalities considerations:

8.1 None.

9.0 Financial considerations:

9.1 None.

10.0 Risk management considerations:

10.1 None.

11.0 Ethical considerations:

11.1 None.

12.0 Internal/ External Consultation undertaken:

12.1 None.

13.0 Background papers:

13.1 None.

Report to:	Planning Committee
Decision or Item number	6
Relevant Officer:	Carl Carrington, Service Manager Built Heritage
Date of Meeting	9 th June 2014

LIST OF BUILDINGS OF LOCAL ARCHITECTURAL AND/OR HISTORIC INTEREST

1.0 Purpose of the report:

1.1 The Committee is requested to consider the proposed list of buildings of local architectural and/or historic interest for Norbreck, Bispham, Warbreck, Greenlands, Ingthorpe, Highfield, Squires Gate and Stanley wards.

2.0 Recommendation(s):

2.1 To approve the proposed list and recommend its adoption by the relevant Cabinet member.

3.0 Reasons for recommendation(s):

3.1 The buildings outlined in the report and appendices meet the criteria for inclusion in the local list.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

Not to adopt the proposed list as detailed in the report and appendices

4.0 Council Priority:

4.1 The relevant Council Priority is “Expand and promote our tourism, arts, heritage and cultural offer”.

5.0 Background Information

5.1 On 2nd November 2011 Executive approval (EX52/2011) was received to create a list of buildings of local architectural and/or historic interest. Local lists are a way of helping conserve buildings of local, rather than national, importance which make a positive contribution to the character of our streets, and the adoption of a local list will assist the Council when it has to make planning decisions. Although local listing will not confer the level of protection of statutory designation, it will be a material consideration when planning permission is sought which might harm a building’s special interest.

5.2 Because of the large number of buildings initially proposed for the local list it has been undertaken in stages, and so far 200 buildings have been formally adopted.

5.3 The proposed list for Norbreck, Bispham, Warbreck, Greenlands, Ingthorpe, Highfield, Squires Gate and Stanley wards are now put forward for consideration. Public consultation was carried out at the Sandhurst Area Forum on 22nd April 2014, at the Beacon Area Forum on 23rd April, and at the South Shore Area Forum on 1st May 2014. Letters were sent to owners at the same time notifying them of the Council’s intention to locally list their buildings.

5.4 The lists of buildings proposed for local listing are attached at Appendix 6a(i), 6a(ii) and 6a(iii). Individual historic asset record datasheets for each building are available in the Members’ Library.

5.5 Three representations have been received which the committee is asked to take into account when making a recommendation for formal adoption of the local list for these wards. These are attached at Appendix 6b(i), 6b(ii) and 6b(iii). The datasheets are also attached for ease of reference at Appendix 6c(i), 6c(ii) and 6c(iii).

Does the information submitted include any exempt information?

No

List of Appendices:

Appendix 6a(i): Proposed local list of buildings for Beacon

Appendix 6a(ii): Proposed local list of buildings for Sandhurst

Appendix 6a(iii): Proposed local list of buildings for South Shore

Appendix 6b(i): Representation regarding Artificial Cliffs, Queens Promenade

Appendix 6b(ii): Representation regarding Bispham Methodist Church, Beaufort Avenue

Appendix 6b(iii): Representation regarding BLESMA home, 539 Lytham Road

Appendix 6c(i): Datasheet for Artificial Cliffs, Queens Promenade

Appendix 6c(ii): Datasheet for Bispham Methodist Church, Beaufort Avenue

Appendix 6c(iii): Datasheet for BLESMA home, 539 Lytham Road

6.0 Legal considerations:

- 6.1 Local listing does not change any existing permitted development rights for a property but is considered as a "material planning consideration" that can be included in the decision making process of any application affecting the property. There is no statutory appeals process. Decisions are subject to general principles

7.0 Human Resources considerations:

- 7.1 The key consideration is the impact on officer time in processing any applications and advising the Council's Development Management Team and Planning Committee. As there could be approximately 250 buildings for potential local listing, this will mean a rise in the number of applications requiring advice from the Built Heritage team but no significant impact on the planning team.

8.0 Equalities considerations:

- 8.1 None

9.0 Financial considerations:

- 9.1 Officer time would be required, but it is not envisaged that more than six hours a week would be spent on additional consultations. This can be met within existing resources.

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None.

12.0 Internal/ External Consultation undertaken:

12.1 Expert Panel Review and relevant Area Forum consultation were carried out in advance of the local list being presented to the Planning Committee. Owners have been notified of the decision to recommend the inclusion of their property on the Local List and representations have been received and included in the appendices to this report.

13.0 Background papers:

13.1 Original Assessment Sheets for all properties.

PROPOSED LIST FOR BEACON AREA – GREENLANDS, INGTHORPE AND WARBRECK

Carleton Crematorium - offices and chapel	Greenlands
Carleton Crematorium grounds	Greenlands
St. Winefride's House and Tremaine, Low Moor Road (Lower Moor Farm)	Greenlands
Devonshire Road Rock Gardens	Greenlands
Layton (Crossleys) railway bridge, Plymouth Road	Greenlands
Layton Railway Station, Bispham Road	Greenlands
Squirrel Hotel, Bispham Road	Greenlands
Warbreck Water Tower, Leys Road	Greenlands
Former Bispham Library	Ingthorpe
Old England, 226 Red Bank Road	Ingthorpe
Red Lion, Devonshire Road	Ingthorpe
Artificial cliffs, Queen's Promenade	Warbreck
Boating Pool, North Promenade	Warbreck
Circus Casino, 64 Queen's Promenade	Warbreck
Cliffs Hotel, 22 Queen's Promenade	Warbreck
Devonshire Arms, Devonshire Road	Warbreck
Kings Christian Centre (Claremont Congregational Church), Warley Road	Warbreck
Warbreck Hill Recreation Ground	Warbreck
Gynn Hotel, 341 Dickson Road	Warbreck
Holy Family RC Church, Links Road	Warbreck
Railings beneath railway bridge, Devonshire Road	Warbreck
Savoy Hotel, 2-4 Queen's Promenade	Warbreck
Sherwood Hotel, 412-414 Promenade	Warbreck
St. Stephen's on the Cliffs, St. Stephens Avenue	Warbreck
St. Stephen's Church Hall, St Stephen's Avenue	Warbreck

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PROPOSED LOCAL LIST FOR SANDHURST – ANCHORSHOLME, BISPHAM AND NORBRECK

Bispham Methodist Church, Beaufort Avenue	Bispham
Bispham Hotel, 68 Red Bank Road	Bispham
Bispham Tram Station	Bispham
Cavendish Road Congregational Church	Bispham
Parade of shops, 90, 92, 94, 96, 98, 100, 102 and 104 Red Bank Road	Bispham
294 Queens Promenade	Bispham
RBS Bank, 1 Red Bank Road/Promenade	Bispham
51 and 53 Fleetwood Road, Bispham	Norbreck
Little Bispham Tram Stop, Promenade facing Shore Road	Norbreck
Norbreck Primary School, Norbreck Road	Norbreck
203 and 205 Norbreck Road including cobble wall	Norbreck
249 and Bispham Lodge Flats 251 Norbreck Road	Norbreck
Bispham Court, 357 Norbreck Road inc cobble wall	Norbreck
Bispham House, 284 and 286 Norbreck Road	Norbreck
Norbreck Castle Hotel, Queens Promenade	Norbreck

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PROPOSED LOCAL LIST FOR SOUTH SHORE – HIGHFIELD, SQUIRES GATE AND STANLEY WARDS

Halfway House Hotel, Squires Gate Lane/St. Annes Road	Highfield
Hawes Side Primary School, Pedders Lane	Highfield
Former Highfield Library, Highfield Road	Highfield
Dunes Hotel, 561 Lytham Road	Squires Gate
Farmers Arms, 2-4 Lytham Road	Squires Gate
Highfield Wesleyan Methodist Church, Scarsdale Avenue	Squires Gate
Cottages, 1, 3 and 5 Stonycroft Place	Squires Gate
Terrace 7, 9, 11 and 13 Stonycroft Place	Squires Gate
St Mary's CoE Church, Stonycroft Avenue	Squires Gate
Solaris, South Promenade	Squires Gate
Former Bank, 1-5 Highfield Road	Squires Gate
580-582 Lytham Road	Squires Gate
BLESMA home, 539 Lytham Road	Squires Gate
Cobble wall to 565 Lytham Road	Squires Gate
Cobble wall to 567 and 569 Lytham Road	Squires Gate
Harrowside railway bridge	Squires Gate
Squires Gate railway bridge	Squires Gate
Hawes Side Library, Hawes Side Lane	Stanley
Highfield Hotel, Highfield Road	Stanley
Midgeland Farm, Midgeland Road	Stanley
Old Runnell Farm, Eastbank Avenue	Stanley
Old School House, rear of Division Lane	Stanley
Our Lady of the Assumption, Common Edge Road	Stanley
St Nicholas Primary, School Road, Marton	Stanley
Werneth House, off Division Lane	Stanley
Lamposts, Midgeland Road	Stanley
K6 telephone kiosk, Midgeland Road	Stanley
Boundary stone, Common Edge Road	Stanley
WWII pillbox, Common Edge Road	Stanley
Butcher's Farm Cottage, Worthington Road	Stanley
Barn, Mosshouse Road	Stanley
Former railway building, Lilac Farm, Chapel Road	Stanley
Runnell Cottage and barn, Chapel Road	Stanley
Cobbled wall, Chapel Road	Stanley
Whalley Farm, Whalley Lane	Stanley
1920s finger post, Stockydale Road (ex situ)	Stanley
20 Moss House Road	Stanley

From: Mark Anderson
Sent: 09 May 2014 15:58
To: Carl Carrington
Cc: Jan Cresswell; Peter Cross
Subject: RE: Cliffs, Boating Pool area

Carl,

on the basis, there appears to be very little if any benefit to the Council or it's residents, then I object to the proposals.

The area is far from original due to extensive repairs over the many years.

thanks

Mark Anderson

Engineering Manager

Blackpool Council
Built Environment
Layton Depot
Plymouth Road
Blackpool FY3 7HW

T 01253 476145

E:mark.anderson@blackpool.gov.uk

From: Carl Carrington
Sent: 17 April 2014 04:29
To: Mark Anderson
Cc: Jan Cresswell
Subject: RE: Cliffs, Boating Pool area

Hi Mark

The letter refers to local listing rather than statutory. It's a different beast altogether and really only affects works that require Planning Consent.

The move to create a local list has been driven by a number of things, not least a political will to ensure that important heritage assets are protected from removal or degradation by inappropriate development. If we add to this English Heritage's specific interest in resort infrastructure for its upcoming review and publication, the pressure for local authority action is growing fast.

The cliffs themselves are thought to be the largest installation of Pulhamite anywhere in the UK and form part of a masterplan for the northern promenade sections by borough surveyor J C Robinson in the late 1920's. With the loggia shelters at Middle Walk they form an important feature in the promenade's development between 1900 and 1950.

To be fair, I wouldn't worry too much about this, small scale repair won't require planning consent, but it would be useful to meet and look at setting out the overall plan for management. After all, Pulhamite is only a cement with additives and we should be able to get a specification together, look at comparative costs and make some practical recommendations. In short, we're not here to make your life harder, we can help with some of the issues and with Planning, take practical views where necessary.

Cheers

Carl

-----Original Message-----

From: Mark Anderson

Sent: Wednesday, April 16, 2014 03:57 PM GMT Standard Time

To: Carl Carrington

Cc: John Donnellon; Peter Cross

Subject: Cliffs, Boating Pool area

Carl,

I have received a letter regarding your proposals to add the Cliff face to a "listed" status.

Excuse my ignorance but I can't understand the benefit of doing this. You may be aware, they are in a poor state of repair and I am currently formulating a report on the options. These would be limited if we are then restricted on how we repair them.

My intention is like for like but for example, the boat pool area is red gunite, the rest manually rendered flag stones.

Secondly, no doubt the materials available for repair will be limited, thus increasing the cost. Do you want to list a structure (for whatever reason) when it required a significant investment. I have programmed to start low level repair works soon after Easter, which could bring us in conflict to the planners.

With listing them, do we receive a central grant to fund repairs? If not, again I can't see any reason why we should.

The Council controls what work, to certain standards.

Would it not be better, if at all needed, to list these after the repair work?

Thanks,

Mark Anderson

Engineering Manager

Blackpool Council

Built Environment

Layton Depot

Plymouth Road

Blackpool FY3 7HW

13 May 2014

Mr C Carrington
Built Heritage Manger
Property & Asset Management
Blackpool Council
81 Central
77-81 Church Street
Blackpool
FY1 1HU

Dear Mr Carrington

Bispham Methodist Church

Following instructions from the circuit stewards I write further to your letter dated 15 April in connection with the inclusion on the list of buildings to be considered by the Committee for a recommendation to the government for listing.

Due to a series of unfortunate occurrences I have only just received this instruction and having been unable to contact you on this eleventh hour I have not had sight of any documentation that would indicate why the church has been included in the list. Non-the-less I wish to make representations on behalf of the Church to express their objection to such. The church has recently closed and it is the intention of the circuit to sell the premises. This will probably involve redevelopment and some draft proposals have recently been sent to Gary Johnston. My involvement in the redevelopment proposals is the main reason why I have been asked to submit this representation. I am perhaps the only person available – not very flattering! Given more time we would have taken advice from a heritage consultant and provided a more informed response. Indeed I would ask that you allow us further time in which to make such a response, even just three weeks, enough time for you to be able to consider our position prior formulating your presentation to the Committee meeting scheduled for 09 June.

My initial thoughts:

The original building is rather typical of many of the Methodist Churches built around the beginning of the twentieth century in this area. Indeed I am aware, through having worked on many of them that most are of superior quality – Anchorsholme Methodist Church, The Mount Methodist Church – two of rather similar character to Bispham but of greater architectural interest.

In addition however Bispham differs to all of the others; Bishpam Methodist Church is characterised by unsympathetic extensions, one of which obscures most of the original building from public view. The other extension, a 1970's affair that reminds me of the Station pub opposite the former Blackpool North Station, further detracts from the original. Other extensions to the rear (due east) are little more successful. I assume that all this is being considered for listing.

The listing of the complex doesn't of course mean that all these extensions have to be preserved. However the mere fact that even part of this complex has to be preserved might well prevent any profitable development which would in practical terms mean the preservation of the very worst parts of this complex. That might in some way preserve the character of the area but it would at the same time have the affect of detracting from it. Change can be a very positive way of improving our environment.

