

Blackpool Council

29 May 2015

To: Councillors I Coleman, Critchley, Elmes, Hutton, Robertson BEM, Stansfield and L Williams

The above members are requested to attend the:

PLANNING COMMITTEE

Tuesday, 9 June 2015 at 6.00 pm
in Committee Room A, Blackpool

A G E N D A

1 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.

2 MINUTES OF THE MEETING HELD ON 13 APRIL 2015 (Pages 1 - 8)

To agree the minutes of the last meeting held on 13 April 2015 as a true and correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED (Pages 9 - 22)

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

4 PLANNING ENFORCEMENT UPDATE REPORT - MARCH 2015 (Pages 23 - 26)

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

5 PLANNING ENFORCEMENT UPDATE REPORT - APRIL 2015 (Pages 27 - 30)

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

6 PLANNING APPLICATION 14/0872 - LIDL UK GMBH, 4 ANCHORSHOLME LANE WEST (Pages 31 - 38)

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

7 PLANNING APPLICATION 15/0160 - LAND AT YEADON WAY, YEADON WAY (Pages 39 - 52)

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.

Present:

Councillor Owen (in the Chair)

Councillors

Brown
Elmes

Hutton
Mrs Jackson

Matthews
Robertson BEM

Smith
Stansfield

In Attendance:

Gary Johnston, Head of Development Management
Carmel White, Chief Corporate Solicitor
Karen Galloway, Principal Engineer Transportation
Mark Shaw, Principal Planning Officer
Chris Kelly, Senior Democratic Governance Adviser

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE MEETING HELD ON 9 MARCH 2015

Resolved: That the minutes of the meeting held on 9 March, 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 4 March 2015 (2) letter from the planning inspectorate dated 26 January 2015 (3) letter from the planning inspectorate dated 4 March 2015 (4) letter from the planning inspectorate dated 3 March 2015 (5) letter from the planning inspectorate dated 25 February 2015 (6) letter from the planning inspectorate dated 10 March 2015.

4 PLANNING ENFORCEMENT UPDATE REPORT

Resolved: To note the outcomes of the cases set out in the report and to support the actions of the head of enforcement and quality standards in authorising the notices.

5 PLANNING APPLICATION 14/0827 - SITE OF FORMER YATES BROS WINE LODGES PLC, 2-10 TALBOT ROAD

The Committee considered application 14/0827 for the erection of a six storey building to provide a bar/restaurant use and hotel reception at ground floor level, with hotel accommodation above comprising 150 en-suite bedrooms, with associated rooftop plant deck, ground level plant, yard and sub-station.

MINUTES OF PLANNING COMMITTEE MEETING - MONDAY, 13 APRIL 2015

Mr Boniface addressed the Committee and spoke in objection to the application.

Mr Krassowski, agent for the hotel chain, spoke in support of the application.

Mr Shaw, Principal Planning Officer, advised Committee Members of the additional information and objections that had been received since the publication of the agenda for the meeting. The additional information included comments from the Head of Transportation, the Built Heritage Manager whose comments had been endorsed by the Civic Trust, an objection from Preston and Bedford of 18 Clifton Street and a response from the developer to the comments from the Police Architectural Liaison Officer.

Mr Shaw advised that as a result of the extra information received, an additional three conditions were proposed in the event of the Committee granting permission for the development. Those conditions related to the layout of the ground floor on the Clifton Street side of the building, the design of the roof top windows and a requirement to implement a hotel parking strategy.

Members welcomed the prospect of development on the site but raised concerns regarding the proposed design of the building. The Committee considered that the site was of key importance to the town centre and the Town Centre Conservation Area, but that the proposed design would not achieve substantial benefits in so far as to outweigh the harm to the Conservation Area.

The Committee also considered that there were serious concerns relating to town centre parking issues due to the additional number of guests and staff needing to park in the vicinity. Members also considered that there would be congestion issues caused as a result of guests dropping off luggage at the hotel's entrance and deliveries being made on the adjacent highway, in light of there also being a number of bus stops also being located on Clifton Street and issues with buses queuing.

The Committee resolved to adjourn for ten minutes from 6.05 p.m. and the meeting reconvened at 6.15 p.m.

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

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

6 MOTION MOVED, SECONDED, VOTED UPON AND LOST

During consideration of the preceding item, the following motion was moved, seconded, voted upon and lost:

That the application be deferred until a future meeting of the Committee, so as to allow the applicant to be able to better demonstrate the design of the proposed building.

MINUTES OF PLANNING COMMITTEE MEETING - MONDAY, 13 APRIL 2015

Chairman

(The meeting ended 6.20 pm)

Any queries regarding these minutes, please contact:
Chris Kelly Senior Democratic Services Adviser
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Application Number: 14/0827 Erection of a six storey building to provide a bar/restaurant use and hotel reception at ground floor level, with hotel accommodation above comprising 150 en-suite bedrooms, with associated rooftop plant deck, ground level plant, yard and sub-station at site of former Yates Bros Wine Lodges plc, 2-10 Talbot Road.