In respect of highway safety, whilst I don't consider the current parking arrangements for the complex to be particularly unsafe, I would foresee that if I was to design such a development

as this from scratch that Highways would be looking for substantial improvements in road safety. Therefore preservation of the current site and possible occupation with a similar use would negate the opportunity that we are currently presented with for a safer environment, a net improvement in safety.

We currently have an opportunity to remove this rather poor collection of buildings from the site and substitute it with an attractive housing scheme that would represent a very positive change in the locality. I would therefore ask the Committee not to recommend this church for inclusion in the list and instead allow us to enhance the area with a quality project more suited to this residential area.

I once again ask that you allow us more time to prepare a more informed submission.

Yours sincerely

Chris Hewitt

10 Cecil Street
Lytham St Annes
FY8 5NN

PJN/JA

30th April 2014

Email

Carl Carrington

BLESMA Home, 539 Lytham Road, South Shore, Blackpool FY4 1RA

Hi Carl

Long-time no see, although I have seen you in the Gazette!

I trust you are keeping well.

I understand that you have written to the Manager of the Home with proposals to list the building and which will be going to the Council sometime in May.

May I explain my own position. I am the Honorary Treasurer of the Home and on the Advisory Board and we are somewhat concerned as listing of the building could materially affect our ability to serve our wounded heroes.

BLESMA was set up after the 1st World War to deal with the many limbless members of our armed forces following that conflict.

Our need has continued throughout the 20th Century following the 2nd World War and Korean War in particular. The needs of the members of the Association are changing and BLESMA as a charitable organisation for wounded heroes, is changing to adapt to those needs.

We are presently undergoing a strategic review to serve the needs of our members and it would not be helpful if we were restricted should the building become listed. I trust you understand that by objecting to this proposal BLESMA is putting the needs of its members first as the Association wish to remain flexible to address those needs now and in the future.

We are very proud of the building and you will be aware that any alterations that have taken place in the past have been done sympathetically and to a very high standard and this will continue.

May I suggest you give me a ring to discuss any aspects.

Kind regards.

Peter Noblett

Telephone Office – 01253 295599

Telephone Mobile – 07889 188178

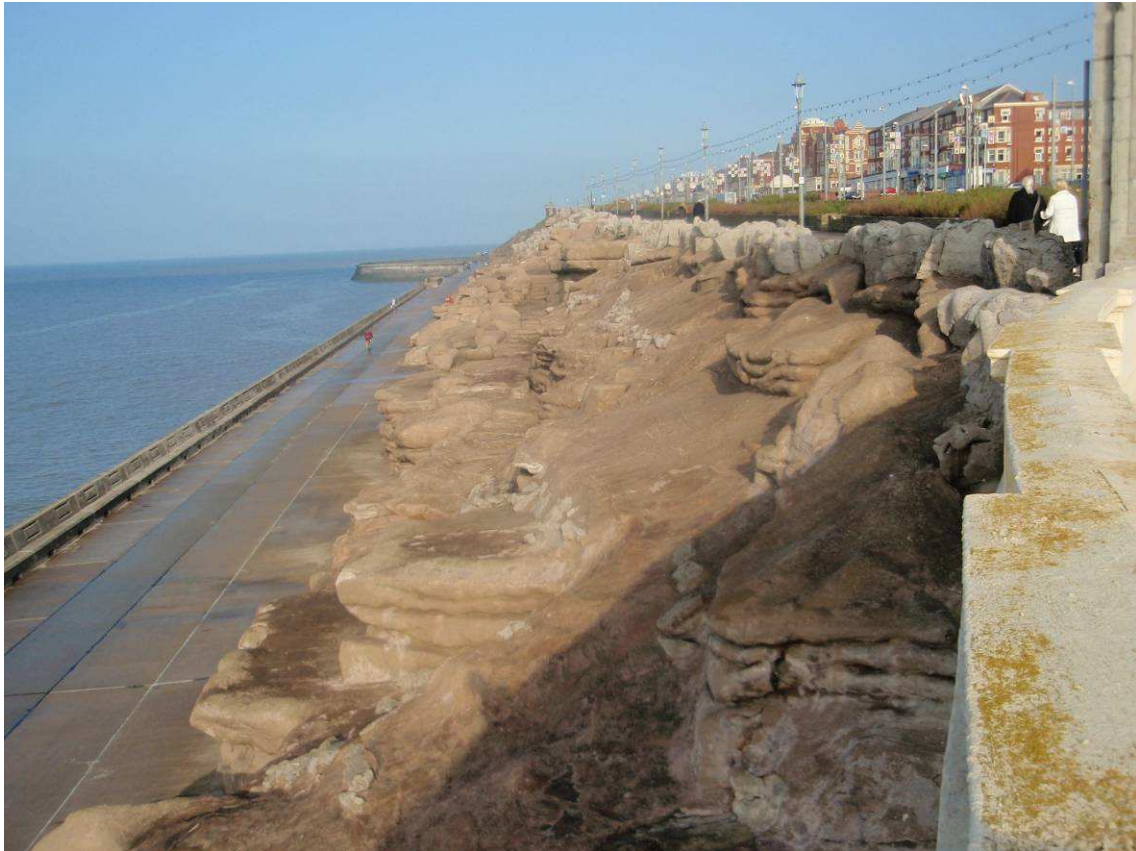
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HISTORIC ASSET RECORD (HAR)
Template version 1.0

TITLE/ADDRESS Artificial cliffs, Queen's Promenade			Asset number HA
National Grid Reference 330733, 438540	County Lancashire	District Blackpool	Ward Warbreck
Grade: Local			
Summary of Importance/Criteria Decision Substantial area of rockwork and artificial cliffs which form part of the historic character of the front on the North promenade where quieter recreational pursuits were encouraged.			

Historic Asset Description

Artificial rockwork incorporating natural stone installed by J. Pulham & Son in 1923 under the direction of the Blackpool Borough Surveyor Francis Wood. The 'cliffs' are of substantial size, rising from a lower promenade walkway up to road level, running from the former boating pool at Cabin Lift, North, to the South end of Jubilee Gardens at Gynn Square. They are arranged naturalistically with pathways running through them. The rockwork incorporates natural stone and large blocks of natural limestone in the Jubilee Gardens area, possibly additions to the original scheme.



Sources:
Hartwell & Pevsner, *North Lancashire*, forthcoming.

HISTORIC ASSET RECORD (HAR)
Template version 1.0

Ownership
Management History
Heritage Protection History
Consents and Constraints
Date of decision record entry

HISTORIC ASSET RECORD (HAR)
Template version 1.0

Appendix 6c(ii)

TITLE/ADDRESS			Asset number
Bispham Methodist Church, Beaufort Avenue			HA
National Grid Reference	County	District	Ward
330977, 439881	Lancashire	Blackpool	Bispham
Grade: Local			
Summary of Significance			
<p>Methodist church constructed in two distinct phases as the village of Bispham developed into a suburb of Blackpool. Early Edwardian church by T.G. Lumb extended in 1957 to the designs of Messrs. E. P. Prestwich</p>			
Historic Asset Description			
<p>Edwardian chapel constructed in 1902 and designed by local architect Mr. T.G. Lumb. Built from hard red brick with stone dressings to windows and copings. Stone bands and coping to gabled parapet on front elevation. Symmetrical design with large arched window with keystone to central bay flanked pilasters and square windows at first floor level visible above 1957 extension. Steeply pitched red clay tile roof. Original entrance was single storey set forward from the front elevation.</p> <p>The second phase designed by prominent architects Messrs. E.P. Prestwich in 1957 (who designed the grade II listed cenotaph) is single storey and extends across the original entrance. Main entrance adjacent to original building beneath canopy. Extension constructed from rough orange brick with yellow brick panels above and below windows. A modernist style building with flat roofs and simple lines. Tall slender tower to north end topped by a cross. The tower lends landmark qualities to the building which is visible from the Promenade. The building's two distinct phases means its historic significance is highly legible.</p>			

HISTORIC ASSET RECORD (HAR)
Template version 1.0



Sources: Evening Gazette 12.7.57. Gazette and Herald 2.5.02.

Ownership

Management History

Heritage Protection History

Consents and Constraints

Date of decision record entry

HISTORIC ASSET RECORD (HAR)
Template version 1.0

TITLE/ADDRESS			Asset number HA
BLESMA home, 539 Lytham Road			
National Grid Reference 331028, 432517	County Lancashire	District Blackpool	Ward Squires Gate
Grade: Local			

Summary of Significance

Mid-Victorian detached villa with many original features including decorative plasterwork and staircases. Now the BLESMA home.

Historic Asset Description

Mid-Victorian detached villa with many original features including decorative plasterwork and staircases. First appears on 1893 OS map named as Hughenden House surrounded by orchards and approached down a long drive. By 1911 it was known as Stony Hill Lodge but became the BLESMA home (British Limbless Ex-Servicemen's Association) in 1949.

Two storey double pile villa constructed from brick with terracotta detailing, now painted. Slate roof with terracotta ridge and hip tiles. Original main elevation is at right angles to Lytham Road. Modern windows in original openings and modern sun lounge added to the ground floor. Internally there area many original features including decorative plasterwork and staircases. The building is set well back from the road behind a low brick wall in extensive grounds, now given over to additional lodge accommodation.



HISTORIC ASSET RECORD (HAR)
Template version 1.0

Sources: OS maps, Barrats directories

Ownership

Management History

Heritage Protection History

Consents and Constraints

Date of decision record entry

COMMITTEE DATE: [09/06/2014](#)

Application Reference: 14/0333

WARD: Claremont
DATE REGISTERED: 01/05/14
LOCAL PLAN ALLOCATION: Resort Neighbourhood
Defined Inner Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: Pelham Lodge

PROPOSAL: Infill of basement area and erection of single storey front extension, erection of three storey rear extensions and use of part of basement as museum and ancillary use of hotel dining room as tea room open to the general public.

LOCATION: 7-9 GENERAL STREET, BLACKPOOL, FY1 1RW

Summary of Recommendation: Refuse in principle but to delegate the issuing of the decision to the Head of Development Management.

CASE OFFICER

Miss. S. Parker

INTRODUCTION

This application is a resubmission of a previously refused proposal with a revision to the front extension. A previous iteration of the proposal was refused by the Head of Development Management using his delegated authority - application ref. 12/0195. The reason for refusal was as follows:

The proposed single storey front extension, by virtue of its height, design, projection forward of the building line and proximity to the footpath in General Street, would be over-dominant and out of keeping with the character of the immediate area. In addition, the extension would be incongruous and relates poorly to the property in terms of design and would therefore be significantly detrimental to the character of the property and the visual amenity of the wider area. As such the proposal would be contrary to Policies LQ1, LQ14 and BH3 of the Blackpool Local Plan 2001-2016.

That decision was subsequently appealed. The Planning Inspector who considered the appeal concurred with the Council and judged that the front extension proposed would have a detrimental impact on the streetscene by virtue of its size, scale and projection (the projection was 3.5 metres to the back of the pavement). Having regard to all other matters the Inspector dismissed the appeal. No objection was raised to the proposed use of the basement or to the extension of this space or the extension of the property to the rear. This application therefore primarily seeks to address the concerns raised regarding the scale, projection and design of the front extension.

SITE DESCRIPTION

The application property is a three-storey, double-fronted, detached building with basement accommodation and a car park to the rear on the western side of General Street, close to its junction with Springfield Road. The site slopes from east to west meaning that the basement is below ground level at the front of the property but forms a lower ground floor level at the rear. There is a walkway to the north of the site with properties fronting Springfield Road beyond. The property on the western corner of the junction with Springfield Road is a convenience store with those to the east approved for use as permanent residential accommodation. To the south of the property is an alleyway giving access to a further residential property to the rear. On the opposite side of the alleyway is a furniture showroom with further residential accommodation beyond. The eastern side of this section of General Street contains a mixture of permanent residential accommodation with some holiday accommodation properties, and the same is true of Springfield Road east of the site.

The property is currently in use as a hotel offering fifteen guest bedrooms along with a guest lounge and dining room at ground floor level. The basement is currently used as owners' accommodation with the kitchen serving the hotel found at this level. There was formerly a guest bar at basement level. The building has been little altered and retains many original features to the front elevation. There are full-height, gable-topped, box bays on either side of the central main entrance. The front entrance point is surrounded by decorative stonework and the windows similarly have decorative stone cills and lintels. Eaves level corbels add further visual interest. The majority of the windows are tall and narrow giving a strong vertical emphasis to the front elevation. The main front elevation of the property excluding the box bays is set back some 3.5m from the front boundary. Overall it is considered that the building is attractive in appearance and makes a positive contribution to the quality the streetscene.

DETAILS OF PROPOSAL

The application seeks planning permission for the following works:

- erection of three storey rear extensions on either side of the existing out-rigger to enable the provision of larger, en-suite guest bedrooms at upper floor level and on the southern side of the ground floor, and an enlarged guest dining room on the northern side of the ground floor;
- infill of the basement area and use of part of the basement as a museum;
- erection of a single storey front extension to increase the size of the guest lounge, guest dining room and entrance lobby at ground floor level.

The application also seeks planning permission for the ancillary use of the hotel dining room as a tea room open to the general public.

The application is accompanied by a Design and Access Statement

The Committee will have visited the site on 9th June 2014.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- The acceptability of the use in this location;
- The impact of the extensions on the amenity of nearby neighbours;
- The impact of the extensions on the appearance of the site and the quality of the streetscene;
- The adequacy of the parking and access arrangements.

These issues will be discussed in the assessment section of this report.

CONSULTATIONS

Head of Transportation: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

Commercial Waste: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 22nd May 2014 (the notification period ends on 12th June 2014)
Neighbours notified: 14th May 2014

No representations have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

NATIONAL PLANNING POLICY FRAMEWORK

In March 2012, the National Planning Policy Framework (NPPF) was published. This document sets out the Government's approach and expectations with regard to planning and development. It places heavy emphasis on sustainable development and the need for the planning system to be proactive in driving economic growth. There is a presumption in favour of development where there are no over-riding material considerations. The Framework makes it clear that all developments should be of a high standard of design and paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. This emphasis on the need for good design is repeated in the National Planning Practice Guidance (NPPG) which was introduced in March 2014.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006 and the majority of its policies saved by direction in June 2009. The following policies are most relevant to this application:

- RR1 Visitor Attractions
- RR2 Visitor Accommodation
- RR8 Resort Neighbourhoods
- LQ1 Lifting the Quality of Design
- LQ14 Extensions and Alterations
- BH3 Residential and Visitor Amenity
- BH11 Shopping and Supporting Uses - Overall Approach
- BH12 Retail Development and Supporting Town Centre Uses
- AS1 General Principles (Access and Parking)

The Holiday Accommodation Supplementary Planning Document (SPD) is also relevant to this application. This document was adopted in March 2011 and reflects the need to reduce the quantum of holiday accommodation within the town and focus provision on those areas considered to be most viable, successful and sustainable. As such it identifies Main Holiday Accommodation Areas where holiday accommodation is to be afforded ongoing protection. These areas are much smaller than the Resort Neighbourhoods identified through the Blackpool Local Plan. The application property does not fall within any of the Main Holiday Accommodation Areas identified by the Supplementary Planning Document as meriting ongoing protection for holiday accommodation uses.

EMERGING PLANNING POLICY

The Blackpool Local Plan Part 1: Core Strategy - Revised Preferred Option consultation document was published in May 2012. This responded to representations received to earlier 2010 and 2008 consultations, publication of the National Planning Policy Framework, the pending abolition of North West Regional Spatial Strategy (which was subsequently abolished in May 2013), updated evidence base documents and a review of Blackpool Council's priorities as set out in the 'Mission, Values & Priorities' Statement (2012). A Pre-Submission document is currently being prepared.

Emerging policies in the Core Strategy Revised Preferred Option that are most relevant to this application are:

- CS1 Strategic Location of Development
- CS7 Quality of Design
- CS16 Blackpool Town Centre
- CS20 Leisure and Business Tourism

ASSESSMENT

Principle

The application seeks planning permission for a number of extensions to the property. These extensions are intended to improve the standard of guest bedrooms and guest facilities at the hotel. Although the property falls outside of any of the Main Holiday Accommodation Areas identified as meriting ongoing protection for holiday accommodation use by the Holiday Accommodation Supplementary Planning Document, the improvement of the existing visitor accommodation would nevertheless be supported by Policy RR2 of the Blackpool Local Plan. Indeed, the Holiday Accommodation SPD makes it clear that enhancement of existing holiday accommodation outside of the protected areas will be

supported by the Council. As such, it is considered that the extension of the property to facilitate an upgrade of the existing facilities is acceptable in principle although there remains an issue with the principle of an extension to the front of the property. This matter is considered in more detail in the design section of this assessment.

The application also proposes the infilling of the space to the front of the existing basement windows and the use of part of the enlarged basement area as a museum with an ancillary retail area. It is understood that the applicant is a Punch and Judy enthusiast and the museum would be themed accordingly. The museum and retail area would comprise some 123sq m and would essentially occupy the full space below no. 9 General Street and the front half of the space beneath no. 7. The remainder of the space would be used to provide owner accommodation and a utility room. Policy RR1 of the Blackpool Local Plan and Policies CS1, CS16 and CS20 of the emerging Core Strategy would direct uses such as this to the defined Town Centre or Resort Core in order to reinforce and support the existing concentration of cultural and leisure uses in these areas. However, given the size and specialised nature of the Punch and Judy museum proposed, it is not considered that its provision in this location would detract from the character and function of the Town Centre or Resort Core or set an undesirable precedent for future developments. No objection to this aspect of the scheme was raised during the consideration of the previous application (ref. 12/0195) and the Inspector who considered the appeal did not judge the use to be inappropriate. As such, this aspect of the scheme is considered to be acceptable.

The final point of principle is the use of the guest dining room on an ancillary basis as a tea room open to the general public. Policies BH11 and BH12 clearly require all retail and supporting uses to be directed to the defined Town Centre and other centres of the established retail hierarchy. The Council has consistently and successfully resisted proposals for such uses to be established in out-of-centre locations. However, it is recognised that many hotels, particularly the larger hotels, offer restaurant facilities that are patronised by non-staying guests on an ancillary basis. The use of the existing hotel dining room by a non-staying guest would be considered to be ancillary if this use were secondary to the main function of the dining room as a facility to meet the needs of guests of the hotel. No information has been provided with the application to indicate the hours during which the dining room would be opened as a tea-room or the extent to which the facility would be used by non-staying guests as opposed to staying guests. It is considered that the use of the existing dining room by non-staying guests on an ancillary basis is already inherent in the established lawful use of the premises and does not need to be reflected in the description of development. The use of the dining room as a more independent tea-room would constitute a change of use requiring planning permission and, as this would be contrary to planning policy, would not be supported. It is therefore recommended that the description of development be changed accordingly should the Committee be minded to look favourably on the application.

Amenity

The rear extensions proposed would sit alongside the existing out-rigger and would essentially 'box off' the rear of the property. No side windows are proposed in these rear extensions and, given their scale and position relative to the existing, it is not considered that they would be over-bearing or have a detrimental impact on the amenities of nearby neighbours through over-shadowing or loss of outlook. Similarly the infill of the basement and the extension of the property at the front would not have any detrimental impacts on neighbours by virtue of over-looking or over-shadowing. As such, no residential amenity issues are identified.

Design

The extensions proposed at the rear would be simplistic and functional in design and would not be visible from a main public thoroughfare. These extensions were considered to be acceptable under application ref. 12/0195 and the Inspector raised no objection to them in considering the appeal. Similarly the infilling of the basement was considered to be acceptable. The existing basement windows have detailed lintels and, on officer recommendation, these would now be either reused or replicated above the slit windows proposed to allow light into the proposed basement.

The design of the front extension had changed significantly from that refused under application ref. 12/0195 and has been changed further since the first submission of this application. Previously the extension had projected to the back of pavement and incorporated a mono-pitch roof sloping back to the main front elevation of the property. It was considered to be excessive in scale and projection and poorly detailed in relation to the host building. The extension now proposed would be set in some 0.7m from the front boundary of the property. It would consist of a dual-pitched, gable-fronted extension on either side of the frontage linked by a flat roofed section which would bring the main entrance point forward. This central section would be recessed by 0.7m from the gable-fronted sections on either side.

Whilst it is recognised that the applicant has sought to address the concerns previously raised by the Council and by the Planning Inspector, it is not considered that the current proposal overcomes the issues identified. General Street varies markedly along its length in terms of land use and built form. To the north is a terrace of properties which open directly onto the street and have minimal architectural detailing. However, the southern end of the street is characterised predominantly by traditional style properties with bay windows which are separated from the public footpath by an enclosed area of private garden space. On the western side of the road a clear building line formed by the retail showroom, the application property and the corner property fronting Springfield Road can be identified. None of the properties at this end of the street have been extended at the front. Any extension to the front elevation of the property would therefore break the building line and represent an incongruous feature within the streetscene. It would also make it harder for the Council to resist similar proposals in the area. Individually and cumulatively this would have a damaging impact on the appearance of the area as evidenced by the presence of unsympathetic, historic sun-lounge extensions to the front of some of the properties fronting Springfield Road.

As previously stated, the application property is of a high standard of design with quality architectural detailing giving it an attractive appearance and making it a positive feature within the streetscene. By virtue of its scale and projection, the revised extension would still present an overly large and dominant feature that would detract from the appearance of the host building and wider streetscene. The extension would not be set in from the sides of the building and so, regardless of the extent of the projection, would not appear suitably subordinate to the host building. Since first submission the detailing of the fenestration and gable have been amended to better reflect those features on the floors above, but the central main entrance section remains poorly detailed with no visual connection to the main building. Whilst the central section would be recessed 0.7m from the projections on either side, this would not be sufficient to effectively reduce the visual impact of the extension on the streetscene.

Although the improvement of the existing guest accommodation at the hotel is considered to be acceptable in principle, the applicant has failed to demonstrate that extension of the existing guest lounge and dining room at ground floor level is necessary to support the viable operation of the hotel. Whilst officers have sought to be flexible and accommodating in supporting the creation of the museum use, it is not considered that its provision in this location would make a sufficient, positive contribution to the character and function of Blackpool as a tourist resort to outweigh the harm that would be caused to the appearance of the streetscene through the addition of the front extension. The applicant has not sought to demonstrate that the museum use would be needed to underpin the financial viability of the hotel operation. No information has been provided to justify the amount of floorspace devoted to the museum and associated retail area. It is felt that an internal reconfiguration would enable the provision of adequate guest facilities to meet the needs of a fifteen bedroom hotel. The applicant has suggested that the extension would make a visual statement and encourage visitors to the museum. However, it is not accepted that the front extension would be required to advertise the use of the basement as a museum. Any advertisement of the use would need to be the subject of an application for Advertisement Consent. On balance, it is considered that the improvement to the guest facilities that would be delivered through the front extension proposed would be insufficient to outweigh the harm that would arise to the character of the building and the quality of the streetscene.

It has been suggested to the applicant that more modest extensions to each of the existing front bays would be acceptable. To be looked upon favourably these extensions should match the existing bays in depth and width and would need to be appropriately detailed and topped by a gable feature to match those above. It is considered that such extensions would provide some additional floorspace without compromising the appearance of the property or streetscene. It is understood that the applicant is not prepared to amend the scheme in line with this recommendation and has requested that the application be determined on the basis of the plans submitted.

Parking and Highway Safety

Six off-street parking spaces would be provided to the rear of the hotel. These spaces would be double banked but would be managed by the hotel operator for use by hotel guests. The application site is in a highly accessible location close to Blackpool North railway station, the tram system on the Promenade and the shops, services and public transport connections in Blackpool Town Centre. As such, no parking or highway safety issues have been identified.

CONCLUSION

This scheme has been the subject of long-running discussions between the applicant and officers and a previous iteration has been refused and a subsequent appeal dismissed. It is acknowledged that improvements have been made to the detailing of the proposed front extension and that the design and extent of projection has been changed in response to previous concerns. Nevertheless, by virtue of its height, scale and projection, it is still considered that the extension would present an overly large and dominant feature within the streetscene that would detract from the appearance of the site and immediate area. Whilst the applicant's desire to upgrade the hotel and contribute towards Blackpool's holiday offer is welcomed and supported, the extension proposed to the frontage is not considered necessary to enable the continued operation of a high-quality hotel use. Consequently the benefits of the scheme are not considered to be sufficient to outweigh the

visual harm that would be caused by the proposed front extension. On this basis, and notwithstanding the acceptability of the other aspects of the scheme, the Committee is respectfully recommended to refuse the application but to delegate the issuing of the decision to the Head of Development Management on the expiry of the notification period (12th June 2014)

HUMAN RIGHTS ACT

Under Article eight and Article one 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. It is not considered that the application raises any human rights issues.

CRIME AND DISORDER ACT 1998

The contents of this report have 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.

APPENDIX

Appendix 7a - Appeal decision letter dated 26th April 2013 in respect of Pelham Lodge, 7-9 General Street

Recommended Decision: Refuse in principle but to delegate the issuing of the decision to the Head of Development Management.

Conditions and Reasons

1. The proposed single storey front extension, by virtue of its height, width, design and extent of projection forward of the building line, would be overly large and dominant and out-of-keeping with the character of the host property and the immediate area. As such it would have a detrimental impact on the character and appearance of the property and the quality of the streetscene. As such the proposal would be contrary to Policies LQ1 and LQ14 of the Blackpool Local Plan 2001-2016.

2. **ARTICLE 31 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)**

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 - conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan 2001-2016 - which justify refusal and which cannot be overcome by negotiation (a meeting was held with the applicant and his agent on 27th May 2014)

Advice Notes to Developer

Not applicable

Appeal Decision

Site visit made on 25 March 2013

by **Matthew Birkinshaw BA(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 April 2013

Appeal Ref: APP/J2373/A/12/2189129

Pelham Lodge, 7-9 General Street, Blackpool, Lancashire, FY1 1RW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Martin Scott Price against the decision of Blackpool Borough Council.
 - The application Ref 12/0195, dated 13 February 2012, was refused by notice dated 11 June 2012.
 - The development proposed is described as extensions, alterations and partial change of use to provide additional accommodation, basement museum and ground floor café facilities for use by the general public and residents.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and the streetscene within General Street.

Reasons

3. General Street is characterised by primarily two types of building form. The northern end of the street contains predominantly 3-storey terraced properties which extend up to the edge of the pavement. Although some of these buildings are on the same side of the street as the appeal property, they are located further north and form part of a different building line. This is materially different to the southern end of General Street which is characterised by largely traditional, bay-fronted Victorian terraces set back from the street with low boundary walls. Even though the commercial properties either side of Pelham Lodge are not demarcated by low walls and are accessed straight from the street, this shared building line and set back is nonetheless still clearly visible.
4. I appreciate the design approach adopted by the appellant, and recognise that the scheme would help restore symmetry to the front elevation, reflect the building's traditional features and provide the necessary disabled access. However, by extending forward by almost 3.5m at ground floor level, the scheme would be at odds with the prevailing building line and appear as an unduly prominent and incongruous addition. Viewed in the context of the other traditional Victorian buildings which are set back from the street, extending in this manner would therefore detract from the character and appearance of the host property and also this part of the street. Due to its size, siting and

projection, the visual impact of the proposal would not be minimised by the building's prominent features, the reuse of bay windows, its recessed entrance or the existing side facing windows.

5. There is disagreement between the parties regarding the proportion of each building style within the streetscene. Based on the information submitted, I find the evidence in this regard inconclusive. Nonetheless, the appeal property is clearly an attractive Victorian building located at the southern end of the street, set back from the pavement with a low boundary wall and bay windows. It therefore shares the same characteristics, and is viewed in the same context as the similar Victorian terraces opposite. As a result, the presence of other buildings further up the street, which form part a different building line do not justify the size and scale of the front extension proposed in this location.
6. I appreciate that the appellant has participated in lengthy pre-application discussions with the Council, and produced various design alterations in seeking to address the concerns raised and secure investment into the business. Alternative designs have also been submitted with the appeal proposal. However, whilst it is unclear whether these have been subject to any formal consultation, none of the plans before me address the fundamental concerns relating to the size and scale of the front extension. In relation to the rear extension, the Council confirms that it has no objection to this element of the scheme and I have no reason to disagree with this stance. However, the appellant has not indicated that he would wish to implement this aspect of the scheme in isolation of the front extension and I have therefore determined the appeal on this basis.
7. I have also taken into account that the proposed museum would be a unique attraction in Blackpool, which itself is recognised for its entertainment and tourist character. The investment that has already gone into building and the additional upgrades proposed are also noted, as is the current economic climate and difficulties facing the tourism industry in the area. However, I have not been provided with any evidence to suggest that the appeal proposal is the only possible solution to facilitate the new museum, upgrades to the visitor accommodation and extra ancillary guest areas. Whilst I appreciate the wider public benefits that the scheme would deliver, on balance, and based on the evidence presented, these factors do not justify the proposal given the harm I have identified.
8. In the context of its surroundings, the size, scale and projection of the front extension would have a detrimental impact on both the traditional character and appearance of the host property and the streetscene within General Street. The proposal is therefore contrary to *Blackpool Local Plan (2006) Policies LQ1 and LQ14* which require extensions and alterations to be designed and sited in relation to the original building and make a positive contribution to the quality of the surrounding environment. Both policies are broadly consistent with the National Planning Policy Framework and in this regard the proposal is also contrary to one of the Core Planning Principles which requires development to reflect the different character of areas.