Decision: Refuse

Reasons:

1. The proposed development as a result of its style, form and design would appear as an overbearing and over dominating building in this part of the Town Centre Conservation Area and would be out of keeping with its setting. It would overpower the buildings which surround the site and would not represent the quality of design to offset this impact. As such the proposed development would be contrary to Policies LQ2 and LQ4 of the Blackpool Local Plan 2001-2016.

2. The proposed development would increase pressure for car parking in the Town Centre through its scale and the lack of on- site car parking. The proposed development would increase competition for the limited on street car parking in the vicinity of the site and would be likely to lead to conflict on the adjacent highways to the detriment of the free flow of traffic and highway safety. As such the proposed development would be contrary to Policy AS1 of the Blackpool Local Plan 2001-2016.

3. 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.

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MINUTES OF PLANNING COMMITTEE MEETING - MONDAY, 13 APRIL 2015

Present:

Councillor Owen (in the Chair)

Councillors

Brown
Elmes

Hutton
Mrs Jackson

Matthews
Robertson BEM

Smith
Stansfield

In Attendance:

Gary Johnston, Head of Development Management
Mark Shaw, Principal Planning Office
Chris Kelly, Senior Democratic Governance Adviser

1 SITE VISITS

1. SITE OF FORMER YATES BROS WINE LODGES PLC, 2-10 TALBOT ROAD

Chairman

(The meeting ended 4.45 pm)

Any queries regarding these minutes, please contact:
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Report to:	Planning Committee
Relevant Officer:	Gary Johnston, Head of Development Management
Date of Meeting:	9 June 2015

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):

The Committee is provided with a summary of planning and enforcement appeals, lodged and determined for its information.

4.0 Council Priority:

4.1 Not applicable

5.0 Planning/Enforcement Appeals Determined

5.1 2 BEAUFORT AVENUE, BLACKPOOL (14/0076)

Appeal by Mr. Rochford against the Council's refusal of planning permission for external alterations and erection of part single storey, part three storey side extension and use of premises as altered as three dwellinghouses - **APPEAL DISMISSED.**

The Inspector considered the main issues in this case to be:

- the effect of the proposal on the character and appearance of the host building;
- whether the proposal would provide adequate living conditions for future occupiers of the proposed dwellings with particular regard to internal and external spaces, outlook and access to natural light, and adequate facilities in terms of waste disposal and parking; and
- its effect on the living conditions of the occupiers of Nos. 31 and 31A Red Bank Road with regard to outlook and access to natural light.

Character and appearance

The appeal relates to a large end of terrace building on the prominent corner of Beaufort Avenue and Red Bank Road. The Council did not raise any issues with the appearance of the scheme, except for the siting of a front door on Red Bank Road. A large set of double entrance doors with windows either side sits directly underneath a first floor bay window. This would be replaced with a double window in proportion with the bay window above, and a new door would be inserted between this and the existing bay which wraps around the corner of the building. The Inspector agreed with the Council that the position of the door would be strange in the overall context of this fenestration and would be totally under-scaled in proportion to the bay windows and would therefore appear disjointed and out of context.

For these reasons, he concluded that this element of the scheme would harm the character and appearance of the host building and would conflict with policies LQ2 and LQ14 of the Local Plan (LP).

Living conditions of future occupiers and occupiers of neighbouring dwellings

Planning permission was granted for extensions in 2013 (Ref. 13/0550), similar to the current scheme, except that the current proposed single storey rear extension is longer. The approved scheme also included the use of part of the ground floor as a cafe/tea room, with external seating within the forecourt, and three off-street parking spaces.

In light of the approved use and the three parking spaces included within that scheme, combined with the sustainable location of the site, the Inspector was satisfied that the four private parking included within the scheme before him was satisfactory and would be likely to result in less, rather than more, vehicular traffic movements than the approved use.

The Council raised concern that the length of the single storey extension would unduly compromise the levels of natural light available to the occupiers of Unit 2 along with their outlook. This dwelling would have a kitchen window and a bedroom window to the rear. The outlook from these rooms and the levels of natural light available to them would be mostly affected by the three storey section (as approved), but the Inspector considered that the longer single storey extension would exacerbate the tunnel effect, particularly when viewed from the kitchen.

He felt that the enclosing effect would be even greater when viewed from 31/31A Red Bank Road, which is attached. Several windows are located to the rear elevation and outrigger of this building at ground floor level. He considered that whilst the longer ground floor extension would not have a significant effect on the levels of natural light entering these properties, the outlook from them would be materially and harmfully worse.

With regard to the internal arrangements, the Council expressed concern that the only source of outlook and natural light for the first floor bedroom of Unit 1 would

be via a skylight, however the Inspector considered that this was not uncommon in loft rooms. He also noted that the top single bedroom in Unit 3 had predominantly sloping ceilings, but was satisfied that a reasonable level of headspace would be provided.