Other Matters

9. When visiting the site and surrounding area I noted that some of the traditional Victorian terraced properties on adjoining streets had been extended at ground floor level on the front elevation.

10. However, whilst the proposal would share some similarities with the principle of these extensions, I have not been provided with any information about the circumstances which led to them being there. Consequently I have not given this any significant weight in reaching my decision.

Conclusion

11. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Matthew Birkinshaw

INSPECTOR

COMMITTEE DATE: [09/06/2014](#)

Application Reference: 14/0150

WARD: Warbreck
DATE REGISTERED: 10/04/14
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Outline Planning Permission
APPLICANT: Belsfield Care

PROPOSAL: Erection of two storey link extension to connect existing rest homes at 4 Carlin Gate and 4 St Stephens Avenue to form an additional lounge and ten bedrooms, and erection of two semi-detached, two-storey dwellinghouses with associated vehicle access, parking and landscaping to rear for use by rest homes following demolition of 6-8 Carlin Gate.

LOCATION: ST STEPHENS REST HOME 4 ST STEPHENS AVENUE AND 4-8 CARLIN GATE,
BLACKPOOL, FY2 9QX

Summary of Recommendation: Refuse

CASE OFFICER

C Johnson

INTRODUCTION

This application is the fourth in a series of similar outline planning applications. Outline planning applications with references 12/0700 and 13/0754 were withdrawn. Outline Planning Application reference 13/0301 for the erection of two storey link extension to connect existing rest homes at 4 Carlin Gate and 4 St Stephens Avenue to form an additional lounge and 12 bedrooms, and erection of two semi-detached, two-storey dwellinghouses with integral garages, with associated access, parking and landscaping to the rear for use by the extended rest home following demolition of 6-8 Carlin Gate, was refused by the Planning Committee at its meeting on 22nd July 2013.

The reasons for refusal are listed below:

1. The proposed extensions and alterations, linking 4 Carlin Gate and 4 St. Stephens Avenue and extending into residential gardens at the rear of 6-8 Carlin Gate would constitute an over-development of the plots and would have a significantly detrimental impact on the residential amenities of adjoining occupants and the visual amenities and character of the wider area by virtue of their size, scale, massing, close proximity to the boundaries and fenestration resulting in, overlooking, visual intrusion and a development which is overly intensive and out of character within a residential setting. The proposed link extension would also be detrimental to future occupants by virtue of the proximity of windows to boundary walls resulting in lack of natural light and lack of outlook.

The proposal would therefore be contrary to Policies LQ1, LQ14, BH3 and BH24 of the Blackpool Local Plan 2001-2016.

2. The proposal would create an inadequate vehicle access off Carlin Gate to substandard parking facilities to the rear of 6-8 Carlin Gate which would result in vehicle conflict, leading to vehicles having to reverse out of Carlin Gate and around tight corners with poor visibility. This would be contrary to highway safety and the free flow of traffic within the site. Furthermore the under-provision of useable parking spaces would lead to additional on street parking within the vicinity of the site which would lead to congestion and impede the free flow of traffic and would be detrimental to residential and visual amenity.

The proposal would therefore be contrary to Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

3. It has not been demonstrated that 6-8 Carlin Gate could not be brought back into viable use and the demolition of 6-8 Carlin Gate is therefore unsustainable. Furthermore, the two-storey domestic scale of the replacement dwellings proposed at 6-8 Carlin Gate would be out of character with the neighbouring properties at 4 Carlin Gate and 10-12 Carlin Gate and would therefore be an incongruous feature in the streetscene.

The proposal would therefore be contrary to Policies LQ1, LQ4 and LQ8 of the Blackpool Local Plan 2001-2016.

This current application is in outline form with means of access, scale and layout of the development being applied for at this stage and matters relating to appearance and landscaping are reserved for subsequent approval.

There have been numerous applications for the use/new build and extensions to 4 St Stephens Avenue, 4 Carlin Gate and 6 Carlin Gate in recent years and they are listed below:

4 St Stephens Avenue:

86/0420 – Use of premises as a rest home. Granted 22/04/1986

86/0916 - Erection of two-storey side extension and extension to rear dormer and erection of external staircase. Granted 06/08/1986

88/1571 - Erection of part two-storey and part single-storey rear extensions. Granted 29/11/1998

92/0667 - Erection of first floor rear extension to rest home. Granted 20/10/1992

93/0810 - Erection of first floor rear extension to rest home. Granted 19/10/1993

95/0574 - Use of premises as a rest home and nursing home. Granted 11/10/1995

98/0019 - Erection of single storey rear extension to provide additional bedrooms with en-suite facilities. Refused 06/04/1998 for the following reasons:

- The proposal was contrary to the provisions of Policy E13 of the Blackpool Borough Local Plan, because the development, by reason of its size and site coverage was out of character with the surrounding area and the general residential scale of properties in St Stephens Avenue, Holmfield Road and Carlin Gate. Approval of the development would have made it difficult for the Council to resist other similar extensions elsewhere in the

vicinity, which cumulatively would have had a seriously detrimental effect upon the character of the area by significantly reducing the space about properties.

- The proposal was be contrary to the provisions of Policy TR6 of the Blackpool Borough Local Plan because the development, by increasing demand for car parking whilst reducing the available parking spaces at the premises, would have lead to increased on-street parking to the detriment of highway safety and residential amenity.

98/0319 - Erection of single storey rear extension to provide additional bedrooms with en-suite facilities and creation of vehicular access and car parking space to front. Refused 22/06/1998 but granted on appeal.

10/1309 - Erection of three storey side extension, first floor rear extension and alterations to main roof to create mansard roof with a gable to the front elevation, dormer windows to the front, sides and rear. Extensions and alterations will form 32 en-suite bedrooms at existing care home. Granted 14/01/2011

11/0510 - Erection of three storey side extension, first floor rear extension and alterations to main roof to create mansard roof with a gable to the front elevation, dormer windows to the front, sides and rear. Extensions and alterations will form 38 en-suite bedrooms at existing care home. Refused 08/09/2011 for the following reason:

- The proposed extensions and alterations would have constituted an over-development of the plot and would have had a significantly detrimental impact on the residential amenities of adjoining occupants and the visual amenities and character of the wider area by virtue of their size, scale, massing, close proximity to the common boundaries and fenestration resulting in an overbearing impact, overlooking, visual intrusion, loss of natural light, loss of outlook, loss of car parking facilities and a lack of useable amenity space for the residents of the home. In addition, it was considered that the proposals would lead to additional on street parking within the vicinity of the site which would have lead to congestion and have been detrimental to residential and visual amenity. The proposals would therefore be contrary to Policies LQ1, LQ14, BH3, BH24 and AS1 of the Blackpool Local Plan 2001-2016.

11/1000 - Erection of three storey side extension, first floor rear extension and alterations to main roof to create mansard roof with a gable to the front elevation, dormer windows to the front, sides and rear. Extensions and alterations will form 36 en-suite bedrooms at existing care home. Refused 19/01/2012 for the following reason:

- The proposed rear extension, when added to other constructed and approved extensions, would have constituted an over-development of the plot and would have had a significantly detrimental impact on the residential amenities of adjoining occupants by virtue of its size, close proximity to the common boundaries and fenestration, resulting in an overbearing impact, overlooking, visual intrusion, loss of natural light, loss of outlook and a lack of useable amenity space for the residents of the home. The proposals would therefore be contrary to Policies LQ1, LQ14, BH3 and BH24 of the Blackpool Local Plan 2001-2016.

4 Carlin Gate:

06/0203 - Erection of a three-storey detached building with basement, additional accommodation within the roofspace and two-storey section at the rear to form 37 bedroom nursing/ care home with provision of eight car parking spaces. Refused 12/06/2006 for the following reason:

- The proposal would have been contrary to policies BH3 and BH24 of the Blackpool Local Plan 2001-2016 by reason of the intensity of development within the application site, the resultant number of properties in such use in the locality and impact on amenity of nearby residents.

06/0524 - Erection of three-storey detached building with basement, additional accommodation within the roofspace and two-storey section at the rear to form 37 bedroom nursing/care home with provision of car parking spaces at the front and rear (Resubmission of application 06/0203). Granted 04/09/2006.

07/0998 - Erection of three-storey detached building with basement and two storey section at the rear, both incorporating accommodation within the roofspace, to form 40 bedroom nursing/ care home with provision of 6 car parking spaces at the front and rear (Amendment to planning permission 06/0524). Granted 28/04/2008.

08/1198 - Elevational alterations to three storey detached care/nursing home (amendments to planning permission 07/0998). Granted 12/01/2009.

6-8 Carlin Gate:

04/0523 - Use of premises as single private dwellinghouse and conversion of rear extension to form additional living accommodation to provide guest facilities for private use. Granted 13/07/2004.

07/0593 - Use of premises as a single private dwellinghouse by no more than six residents living together as a single household (including a household where care may be provided for residents) (Certificate of Lawfulness for Proposed Use). Refused 18/10/2007 for the following reason:

- The applicant failed to provide sufficient information, with particular reference to the intended future residents and the nature and extent of any care to provided for those residents, to enable the Local Planning Authority to properly assess the application submission and to be in a satisfactory position to confirm whether the proposed use falls within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

SITE DESCRIPTION

The application site is L-shaped and comprises 4, 6 and 8 Carlin Gate and 4 St Stephens Avenue. It is within a residential area that is characterised by two and three-storey detached and semi-detached houses finished in various materials and of varying designs.

The site comprises:

- 6 and 8 Carlin Gate are a pair of semi-detached two/three storey properties on the north side of Carlin Gate and both properties are vacant and in a state of disrepair. To the rear of 6 Carlin Gate there is a large single storey rear extension and rear/side garage. To the rear of 8 Carlin Gate there is a smaller rear extension and a rear/side garage. Both properties have vehicular access from Carlin Gate. A large tree at the rear of 8 Carlin Gate screens both 6 and 8 Carlin Gate from properties to the north on St Stephens Avenue.
- 4 Carlin Gate is a substantial, extended detached, three-storey care home with 40 bedrooms, currently catering for people suffering from dementia.
- 4 St Stephens Avenue is a detached, three-storey care home which has been significantly extended to the sides and rear to provide 32 bedrooms, currently catering for people suffering from dementia. Across the road from 4 St Stephens Avenue at number 3 St Stephens Avenue is another large, detached care home for dementia patients with 26 bedrooms and there are also two-storey, semi-detached houses on St Stephens Avenue. A large single storey extension at the rear of 4 St Stephens Avenue abuts the rear boundary with 4 Carlin Gate.

All of these dementia homes are currently owned and operated by the applicant.

The site has no allocation in the Blackpool Local Plan 2001-2016.

DETAILS OF PROPOSAL

This application is in outline form with matters of access, scale and layout being applied for at this stage. It is proposed to demolish 6 and 8 Carlin Gate which have a footprint of approximately 180 square metres and 125 square metres respectively and garden areas of approximately 115 square metres and 200 square metres respectively and to erect a pair of semi-detached houses each with a smaller footprint (approximately 70 square metres each in area which is approximately 12 square metres smaller than the houses previously refused, reference 13/0301) and smaller rear gardens of 8.3 metres in depth (approximately 74 square metres in area). The remaining area of the existing rear gardens adjacent to the rear boundaries with 6, 8 and 10 St Stephens Avenue (approximately 370 square metres in area plus an approximately 93 square metre strip for the vehicle access off Carlin Gate) would be used in conjunction with the existing dementia homes at 4 Carlin Gate and 4 St Stephens Avenue as car parking, amenity space and refuse storage.

There are currently 72 bedrooms in total at 4 Carlin Gate and 4 St Stephens Avenue. The existing dementia homes at 4 Carlin Gate and 4 St Stephens Avenue would be linked at the rear with a new two storey extension which, along with other internal alterations would form an additional lounge and ten additional bedrooms.

4 Carlin Gate and 4 St Stephens Avenue are currently dementia care homes, although there are no restrictions on the type of care given nor the nature of the residents needs and requirements.

The application is accompanied by a Planning Statement and three appendices (Appendix 1, 2 and 3) and a covering email dated 10th April 2014. These documents can be viewed on the website through the below link or hard copies can be provided on request.

<http://publicaccess.blackpool.gov.uk:90/online-applications/?redirected=t>

The Committee will have visited the site on the 9th June 2014.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- the principle of demolishing 6 and 8 Carlin Gate and erecting two houses;
- the principle of erecting a two-storey link extension between 4 Carlin Gate and 4 St Stephens Avenue at the rear to provide additional care home accommodation and how this accords with Policies LQ1, LQ2, LQ14, BH3 and BH24;
- the principle of extending the curtilage of 6 and 8 Carlin Gate into neighbouring gardens for car parking, amenity space and refuse storage and how this accords with Policies AS1, BH3 and BH2;
- the impact on residential amenity.

These issues will be discussed in the assessment section of this report.

CONSULTATIONS

Head of Transportation: Objects to this proposal. 1) There is contradicting information between the application form and supporting information. One states an increase of 25 staff members, with the other stating an increase of 10. The form states four proposed car parking spaces but the supporting information and plan show an increase of five. The parking spaces allocated to the two properties appear to have been included in the overall parking provision for the rest home. 2) The application does not detail how many staff are on site per shift, but with a total of 85 Bedrooms (14 proposed with 71 existing) and the supporting information of one staff member per two and a half patients, this equates to approximately 34 staff members on site for care needs. There may be an increase in administration and further support staff as well. This is likely to increase on-street parking demand in the area, for staff, visitors, service vehicles and private ambulances. Parking in this area is already limited and over subscribed and the proposed parking numbers may not meet demand. 3) The proposed car park to the rear appears to be substandard, with very little manoeuvring room provided. The access road is narrow and although the width is stated to be between 4.1m to 4.5m, it actually measures 4m from the plans provided. The plan denotes the tracking of a standard private vehicle which would require access and the width is sub-standard for two-way access, further demonstrating that the access road is narrow to serve the car park at the rear. This lack of available width will result in conflict, exacerbated at staff change over times. This will require vehicles to reverse a considerable distance along the access road and back onto the existing public highway where visibility is already reduced due to the on street parking adjacent the application site. 4) There are off street parking spaces provided for 6-8 Carlin Gate, the supporting information highlights the requirement for vehicles to reverse out of these spaces onto the public highway. This is not good practice and although this may be the case at present, a new development should seek to provide space for manoeuvring so that vehicles may access and egress in a forward gear.

Head of Housing and Environmental Protection Services: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

Assistant Director of Mental Health and Learning Disabilities: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

Blackpool, Wyre and Fylde Health Services: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

NHS Trust: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

United Utilities: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 28th April 2014

Press notice published: 8th May 2014

Neighbours notified: 25th April 2014

The 21 day notification period does not expire until the 30th May 2014. Any further comments received before the Committee meeting will be reported in the update note.

Letters of objection have been received from 1, 3, and 10 Carlin Gate, 8 and 10 St Stephens Avenue and 34 Patterdale Avenue.

The concerns raised are as follows:-

- The proposed linkage of 4 Carlin Gate and 4 St. Stephens Avenue would be a considerable over-development of the site which has already been extensively extended.
- The scale of the resulting building would be out of proportion to the other buildings in the block.
- The proposal would have a detrimental impact on the neighbourhood which consists mainly of residential properties.
- The proposal would be an over-intensification of use and no evidence has been submitted with regards to need for more bedrooms and to justify the development.
- The application claims that there are not enough bed spaces for dementia sufferers but from a quick look at websites, there are at least 64 vacancies and that is just part of a list.
- No supporting statement has been provided by Social Services or the Clinical Commissioning Group or any other health authority.
- The bedrooms in the linking extension would overlook neighbouring residential properties and lead to loss of privacy.
- The character of the area is being changed by incremental changes and extensions to the dementia homes.
- The proposed nursing home provision of 100 beds would be far larger than the Fylde Coast Hospital and out of character with the residential area.

- The home is already much larger than any of the properties on Carlin Gate or St Stephens Avenue.
- Dementia patients shout and scream which is audible from neighbouring homes, especially during the summer when windows are open and children are trying to enjoy residential gardens. The noises are upsetting and very disturbing.
- Nearby residents are frequently disturbed by the entertainment provided for the residents with music along with shouting and banging and this would increase.
- Demolishing 6 and 8 Carlin Gate is unnecessary and the existing buildings should be upgraded as they have been left to deteriorate by the applicant. Number 6 cannot be in such a poor state to warrant demolition as the applicant houses some of his foreign workers there.
- The car park to the rear of 6 and 8 Carlin Gate would lead to noise disturbance for nearby residents due to extra noise from cars, delivery vans, ambulances etc.
- The Head of Transportation comment dated 29th November 2011 (on application 11/1000) objected to any increase in bedrooms due to the pressure of parking on the surrounding streets.
- Delivery vehicles and ambulances already visit the site frequently and blocking Queens Promenade alley.
- Providing the car park would result in the removal of two large trees to the rear of 6 and 8 Carlin Gate and the trees are enjoyed by all of the nearby residents.
- No traffic flow survey has been made nor any reference to on-street car parking.
- The application states that most staff walk to work or catch the bus but this is not true and at shift changeover every morning, car doors banging and engines revving disturbs local residents.
- At around 8 pm most evenings, driveways are blocked by drivers collecting or dropping off staff and these problems would increase with more bedrooms and more staff.
- The new vehicle entrance area is impractical for delivery wagons or ambulances as larger vehicles would find it very difficult to manoeuvre in and out, especially when the parking spaces are in use.
- The two new houses proposed are of inferior quality and design to the existing houses and would be much smaller than the rest of the property on the street.
- The development works would not only cause noise, dust and disturbance for nearby residents but would be profoundly harmful to the vulnerable residents of the nursing homes and detrimental to their safety and wellbeing and contrary to their human rights.
- The development works would create massive traffic congestion, including heavy building lorries, disturbing residents and creating danger for children attending a nearby nursery.
- There are concerns that the re-developed 6 and 8 Carlin Gate would be a target for future inclusion into the care home.

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) is a single document which was adopted in March 2012 and replaces Planning Policy Statements and Planning Policy Guidance Notes and is a material consideration in determining planning applications.

Paragraph 14 seeks to ensure that sustainable development is approved unless the adverse effects would significantly outweigh the benefits

Paragraph 47 and 48 of the National Planning Policy Framework requires local authorities to have a five year housing land supply and this could include a wide range of different housing needs including residential institutions (C2).

Paragraph 49 of the National Planning Policy Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 51 of the National Planning Policy Framework states that Local Planning Authorities should identify and bring back into residential use empty housing and buildings.

Paragraph 53 of the National Planning Policy Framework suggests that Local Planning Authorities should resist inappropriate development of residential gardens where development would cause harm to the local area.

Paragraphs 56 - 68 of the National Planning Policy Framework relate to the design of the built environment and confirm that good design is a key aspect of sustainable development and is indivisible from good planning. Good design should contribute positively to making places better for people.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006 and the majority of its policies saved by direction in June 2009. The following policies are most relevant to this application:

Policy LQ1	Lifting the Quality of Design
Policy LQ2	Site Context
Policy LQ4	Building Design
Policy LQ6	Landscape Design and Biodiversity
Policy LQ8	Energy Resource and Conservation
Policy LQ14	Extensions and Alterations
Policy BH3	Residential and Visitor Amenity
Policy BH4	Public Health and Safety
Policy BH24	Residential Institutions and Community Care Residential Use
Policy AS1	General Development Requirements

EMERGING PLANNING POLICY

The Blackpool Local Plan Part 1: Core Strategy - Revised Preferred Option consultation document was published in May 2012. This responded to representations received to earlier 2010 and 2008 consultations, publication of the National Planning Policy Framework, the pending abolition of North West Regional Spatial Strategy (which was subsequently abolished in May 2013), updated evidence base documents and a review of Blackpool Council's priorities as set out in the 'Mission, Values and Priorities' Statement (2012). A Pre-Submission document is currently being prepared.

Emerging policies in the Core Strategy Revised Preferred Option that are most relevant to this application are:

Policy CS7:	Quality of Design
Policy CS14:	Health and Education

None of these policies conflict with or outweigh the provisions of the adopted Local Plan policies listed above.

ASSESSMENT

The principle of demolishing 6 and 8 Carlin Gate and erecting two houses

Policy LQ4 states that the scale, massing and height of new buildings should be appropriate for their use and location and be related to the scale, massing and height of neighbouring buildings.

Policy LQ8 states that developments should be designed in a way that minimises their overall demand for resources. Proposals for development will need to take into account the efficient and effective use of land, including the reuse of existing buildings where appropriate.

The proposed plans show a pair of semi-detached houses, each with four bedrooms (the application forms state that each house would have three bedrooms).

The principle of demolishing 6 and 8 Carlin Gate to provide two replacement dwellings could be considered acceptable subject to the replacement development being of a high quality design and offering good amenity for future residents and neighbours. However, this option is unfortunate and it would be preferable for the existing buildings to be retained and upgraded as this would be the more sustainable option and would be more inkeeping with the character of the area. The buildings appear to be in a poor state of repair but this is more likely to be because the buildings have been unused and not maintained for a number of years rather than there being any structural defects which would not be economically viable to address. In any case, no evidence has been submitted to suggest that the two buildings could not be brought back in to viable use and the only reason for demolition appears to be to reduce the footprint of development and outside amenity space at 6 and 8 Carlin Gate so that what is currently rear gardens and a driveway, could be incorporated into the larger, single care home proposed at 4 Carlin Gate and 4 St. Stephens Avenue and to provide additional parking, amenity space, refuse storage and a new vehicle access point. This approach is considered unsustainable, contrary to Local Plan Policy LQ8 which requires development proposals to include the reuse of buildings where appropriate.

The plans show a pair of semi-detached houses of an appropriate design although each house is very narrow compared to the width of neighbouring properties. However, the height and general scale of the semi-detached pair is considered to be in-keeping with neighbouring properties.

It is accepted that the Council does not currently have a five year housing supply as required under paragraph 47 of the National Planning Policy Framework. However, demolishing two properties which could provide good quality, large family homes to provide two smaller homes would not assist the Council in meeting this target.

The principle of erecting a two-storey link extension between 4 Carlin Gate and 4 St Stephens Avenue at the rear to provide additional care home accommodation and how this accords with Policies LQ1, LQ2, LQ14, BH3 and BH24.

Policy LQ1 states that all new development will be expected to be of a high standard of design and to make a positive contribution to the quality of its surrounding environment.

Policy LQ2 states that the design of new development proposals will be considered in relation to the character and setting of the surrounding area.

Policy LQ14 states that applications will be considered in relation to the existing building, adjoining properties and to the surrounding area. Extensions and alterations must be designed, sited and detailed in relation to the original building and adjoining properties. Rear extensions will not be permitted where they would result in over-intensive development with inadequate levels of private amenity space.

Policy BH3 states that developments will not be permitted which would adversely affect the amenity of those occupying residential and visitor accommodation by the scale, design and siting of the proposed development and its effects on privacy and the use of and activity associated with the development.

Policy BH24 seeks to avoid over-concentrations of residential institutions and ensure a spread of such accommodation throughout the Borough, reflecting the needs of local communities. Policy BH24 also seeks to protect properties adjacent to residential institutions and to protect the character of an area from over intensive development and states that no more than about 10% of properties in any one block will be permitted in such use.

The application site lies within an area off the Promenade characterised by larger style detached and semi-detached properties in residential use. Whilst many properties have been extended, principally those in holiday use, the general feeling of space around the buildings remains a significant feature of the area. It is considered that by allowing such significant extensions and joining 4 Carlin Gate with 4 St Stephens Avenue, creating a single curtilage, effectively building over approximately 85 per cent of the two plots and almost the full width of the two plots, would have a significantly detrimental impact upon the existing character of the wider area

There are discrepancies between the number of existing and proposed bedrooms shown on the plans and the number of existing and proposed bedrooms described in an explanatory email from the agent, dated 10th April 2014 and the number of existing and proposed bedrooms referred to in part 24 of the Planning Statement. The plans show 72 existing bedrooms in 4 St. Stephens Avenue and 4 Carlin Gate and 82 proposed bedrooms. However, the agents email dated 10th April 2014 refers to only 64 existing bedrooms and 75 proposed bedrooms and part 24 of the Planning Statement refers to an additional 14 bedrooms (rather than 10) and 71 existing bedrooms. Throughout the Planning Statement and appendices there are discrepancies.

However, it is our assertion that there are currently 40 bedrooms at 4 Carlin Gate, 32 bedrooms at 4 St Stephens Avenue and 26 bedrooms at 3 St Stephens Avenue (nearly 100 in total). The link extension proposed and other internal alterations indicated on the plans would provide ten additional bedrooms, which is an increase of around 14 per cent at 4 Carlin Gate and 4 St Stephens Avenue and a 10 per cent increase in provision in the immediate area if the existing bed spaces at 3 St Stephens Avenue are included. This is considered to be an over-concentration of C2 uses and bed spaces, which is contrary to Policy BH24.

The Planning Statement suggests that linking the two buildings to provide more bedrooms represents a logical land-use and a natural extension. However, it is considered that the existing space between the two properties is important in providing amenity space and car parking and should be retained rather than joining the two premises and developing neighbouring residential gardens.

It is considered that this is a significant and over-intense increase in provision that would create a single, large hospital style institution, which would be out of scale and character with its residential setting. No evidence has been submitted to support the claim that there is a locally generated need for additional bed space in the Bispham area. Appendix 2 which accompanies the application suggests that there are only two or three residential homes in the whole of Blackpool which provide dementia care. However, a cursory web search for 'dementia homes in Blackpool' returned at least 20 homes catering for dementia, eight of which were in north Blackpool, excluding the three dementia homes owned by the applicant at 3 St. Stephens Avenue, 4 St. Stephens Avenue and 4 Carlin Gate.

Appendix 1 which accompanies the application questions the requirement to "demonstrate local need". The first argument suggests that the applicants would not be asking for further bed spaces in this location if they did not think there was a need or demand and that the supply of nursing accommodation that they provide is far more restricted. The commissioning body of the Council simply find quality bed spaces for residents who need them rather than distributing the patients around the area in a particular pattern, with the onus of finding quality bed space where they are available. There is a suggestion that this is at odds with the planning policy (BH24). However, Policy BH24 does not suggest that there is no need for specialist dementia beds and it is accepted that there may be a need for more bed spaces in general, but provision should not be concentrated in a single residential area (within two streets), in what would be an over-developed facility akin to a private hospital, to the detriment of the amenities of neighbouring residents and the character of the area.

No evidence has been submitted that there is a need for extra specialist nursing beds in this location rather than elsewhere in the town, or generally. The Assistant Director of Mental Health and Learning Disabilities, Blackpool, Wyre and Fylde Health Services and the NHS Trust have been consulted on this application and no responses have been received at the time of writing the report. It is accepted that there may be a requirement for additional specialist care beds but these facilities should be spread across the town to meet the needs of communities rather than concentrated in a single residential location in the Bispham area. Even if it could be demonstrated that there was additional need in the Bispham area, the existence of need does not automatically mean that every proposed dementia unit should be granted permission where there are other policy and amenity concerns that may outweigh any general need.

Policy BH24 seeks to avoid an over-concentration of residential institutions and ensure a spread of such accommodation throughout the Borough, reflecting the needs of local communities. Policy BH24 also seeks to protect properties adjacent to residential institutions from over intensive development and to protect the residential character of the area. The Policy states that in order to protect the character and amenities of residential areas and avoid any undue concentration of C2 uses, no more than about ten per cent of properties in any one block will be permitted in such use.

The requirement to demonstrate local need was recently supported at appeal across the road at another home in the applicants' ownership, 3 St. Stephens Avenue (application reference 13/0155). The proposal across the road at 3 St. Stephens Avenue included extensions and alterations to provide just 2 extra bedrooms. However, on the matter of local need, the Planning Inspector's conclusions are included below:

"The supporting text (of Policy BH24) indicates that the level of provision should reflect the needs of the community they serve and that such accommodation should be spread throughout the Borough. It also indicates that the level of provision should ensure that the

need of Blackpool residents for specialist residential uses are met within their own local area and that a demonstration of local need will conversely also be required to ensure that local areas do not make a disproportionate level of provision to meet needs which emanate from outside the Blackpool area.

The appeal property is an established care home. It provides accommodation for people suffering from dementia and currently accommodates 26 residents. The appeal proposal would provide accommodation for a further 2 residents, increasing the total number of residents to 28. It is in close proximity to two other care homes which also provide accommodation for people with dementia.

There is no dispute between the parties that there is a general shortage of bedspaces for people suffering from dementia. However, from the evidence before me there is nothing to suggest that there is a specific local need for additional bedspaces within the local area. There are already about 100 bedspaces for people suffering from dementia within 100m of the appeal property and whilst I appreciate that the appeal proposal would only provide a further two bedspaces, it would nevertheless increase that number further.

Accordingly, I cannot be satisfied that the appeal proposal would not result in the local area making a disproportionate level of provision of such accommodation, contrary to the aims and provisions of policy BH24 of the Local Plan."

With regards to the amenity of future occupants of the link extension, there would be four ground floor bedroom windows directly facing and within 0.7 metres of a brick boundary wall to the west which measures approximately 1.6-1.8 metres in height. This would provide poor outlook from and low levels of natural daylight to these bedrooms. Should the wall be removed, the outlook from these bedrooms would still be very poor, overlooking a service alley.

If it is accepted that extending into the curtilage of 6 and 8 Carlin Gate by approximately 460 square metres was not contrary to Policy BH24 and therefore acceptable in principle, it would be difficult to defend the remaining 490 square metres from any future proposals for additional institutional development. It is considered that this is incremental or "creeping" C2 development which would extend the size of the facility even further to be in excess of 20% of the block on Carlin Gate and would be significantly detrimental to the character of the area and residential amenity and contrary to Policies LQ1, BH3 and BH24 of the Local Plan

It is considered that an extension linking the two homes to create such a large residential institution is not acceptable in principle and would be contrary to Policies LQ1, LQ2, BH3 and BH24 of the Local Plan

It could be argued that the care home extensions to provide ten additional rooms would assist in the Council meeting their housing supply target. However, it is considered that the adverse effects of the development would outweigh the benefit of providing ten additional C2 bedrooms, especially in an area where additional need has not been demonstrated.

The principle of extending the curtilage of 6 and 8 Carlin Gate into neighbouring gardens for car parking, amenity space and refuse storage and how this accords with Policies AS1 and BH24

Policy AS1 states that new development will only be permitted where the access, travel and safety needs of all affected by the development are met and that convenient, safe and pleasant pedestrian access is provided. Safe and appropriate access to the road network should be secured for all transport modes requiring access to the development and appropriate levels of car, cycle and motorcycle parking, servicing and operational space should be provided.

There are a number of discrepancies within the application in relation to car parking. The application forms state that there are 13 existing car parking spaces, the car parking plans show 12 existing car parking spaces and an email from the agent confirms there are 12 existing car parking spaces. The application forms state that there would be 16 car parking spaces proposed yet the proposed car parking layout shows 17 spaces and the agent has confirmed that there are 17 proposed spaces. However, these figures include four existing and proposed spaces within the residential curtilages of 6 and 8 Carlin Gate and these should be disregarded as the existing dwellings and the proposed dwellings at 6-8 Carlin Gate would not fall within the curtilage of the existing care homes or the care home as proposed and would not therefore be available for use by staff or visitors of the care homes.

Furthermore, two of the spaces proposed in the narrow front garden area of 4 St. Stephens Avenue are not useable due to their positioning behind the boundary wall and would conflict with access to two other parking spaces. The existing car parking level for the two care homes is considered to be eight spaces and the proposed parking level would be 11 spaces, a net gain of three parking spaces.

The application forms state that as a result of the proposals, the full time staffing level would rise from 55 to 80, an increase of 25 staff. However, Appendix 2 which relates to the management and operation of the premises, states that the facility is highly managed and heavily staffed but indicates that just ten extra staff would be required, three to five for each shift. Appendix 2 suggests that there would be no increase in demand for car parking, despite the additional ten bedrooms and between ten and 25 extra staff. Appendix 2 states that most of the staff use public transport. However, no Travel Plan has been included with the application and no secure cycle space is provided. Some of the objections to the proposal claim that staff park on street, sometimes obstructing driveways and that this causes congestion and nuisance. The car parking requirements for a residential home in the Blackpool Local Plan is one and a half or one parking space per five residents. The requirements for a hospital are one per bed, reduced as part of a Travel Plan.

The adopted car parking standards therefore require 15 parking spaces as a minimum. It is proposed to provide 11 useable parking spaces given that two spaces in front of 4 St Stephens Avenue are not useable at the same time, without taking the front boundary wall down. Removing the wall would not be considered acceptable due to highways safety issues, and on visual amenity grounds in terms of the character of the area. This is considered to be too few spaces, especially considering the lack of a Travel Plan or secure cycle spaces and would lead to further inconsiderate parking and on-street parking congestion in the area which would be detrimental to residential amenity and the free flow of traffic.

The vehicle access to the parking area proposed to the rear of 6-8 Carlin Gate has two sharp 90 degree angles and a narrow width of between 2.9 metres and 4.2 metres wide and would be adjacent to the new residential rear garden boundaries which would be expected to be around 1.8 metres high fencing. This layout would not permit a two way flow of traffic and would result in poor visibility and vehicle conflict with vehicles having to manoeuvre around

tight corners and potentially reverse on to Carlin Gate. This would be contrary to highway safety and the safe operation of the car park proposed. For the reasons above, the application is considered to be contrary to Policy AS1 of the Local Plan.

The impact on residential amenity

The two-storey link extension would have windows on the east elevation at first floor level which would directly overlook rear gardens at 6 and 8 St Stephens Avenue, leading to loss of privacy. Should these windows be removed and replaced by rooflights alone, this would provide poor outlook and a poor level of amenity for future occupiers.

In terms of the proposed parking area at the rear of 6 and 8 Carlin Gate, vehicles would be parked up against residential boundaries, which with regular comings and goings, car doors banging and revving engines would be likely to create noise and disturbance for neighbouring residents in an area which would normally be quiet, secluded residential gardens. The impact of the parking area would also include the amenities of the future occupiers of the proposed new dwellings at 6 and 8 Carlin Gate.

Future residents at 6 Carlin Gate would also have the vehicle access close to their boundary wall which would also lead to noise and disturbance.

With regards to noise and disturbance, Appendix 2 states that there are no known issues that currently arise from the operation of the homes at Carlin Gate or St. Stephens Avenue. Due to the nature of the illness's suffered by residents at the existing homes, a number of nearby residents have previously reported disturbances of shouting and screaming and banging on windows from within the homes and these issues have been raised as a result of previous planning application consultation. Clearly enlarging the homes to provide accommodation for more residents would lead to an increase in the number of incidences, which have been reported as being disturbing and upsetting for local residents.

Concerns raised by objectors relating to noise, nuisance, disturbance for occupants of the homes or neighbouring properties etc as a result of building works are not material considerations in determining this application.

It is considered that the proposal would have a detrimental impact on the amenities of neighbouring residents and future occupants of 6 and 8 Carlin Gate in terms of overlooking, loss of privacy and increased levels of noise and disturbance and hence the proposals would be contrary to Policies BH3, BH24, LQ1 and LQ14 of the Local Plan.

CONCLUSION

It is considered that the applicant has largely addressed previous concerns (and one of the reasons for refusing the previously refused application 13/0155) regarding the design of the front elevation and the height of the proposed replacement dwellings at 6 and 8 Carlin Gate. However, the applicant has not addressed the other reasons for refusal or overcome previously raised concerns and so the officer recommendation is to refuse this application. Furthermore, the application still contains conflicting and inaccurate details.

Although the proposal would contribute to a five year housing land supply, this benefit is outweighed by other factors set out above and hence in the context of paragraph 14 of the National Planning Policy Framework, the disbenefits of the proposal are so great as to warrant refusal.

HUMAN RIGHTS ACT

Under Article eight and Article one 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.

It is not considered that the application raises any human rights issues.

CRIME AND DISORDER ACT 1998

The contents of this report have 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

Recommended Decision: Refuse

Conditions and Reasons

1. The proposed extensions and alterations, linking 4 Carlin Gate and 4 St. Stephens Avenue and extending in to residential gardens at the rear of 6-8 Carlin Gate would constitute an over-development of the plots and would have a significantly detrimental impact on the residential amenities of adjoining occupants and the visual amenities and character of the wider area by virtue of their size, scale, massing, close proximity to the boundaries and fenestration resulting in, overlooking, visual intrusion and a development which is overly intensive and out of character within a residential setting. The proposed link extension would also be detrimental to future occupants by virtue of the proximity of windows to boundary walls resulting in lack of natural light and lack of outlook and given the high number of existing dementia beds in the immediate vicinity, the applicant has failed to demonstrate that there is a locally generated demand for additional dementia beds in the Bispham area.

The proposal would therefore be contrary to Policies LQ1, LQ14, BH3 and BH24 of the Blackpool Local Plan 2001-2016.

2. The proposal would create an inadequate vehicle access off Carlin Gate to substandard parking facilities to the rear of 6-8 Carlin Gate which would result in vehicle conflict, leading to vehicles having to reverse out of Carlin Gate and around tight corners with poor visibility. This would be contrary to highway safety and the free flow of traffic within the site. Furthermore the under-provision of useable parking spaces would lead to additional on street parking within the vicinity of the site which would lead to congestion and impede the free flow of traffic and would be detrimental to residential and visual amenity.

The proposal would therefore be contrary to Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

3. It has not been demonstrated that 6-8 Carlin Gate could not be brought back into viable use and the demolition of 6-8 Carlin Gate is therefore unsustainable.

The proposal would therefore be contrary to Policy LQ8 of the Blackpool Local Plan 2001-2016.

4. **ARTICLE 31 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)**

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 - conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan 2001-2016 - which justify refusal and which cannot be overcome by negotiation.

Advice Notes to Developer

Not applicable

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COMMITTEE DATE: [09/06/2014](#)

Application Reference: 14/0302

WARD: Stanley
DATE REGISTERED: 17/04/14
LOCAL PLAN ALLOCATION: Countryside Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: Newfield Construction Ltd

PROPOSAL: Erection of 8 detached dwellinghouses with associated garages, car parking, landscaping, boundary treatment and vehicular access from Common Edge Road.

LOCATION: LAND BOUNDED BY FISHERS LANE, COMMON EDGE ROAD AND ECCLES GATE ROAD, BLACKPOOL

Summary of Recommendation: Grant Permission

CASE OFFICER

Ms P Greenway

INTRODUCTION

This application is a full application following on from an outline proposal (13/0397 refers), which was withdrawn by the applicant prior to determination. That scheme was for a residential development of up to 14 detached and semi-detached houses across the whole of the site, with vehicular access from Common Edge Road (with the principle and access being applied for). Significant objections were raised by officers with regard to the impact of the proposal on the setting of the listed cottages on Fishers Lane. The current submission has arisen as a result of negotiations to mitigate that particular impact.

SITE DESCRIPTION

This 0.451 ha site is currently open grassland grazed by horses. Records indicate that a few glasshouses previously occupied part of the site in the northwest corner, but other than that the site has always been greenfield. Common Edge Road (B5261) forms the western boundary along with the rear boundary of 202 Common Edge Road, Fishers Lane is to the north, Ecclesgate Road to the south (with public rights of way footpath nos. 2 and 51) and a dwelling with large garden to the east. The site has a frontage of approximately 40 metres to Common Edge Road with the remainder of the frontage between Fishers Lane and Ecclesgate Road taken up by 202 Common Edge Road. The site is within Marton Moss Countryside Area (MMCA) and the topography of the land is generally level, although the site overall is approximately 500mm lower level than Common Edge Road. There are a number of relatively new residential developments in the vicinity across Common Edge Road (formerly nurseries, which are within the urban area) and Belvere Close on the same side of Common Edge Road, which was previously Thompson's Holiday Camp and Ivy Leaf Club. Numbers 1 and 2 Fishers Lane, to the north across Fishers Lane, are Grade 2 Listed Buildings and comprise a pair of semi-detached, thatched, single-storey cottages. There is a dyke

along the north boundary and the northern half of the east boundary. A 380mm diameter surface water drain runs along the southern boundary with Ecclesgate Road.

DETAILS OF PROPOSAL

The proposal is a full application for the erection of eight detached dwellings within the east portion of the site; the west portion would remain as open land with a pond. Five properties would have integral garages and three would have detached garages; all would have single storey conservatories projecting into the rear garden. There would be a single vehicular and pedestrian access point from Common Edge Road, with no vehicular or pedestrian access from either Fishers Lane or Ecclesgate Road.

The application is accompanied by:

- Design and Access Statement
- Topographic Survey
- Ecological Report
- Site Investigation Report
- Risk Assessment and Contaminated Land Report
- Transport Assessment

The Committee will have visited the site on 9th June 2014

MAIN PLANNING ISSUES

The key issues in relation to this application are:

- the principle of the proposal in terms of whether it would be acceptable in an area where development plan policy seeks to retain rural character and prevent peripheral urban expansion;
- the impact of the size and scale of the houses on the open character of the area;
- the impact on the amenities of neighbours;
- the impact on the Grade 2 listed buildings in the vicinity (1 and 2 Fishers Lane);
- the acceptability of the means of access proposed in terms of highway safety

These issues will be discussed in the assessment section of this report.

CONSULTATIONS

Environment Agency:

Has no objection in principle to the proposed development providing that the Proposed Drainage Layout (Drawing No. P4979/14/100B) is implemented in full.

Sustainability Manager:

The report by Brian Robinson MIEEM covers the ecological aspects of this small site in fine detail. The proposals for biological enhancements under the provisos of the National Planning Policy Framework are sound and should be followed by the developer. I welcome the default inclusion of proposals for bats, house sparrows and starlings in the document. The tree and shrub species shown in the list provided in Table 5.1 are a good selection which should thrive in the locality but the addition of Alder buckthorn (*Frangula alnus*) would be beneficial. The grassland wildflower mix stated in the report will be low maintenance as there are no aggressive grasses provided it is sown onto a low nutrient substrate and the guidelines for management given by the seed supplier to aid establishment are followed.

Head of Transportation:

No objection but makes the following comments:

1. The site to be formally adopted under a S38 agreement, Details relating to limits of adoption, construction, materials, lighting, drainage to be discussed in the first instance with the Head of Transportation.
2. The access road leading from plot 5 to plot 8 and plots 1 - 3 will not be adopted by the Highway Authority due to the width of the road. A Management company should be set-up to deal with future maintenance.
3. I would like to see a continuous footway from the edge of the public highway, wrapping around the small POS area leading to Plot 5 and terminating at this point, in order to provide good pedestrian links.
4. Amend the layout to improve the passing point and mark it out/sign it to prevent parking for long periods.
5. The parking provision is acceptable as two spaces are available on the driveway with one in the garage. The garages should be conditioned for this use.
6. The bin drag distance is quite significant for future occupiers of Plots 7 and 8. It would be advisable to discuss future bin collection arrangements with the Head of Waste Services.
7. The properties will require formal postal addresses.
8. A Construction Management Plan to be conditioned.
9. The new access into the site and dedicated right-turn lane require a S278 agreement. Given the small number of vehicle movements associated with the development, I will accept the sub-standard lane widths and there is no requirement to re-locate the pedestrian refuge. The No Waiting at Any Time restriction should follow the new kerb-line into the site. These works to be implemented prior to main construction activities commencing.
10. There is a lighting column in the vicinity of the proposed access which may have to be re-positioned.

Head of Environmental Services:

No objection subject to a Construction Management Plan.

Contaminated Land Officer:

Looking at the Phase 1 Desk Study and the information provided a gas monitoring regime is required, this will need to be submitted to the Local Authority prior to works commencing to ensure that the correct mitigation methods are implemented in the design of the dwellings. Looking at the chemical analysis that has been provided Benzo (a) pyrene exceeds in one sample by 1.2 mg/kg however if the recently published category 4 screening levels are used this falls within the criteria and is therefore acceptable.

Built Heritage Manager:

Although the scheme has been reduced from 14 to eight houses I am fundamentally opposed to the development of open space in this area. My comments submitted in relation to the earlier application 13/0397 are still relevant. The development harms what is left of the open setting for the grade II listed cottages, and is an incremental encroachment of urban development which will contribute to the erosion of the historic landscape character. The application is contrary to current and emerging planning policy and we do not believe the development offers sufficient benefit to offset the impact it will have on the local area. In addition, I do not believe that this application represents truly sustainable development when there are brownfield sites in other areas which could be brought into use to meet housing need. Because of this I would recommend against setting aside policy in this case.

Police (Secured By Design):

I have conducted a crime and incident search of this policing incident location and during the period 01/01/2013 to 01/04/2014 there have been a small proportion of reported incidents. This is hardly surprising due to the site history and being unoccupied for some considerable

time. However, reported incidents include burglary increases along Common Edge Road. In order to prevent the opportunity for crime and disorder in the future at the proposed development, in particular burglary, below are recommendations for consideration:-

1. This development should be built to Secured By Design Standards in terms of physical security
2. The front and rear of dwellings should be protected with a dusk till dawn lighting unit.
3. The dwellings should be secured with a 1.8m fencing arrangement.

Should Secured By Design accreditation for the site be progressed, further security advice and checklists can be provided by the Police Architectural Liaison Officer.

Blackpool Civic Trust:

No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

United Utilities:

In accordance with the National Planning Policy Framework and Building Regulations, the site should be drained on a separate system with foul draining to the public sewer and surface water draining in the most sustainable way. To reduce the volume of surface water draining from the site we would promote the use of permeable paving on all driveways and other hard-standing areas including footpaths and parking areas.

United Utilities will have no objection to the proposed development provided that the following conditions are attached to any approval: -

- Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall have foul and surface water drained in accordance with the principles outlined in the submitted Drainage Plan P4979/14/100B - prepared by Thomas Consulting dated 26th March 2014. For the avoidance of doubt, foul must drain separate to surface water which must then combine at the last manhole prior to discharging into the public combined sewer located on Ecclesgate Road. Surface water draining from the site must be restricted to a maximum pass forward flow of five litres per second

Blackpool International Airport

No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

Electricity North West Ltd

No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

Ramblers Association:

No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 30th April 2014

Neighbours notified: 30th April 2014

Objections received from 1, 2, 5, 6 Ecclesgate Road; 1, 2, 5, 6, 8, 10 Fishers Lane; 177, 179, 183, 199A Common Edge Road.

In summary, objections relate to:

- The proposal is contrary to Council policies for the countryside.
- The land is green belt/open land and has never been built on and should remain open; there would be loss of the open aspect across the paddock.
- Currently the undeveloped land protects the setting of the listed cottages on Fishers Lane.
- Common Edge Road is very busy and forming an additional vehicular access/egress would make the situation worse, result in additional highway safety issues and be dangerous.
- There are already large housing developments progressing at Whitehills and Queensway, so this development is not essential and will only add to congestion.
- The properties are close to the shared boundary and there would be issues with privacy and overlooking.
- There would be increased noise and disturbance from this new housing estate.
- The loss of mature trees from the site.
- Potential for flooding - Fishers Lane has a dyke which sometimes floods and a housing development would affect the water table and exacerbate the problem.
- Piling could cause structural damage to existing houses, particularly the listed buildings which have no foundations and already vibrate when heavy vehicles pass.
- The Council have refused a single dwelling at 7 Ecclesgate Road, so this should be refused as well.

In response, the issues will be discussed in the assessment section of this report.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

Of the 12 core planning principles, those that are relevant to this proposal are summarised below:

National Planning Policy Framework Part 6 - Delivering a wide choice of high quality homes.

Housing applications should be considered in the context of the presumption in favour of sustainable development. Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies. It is acknowledged that proposals for housing development should be looked upon favourably if a Local Planning Authority is unable to demonstrate a five year supply of housing land.

National Planning Policy Framework Part 7 - Requiring good design.

Planning decisions should aim to ensure that developments respond to local character and history. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

National Planning Policy Framework Part 12 - Conserving and enhancing the historic environment.

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

- the desirability of new development making a positive contribution to local character and distinctiveness.

In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

National Planning Practice Guidance Para 14 - prematurity issue:

In the context of the Framework and in particular the presumption in favour of sustainable development, arguments that an application is premature are unlikely to justify a refusal of planning permission, other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006 and the majority of its policies saved by direction in June 2009. The following policies are most relevant to this application:

- LQ1 Lifting the quality of design
- LQ2 Site context
- LQ3 Layout of streets and spaces
- LQ4 Building design
- LQ6 Landscape Design and Biodiversity
- LQ8 Energy and Resource Conservation
- LQ9 Listed Buildings
- HN4 Windfall sites
- HN6 Housing Mix
- HN7 Density
- BH1 Balanced and Healthy Community
- BH3 Residential and Visitor Amenity
- BH10 Open space in new housing developments
- NE2 Marton Moss Countryside Area
- NE10 Flood Risk
- PO1 Planning Obligations
- AS1 General Development Requirements
- SPG11 Open Space: New Residential Development and the Funding System

EMERGING PLANNING POLICY

The Blackpool Local Plan Part 1: Core Strategy - Revised Preferred Option consultation document was published in May 2012. This responded to representations received to earlier 2010 and 2008 consultations, publication of the National Planning Policy Framework, the pending abolition of North West Regional Spatial Strategy (which was subsequently abolished in May 2013), updated evidence base documents and a review of Blackpool Council's priorities as set out in the 'Mission, Values and Priorities' Statement (2012). A Pre-Submission document is currently being prepared.

Emerging policies in the Core Strategy Revised Preferred Option that are most relevant to this application are:

CS1: Strategic Location of Development - to create predominantly residential neighbourhoods on the edge of the Inner Areas. The focus of the Core Strategy is on regeneration of the Town Centre and Resort Core with supporting growth at South Blackpool. It recognises the important character and appearance of remaining lands at Marton Moss and the priority to retain and enhance its distinctive character.

CS2: Housing Provision - sets out Blackpool's housing provision with '*sites and opportunities identified to deliver around 4,500 new homes to meet Blackpool's housing need between 2012 and 2027.*'

CS7: Quality of Design - ensure amenities of nearby residents are not adversely affected by new development.

CS9: Energy Efficiency and Climate Change - all new developments should ensure buildings are located, designed and orientated to maximise passive environmental design for heating, cooling and natural day-lighting.

CS10: Planning Obligations - development will only be permitted where existing infrastructure, services and amenities are already sufficient or where the developer enters into a legal agreement.

CS12: Housing Mix, Density and Standards - on sites where flats are permitted no more than 30 per cent of the flats should be less than two bedroom flats.

CS13: Affordable Housing - where developments comprise 3-14 dwellings then a financial contribution towards off-site affordable housing is required. The contribution will be set out in a SPD.

CS27 of the Core Strategy sets out the approach to Marton Moss and states:

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

2. Prior to developing a local policy framework through the neighbourhood planning process development on the remaining lands of the Moss will be limited to:

- a. Conversion or change of use of existing buildings for agricultural or horticultural purposes*
- b. Outdoor recreational uses appropriate to a rural area*
- c. New dwellings essential in relation to the agricultural or horticultural use of the land*
- d. Extensions or replacements dwellings in keeping with the scale and character of the area and not exceeding 35% of the original ground floor footprint of the existing dwelling.'*

None of these policies conflict with or outweigh the provisions of the adopted Local Plan policies listed above.

ASSESSMENT

Principle

There are two key policy issues:

- impact of the proposal on the character/ function of the designated Countryside Area; and
- consideration of Blackpool's housing requirement.

Regarding the principle of residential development in this location, key policies are saved Policy NE2 and Proposed Policy CS27. To retain the existing rural character and prevent peripheral urban expansion, Policy NE2 limits new development within the Marton Moss Countryside Area to conversion or change of use of existing buildings for agricultural or horticultural purposes, outdoor recreational uses appropriate to a rural area, or new dwellings essential in relation to the agricultural or horticultural use of the land. Infill development will not be permitted. Proposed Policy CS27 promotes a neighbourhood planning approach for this area which will support the retention and enhancement of the distinctive Moss character, whilst identifying in what circumstances development including residential may be acceptable. Prior to the neighbourhood planning process, development on the remaining lands of the Moss will be limited in accordance with saved policy NE2. Representations received to the Core Strategy Revised Preferred Option consultation show general community support for this proposed policy.

Following the formal revocation of the Regional Spatial Strategy (RSS), local authorities are responsible for determining their own housing targets. Policy CS2 in the Core Strategy Revised Preferred Option (May 2012) proposed a new annual housing figure of 300 dwellings per annum (phased to 260 per annum in the first five years) over the plan period 2012 - 2027 based on evidence available at that time. Delivering this level of housing will be achieved by developing sites within the existing urban area (including windfall sites) or from existing commitments/ planned developments elsewhere, without the need for further development within the defined Green Belt or Countryside Areas of Marton Moss/ Land between Newton Hall and Preston New Road. The Core Strategy Proposed Submission document is due to be published shortly for consultation. This will be informed by up-to-date evidence, including a new Fylde Coast Strategic Housing Market Assessment (SHMA), which provides an up-to-date assessment of housing needs for Blackpool and the Fylde Coast, and a 2013 Strategic Housing Land Availability Assessment (SHLAA) Update. The housing figure in Policy CS2 is being revisited in order to consider the Strategic Housing Market Assessment outcomes as well as other evidence, including the alignment of housing growth to economic prosperity and the level of housing considered realistic to deliver in the Borough.

The 2013 Strategic Housing Land Availability Assessment Update is expected to demonstrate a five-year supply against this proposed requirement. However, until the Core Strategy Proposed Submission is published (following formal approval by the Council's Executive) the emerging Core Strategy policies can only be afforded limited weight, and the Council is unable to demonstrate a five year supply of housing against the former Regional Spatial Strategy housing figure of 444 dwellings per annum or against the upper end of the range of Blackpool's objectively assessed need identified in the Fylde Coast Strategic Housing Market Assessment (also accounting for a 20 per cent buffer that would need to apply to reflect persistent levels of under-delivery). The objectors comments regarding the lack of need due to the ongoing residential development at Whitehills and Queensway is not valid as these sites are in Fylde and do not contribute towards Blackpool's five year supply. In which case, the National Planning Policy Framework states that planning permission should be granted for residential development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits; and policies relating to the supply of housing cannot be considered up-to-date.

Whilst the Council has been successful in resisting new residential development in the Countryside Area in the past in accordance with Policy NE2, the way National Planning Policy Framework is being interpreted by Inspectors in recent appeals where Council's do not have a five year housing supply (including the Runnell Farm appeal) makes it increasingly difficult to defend new residential development in sustainable locations; although the impact of the development on the character and appearance of the Countryside Area remains an important consideration. It has been established in current and proposed policy that there is a need to protect and enhance the distinct Moss character, which is considered integral to the local distinctiveness of Blackpool and is valued by the local community; and development that would be detrimental to the existing rural character of the area should continue be resisted. Number 7 Ecclesgate Road (where the Council refused planning permission for a dwelling and stables in 2012, 12/0550 refers) differed from the current proposal in that the scheme was for only one house, so wouldn't have made a significant contribution to the five year supply, it was in a less sustainable location down a single track lane and would have impacted more on the character of the Moss being in a more isolated location, rather than on the urban edge of the Moss.

In considering the impact of the development on the Moss character, key considerations include the character and appearance of the existing site and immediate surroundings, the scale and function of the proposed development, the location of the site in relation to the existing urban area, accessibility/ connectivity to existing road networks, local services and public transport, and any other sustainability issues as appropriate. In the case of this particular application, the site's close proximity to the urban area, existing services and main road network, and the mixed character of Common Edge Road suggest the effects of the development on the character of the area would be acceptable in principle (when considered in the context of the Runnell Farm appeal decision). The closest primary school is less than 400 metres distant and there is a bus stop close to the Shovels PH (within 200 metres) with a 30 minute frequency of bus service (currently service no 17). The current scheme would provide for a significant amount of open space towards the front of the site, which would allow views through to the listed cottages on Fishers Lane. The properties would be detached and any detached garages would be located in such a way that would preserve some views through the site to the open land beyond.

In terms of prematurity, as the application is being considered in advance of the Core Strategy being adopted and a neighbourhood planning approach for the Moss area being developed, and given the size of the application site, then it is highly unlikely that this would meet the prematurity test set out in National Planning Policy Framework and National Planning Practice Guidance. It is not considered that the scheme could be resisted on this basis, which is consistent with the Inspector's ruling on prematurity in the Runnell Farm appeal decision.

For the reasons outlined above there are no policy objections to the principle of the development.

Design

In terms of the impact of the size and scale of the houses on the open character of the area, this is considered to be acceptable. The gross residential density would be 17 dwellings per hectare which is low to reflect the densities of the semi-rural area. As indicated previously, the current scheme has been designed to respect the open nature of the site and the open aspect across the frontage, which allows views through to the listed cottages beyond. In terms of biodiversity and habitat, there would be a pond (surrounded by a kick rail) towards the front of the site to protect the perspective across the site and to encourage local bird, mammal and plant species to flourish. The amount of tarmac would be kept to a minimum to assist with onsite rainwater drainage.

No new dwellings would directly front Common Edge Road; the properties would be staggered towards the rear of the site. Much of the private parking from the front of the properties would also be discouraged through the design of the layout, specifically to protect the open view through to the listed cottages beyond. The site would be less densely developed than the majority of developments in the vicinity to reflect the semi-rural nature of the site. The mix of three and four bedroomed houses (three x three bed and five x four bed) would fit in with the character of the area, as would their layout, appearance and materials. The building materials would be of a similar nature to the neighbouring properties, with elevations consisting predominately of facing brick, with artificial artstone cills, contrasting brick detailing, tile hanging and some sections of render finish. The final appearance would be subject to a condition to be discharged by officers.

The property on plot 1 would be closer to Ecclesgate Road than most of the existing properties on that road; however I do not see this as an issue due to the unusual character of this single track, cul-de-sac lane. There are existing single-storey buildings on the opposite side of Ecclesgate Road which almost abut the lane.

Amenity

With regard to the impact on the amenities of neighbours, a mobile home on Ecclesgate Road shares a boundary with the application site (a certificate of lawfulness was granted for the mobile home in 2002 - 02/0649 refers). The closest two storey rear elevation to a new dwelling would be 11 metres away from the private rear garden of the mobile home, the other property which would bound the site would be 16 metres distant. I consider that there would be sufficient separation to protect privacy. A boundary treatment comprising 1.8 m high close-boarded fence would also help protect the privacy of the neighbour. I do not consider that the noise and disturbance generated by the proposed residents would have a significant impact on the quality of life in the private rear garden of the mobile home. Existing properties on Fishers Lane would be unaffected by privacy issues as the proposed dwellings would look across to the public/street face of the existing dwellings. With regard

to 202 Common Edge Road, the closest proposed property would be about 17 metres to the common boundary, which again would be an adequate separation distance in order to protect privacy.

The scheme has been designed so that there would also be minimal overlooking between the proposed dwellings themselves.

Highway Safety

The submitted Transport Assessment shows that the development would take vehicular access directly off Common Edge Road in the south west corner of the site via a priority controlled junction and a dedicated ghost island right turning lane, with the required visibility splays along the existing highway. The lanes to be created in Common Edge Road would be slightly substandard in width, but because there would be relatively few vehicle movements associated with this site, the Head of Transportation has no objection to the new access road to Common Edge Road in terms of highway safety. The existing cycle lane would be modified to accommodate the new access road. The access road would be designed to accommodate a refuse wagon and a turning head would be provided within the site to allow a wagon to turn around and leave the site in forward gear.

Parking and Accessibility

Each property would have in-curtilage parking for three vehicles, including either an integral or a detached garage. The Head of Transportation has asked for a footpath to be provided into the site to make pedestrian access easier. However, the site would only accommodate eight dwellings and the roadway inside the site beyond the rumble strip would be a shared surface. I feel that to add a footpath would detract from the character of the site and increase the amount of impermeable surface, to the detriment of surface water drainage. The garden to each house would be sufficiently large to accommodate a cycle shed if the garages were not utilised. The site is in a sustainable location, with a generally flat topography and bus stops in the vicinity. The location scores medium on the accessibility rating. There is a network of public footpaths leading in to Marton Moss proper (Ecclesgate Road becomes Public Right of Way number 2 at its eastern end and joins Public Right of Way no. 51 to provide access to St Nicholas School without walking next to the main road) and Common Edge Road is on a cycle route. It has good transport links by private car and public transport (Common Edge Road is a bus route with a half hour service), the area is well served by primary schools, a secondary school and employment land; and there is a retail park within a 0.8 km walking distance and a local centre (Highfield Road) with a supermarket, medical centre, dentist, ATM etc within a 2km walking distance.

Other Issues

In terms of the impact on the Grade 2 listed buildings in the vicinity (1 and 2 Fishers Lane), the Council's Built Heritage Manager considers that the development would harm what is left of the open setting for the grade II listed cottages, and contributes to the erosion of the historic landscape character. He does not consider that the proposal offers sufficient benefit to offset the impact it will have on the local area. In addition, he does not believe that this represents sustainable development when there are brownfield sites in other areas of the town which could be brought into use to meet housing need.

In response, I consider that the scheme has been sensitively designed to protect the view across to the listed cottages, particularly when coming in to town from the south, which is their current main aspect. Built development has been kept away from that aspect and the

driveways/parking has been designed so as not to encroach into this open space. The creation of a pond in the southwest corner of the site also helps to preserve the view.

Contrary to the Built Heritage Manager's assertions, I feel that this is a sustainable development, the developer having incorporated sustainability principles into the design of the houses. With regard to damage to the listed cottages, due to the depths of made ground and soft underlying natural strata, conventional foundations are not considered to be a suitable solution by the developer, and it is likely that the dwellings would require piled foundations. Whilst this may have some impact on the listed buildings in terms of structural movement, I would expect any proven damage to be put right by the developer; however this is a civil matter between the various parties and not a planning consideration.

With regards to surface water drainage and flooding, there are numerous open watercourse features located within close proximity to the site forming a network of land drains. The nearest drain is on Ecclesgate Road approx. 40 m from the site. This system of drains flows south towards Marton Moss where the watercourses become designated as "main river". The Environment Agency flood maps do not indicate that the site is at potential risk of flooding from rain or tidal sources; and they have no objection to the proposed development providing that the submitted drainage layout is implemented in full. This can be the subject of a condition. The scheme includes a pond which should assist in providing surface water attenuation on site.

There are no trees on site currently protected by a Tree Preservation Order, the land consists of poor semi-improved grassland with locally common trees, shrubs and bramble scrub at the boundaries. There are no rare or uncommon plant species, no special habitats, nor evidence of any protected species. Whilst the boundary trees and scrub are suitable for nesting birds, the ecological report makes recommendations for protection of the birds during nesting and enhancement of their habitat as part of the development. The report also proposes enhancements in relation to bats. The proposed tree planting on site would be placed so as to retain the view through to the listed cottages. The development would present an opportunity to provide ecological enhancements, consistent with the stated aims of the National Planning Policy Framework. The Council's Sustainability Manager supports the proposals for biodiversity enhancements, subject to the recommendations in the ecological report.

CONCLUSION

In conclusion, although the proposal is contrary to current Countryside Policy (Policy NE2), the National Planning Policy Framework states that planning permission should be granted for residential development, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, where policies relating to the supply of housing cannot be considered up-to-date. At this moment in time, the Council is unable to demonstrate a five year land supply. Within this context and taking into account the sustainable location of the site relative to other areas of the Moss, it is not considered that the impact of the proposal on the character of the surrounding Countryside Area would be accepted by an Inspector as being sufficiently harmful to outweigh the beneficial contribution the new homes would make towards meeting Blackpool's future housing requirements. Furthermore, I consider that the benefits of developing the site in the manner proposed outweigh any disbenefits relating to the setting of the listed cottages beyond.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

Policy BH10 sets out that all new housing developments should either physically provide or financially contribute to the full rate of provision of 24 sq.m of open space per person. SPG Note 11, *Open Space Provision for New Residential Development and the Funding System*, provides more detailed guidance, with the policy applying to all new residential developments of 3 or more dwellings.

Since no open space capable of being utilised as play area has been provided (the pond cannot be considered as a play area in terms of SPG11), there is a requirement for the developer to provide the full commuted sum of £9976 in lieu of open space provision (based on three x three bed and five x four bed units on the site), to be secured by means of an appropriately worded condition.

HUMAN RIGHTS ACT

Under Article eight and Article one 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. It is not considered that the application raises any human rights issues.

CRIME AND DISORDER ACT 1998

The contents of this report have 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.

Recommended Decision: Grant Permission

Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced.

Reason: In the interests of the appearance of the locality and the impact on the listed cottages, in accordance with Policies LQ4 and LQ9 of the Blackpool Local Plan 2001-2016.

3. The landscaping works shall be carried out in accordance with the approved details within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner). Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within five years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason. To ensure the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall with regards to Policy LQ6 of the Blackpool Local Plan 2001-2016.

4. Unless the absence of nesting birds has been confirmed by further surveys or inspections, any removal of vegetation including trees and hedges shall be undertaken outside the nesting bird season [March - August inclusive]. Any removal of vegetation outside the nesting bird season shall be preceded by a pre-clearance check by a licensed ecologist on the day of removal.

Reason: To ensure that there are no adverse effects on the favourable conservation status of birds and to protect the bird population from damaging activities and reduce or remove the impact of development, in accordance with Policy LQ6 of the Blackpool Local Plan 2001 - 2016 and The Wildlife and Countryside Act 1981 (as amended).

5. No development shall be commenced until a gas monitoring regime has been carried out in accordance with a written methodology, which shall first have been agreed in writing with the Local Planning Authority. If mitigation is then considered necessary, a scheme for implementation of this in the design of the dwellings shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to occupation of each dwelling. Any changes to the approved scheme shall be agreed in writing with the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016.

6. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall have foul and surface water drained in accordance with the principles outlined in the submitted Drainage Plan P4979/14/100B - prepared by Thomas Consulting dated 26th March 2014. For the avoidance of doubt, foul must drain separate to surface water which must then combine at the last manhole prior to discharging into the public combined sewer located on Ecclesgate Road. Surface water draining from the site must be restricted to a maximum pass forward flow of five litres per second. The approved drainage scheme shall be implemented before the development is brought into use and retained as such.

Reason: To prevent the increased risk of flooding, both on and off site, in accordance with Policy NE10 of the Blackpool Local Plan 2001 - 2016.

7. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:

- dust mitigation measures during the construction period
- control of noise emanating from the site during the construction period
- hours and days of construction work for the development
- contractors' compounds and other storage arrangements
- provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
- arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways
- the routing of construction traffic.

The construction of the development shall then proceed in accordance with the approved Construction Management Plan.

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the integral and detached garages shall not be used for any purpose which would preclude their use for the parking of a motor car.

Reason: In the opinion of the Local Planning Authority the retention of parking space within the site is of importance in safeguarding the appearance of the locality and highway safety, in accordance with Policies AS1 and LQ1 of the Blackpool Local Plan 2001-2016.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no change of use from Use Class C3 (the subject of this permission) to Use Class C4 shall take place without the written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and to prevent the further establishment of Houses in Multiple Occupation which would further increase the stock of poor quality accommodation in the town and further undermine the aim of creating balanced and healthy communities, in accordance with Policies BH3 and HN5 of the Blackpool Local Plan 2001-2016.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no enlargement of the dwellings the subject of this permission shall be carried out without the written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and the setting of the listed cottages, in accordance with Policies BH3 and LQ9 of the Blackpool Local Plan 2001-2016.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse which fronts or is side onto a road, other than those detailed on approved site layout drawing no. CMNEDGE/SK/001.

Reason: The development as a whole is proposed on an open plan layout and a variety of individual walls/fences would seriously detract from the overall appearance of the development, would detract from the setting of the listed cottages and would therefore be contrary to Policies LQ2 and LQ9 of the Blackpool Local Plan 2001-2016.

12. Notwithstanding the details shown on soft landscaping layout drawing no. CMNEDGE/LANDSCAPE/01, the details and siting of one bat roost tube, one house sparrow terrace and one starling box shall be agreed in writing with the Local Planning Authority, and provided prior to first occupation of the relevant dwelling and thereafter retained.

Reason: In order to enhance the biodiversity of the site, in accordance with Policy LQ6 of the Blackpool Local Plan 2001 - 2016.

13. The development authorised by this permission shall not begin until the Local Planning Authority has approved a scheme to secure the provision of or improvements to off site open space together with a mechanism for delivery, in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development" (SPG11).

Reason: To ensure sufficient provision of or to provide sufficient improvements to open space to serve the dwellings in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development" (SPG11).

NOTE – The development is of a scale to warrant a contribution of £9976 towards the provision of or improvement to off site open space and management of the open space provision, in accordance with Policy BH10 of the Blackpool Local Plan 2001-2016 and SPG 11. The Applicant(s) should contact the Council to arrange payment of the contribution.

14. No external lighting shall be installed within the site, unless the details of the lights and their locations have previously been agreed in writing with the Local Planning Authority.

Reason: In order to protect the amenities of existing residents and in the interests of biodiversity, in accordance with Policies BH3 and LQ6 of the Blackpool Local Plan 2001 - 2016.

Advice Notes to Developer

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.
2. The grant of planning permission will require the developer to enter into an appropriate Legal Agreement with Blackpool Borough Council acting as Highway Authority. The Highway Authority may also wish to implement their right to design all works within the highway relating to this proposal. The applicant is advised to contact the Council's Built Environment Department, Layton Depot, Depot Road, Blackpool, FY3 7HW (Tel 01253 477477) in the first instance to ascertain the details of such an agreement and the information provided.
3. This advice note is to remind you of the requirements of BS 7121 Part 1, specifically paragraph 9.3.3 which requires that: "the appointed person should consult the aerodrome/airfield manager for permission to work if a crane is to be used within 6 km of the aerodrome/airfield and its height exceeds 10 m or that of the surrounding structures or trees."

This permission should be sought at least **one month** prior to any crane being erected as other bodies may need to be consulted prior to granting a permit.

Application for crane permits should be made to the email address: safeguarding@blackpoolairport.com

The following information will be required as a minimum:-

- Date(s) of operation of the crane (it is best to overestimate the end date rather than have the permit time expire before the job is finished)
- Geographical Location (street name(s) and also Latitude/Longitude of the crane location as accurately as you are able to provide)
- Height of ground level at that location above Mean Sea Level (AOD as derived from Google Earth is sufficient)
- Maximum height of extended jib above ground level
- Hours of operation each day, and whether this includes use at night (if not confirmation that the jib will be fully lowered at night)
- Local contact number should it become necessary to require lowering of the jib in an emergency.

In order that the airport authority can provide a service to a consistent and high standard, a charge is levied for each submission. The airport's standard fees and charges are available to view or download at www.blackpoolairport.com

4. Blackpool Council operates a refuse collection and recycling service through the use of wheeled bins and sacks with most premises having three or four wheeled bins. The Council has purchased and provided these wheeled bins to all existing properties. However, it will be incumbent on developers and builders of new residential properties, including conversions, to provide these bins. Contact should be made with the Waste Services Section at Layton Depot, Plymouth Road, Blackpool, FY3 7HW or telephone 01253 476279 about the requirement, provision and cost of the wheeled bins prior to any resident moving in.
5. Please note that any address changes or new addresses needed as a result of this development must be agreed by the Council. Please contact Council's Streetscene and Property Department, Layton Depot, Depot Road, Blackpool, FY3 7HW (Tel 01253 477477).
6. Notwithstanding the details on the approved plan it is requested that the applicant consider achieving "Secured By Design" for the proposed development.
7. Policy BH10 of the Blackpool Local Plan states that new residential developments will need to provide sufficient open space to meet the needs of its residents in accordance with the Council's approved standards. The policy goes on to say that where it is not possible to provide the full requirement of public open space on site, developers may pay a commuted sum to cover the provision or improvement of public open space off site. Details of the Council's standards and calculated commuted sum rates are set out in Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development". In accordance with this document, and given that no public open space can be provided on site, the commuted sum required in respect of this development would be 3x £1032 and 4x£1396 (£9976)

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