The amenity space for the proposed dwellings would be at the front of the building, and would not be private. The Inspector considered that the conversion of an existing building brings its own particular constraints, but the proposed dwellings would be close to areas of public open space. Further, he pointed out that many terraced houses within the local area had limited private amenity spaces and not all occupiers would want or need formal gardens. The Council's SPD indicates that a degree of flexibility can be adopted and he considered that a pragmatic approach should be taken in this particular instance. On this basis, he considered that a lack of useable private amenity space should not, in itself, be fatal to the scheme.

The level of refuse storage provision seemed adequate to the Inspector. Although the occupiers of Unit 3 would have to walk around the building to dispose of refuse, he felt that this was not a significant distance; and it had to be balanced against the visual impact which could be caused by providing a bin store close to the entrance to Unit 3 on the Red Bank Road frontage.

In conclusion, he found that adequate parking and refuse storage would be provided, whilst an absence of any meaningful private amenity space was acceptable in this particular context. Room sizes and arrangements were satisfactory, but the depth of the single storey extension would unacceptably compromise the outlook from the kitchen of Unit 2 and it would have a harmfully greater impact on the occupiers of the ground floor of the adjoining building at 31/31A Red Bank Road, than the approved scheme. In such terms, the proposal conflicted with saved policies BH3, HN5 and LQ14 of the LP.

Other considerations

The proposal would convert the building to dwellings rather than flats, of which there is an oversupply within Blackpool and the Inspector was mindful that it would regenerate a building which required some attention. Nevertheless, these and all other positive aspects of the scheme outlined by the appellant neither altered nor outweighed the failings he identified.

Accordingly, he dismissed the appeal.

5.2 **7-9 General Street, Blackpool, Application ref: 14/0333**

Appeal by Mr Martin Scott Price against the decision of the Council to refuse planning permission for 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 at 7-9 General Street, Blackpool. **Appeal Dismissed and Award of Costs in favour of the Council.**

The Inspector considered the main issue in this case to be the effect of the proposal on the character and appearance of the host building and the street scene.

The appeal relates to a three storey property with feature bay windows either side of its front entrance which is set back from the pavement behind a low wall. Although the buildings either side do not sit behind low walls, they share the same building line, which is a noticeable element of this particular section of the street scene. According to the appellant's figures, the proposed single storey extension would be just under 3 metres deep, projecting forward of the bays either side of the entrance, close to the pavement. Whilst the extension would be symmetrical, it would protrude significantly beyond the established building line, it would engulf the attractive bays and it would appear unduly prominent and completely inconsistent with the siting of the buildings either side. The Inspector was mindful that a colleague Inspector recently considered a broadly similar proposal, which would have projected about half a metre further forward of the bays than the scheme before him, to be visually harmful (Ref. APP/J2373/A/12/2189129). The minor reduction in the level of projection proposed does not alleviate the visual harm which his colleague had identified.

For the above reasons, the Inspector concluded that the proposed single storey front extension would unacceptably harm the character and appearance of the host building and the street scene. In such terms, it conflicts with saved Policies LQ1 and LQ14 of the adopted Blackpool Local Plan.

The Inspector noted that planning permission has been granted for a front porch, but this would be a much more modest structure and it would leave the integrity of the bays intact. He also appreciated there are other forms of development within General Street, but consistent building lines for groups of buildings is a noticeable feature of the street scene.

The Inspector acknowledged the fact the appellant is seeking to enhance a visitor attraction and invest money in a challenging economic climate. Whilst this is to be applauded, he felt that it did not outweigh the harm that he had identified.

Accordingly he dismissed the appeal

The Inspector also awarded costs to the Council because he felt that the appellant had acted unreasonably in pursuing an appeal for a proposal which was only marginally different to a scheme which had previously been refused by the Council and dismissed at appeal.

**5.3 Land adjacent to 82 Common Edge Road (former pigeon fanciers club), Blackpool
Application ref: 14/0240**

Appeal by James Carter Homes against the decision of the Council to refuse planning permission for the Erection of 2 detached dwelling houses with associated access, parking, detached garage and landscaping, following demolition of existing club.

Appeal Dismissed

The Inspector considered the main issues in this case are the effect of the proposed development on the character and appearance of the local area, whether the layout of the proposed dwellings would provide adequate living conditions for their future occupiers with particular regard to privacy, and whether it would prejudice the future development of the adjacent Stanley Conservative Social Club site.

Character and appearance of the area

The Inspector noted that the appeal relates to a deep, rectangular parcel of land with its relatively narrow frontage facing the main thoroughfare of Common Edge Road. The local area is home to a range of dwelling types, with an apartment block immediately to the north and the Stanley Conservative Social Club and associated car park immediately to the south. The site accommodates an unkempt wooden building towards the rear and it currently does not make a positive contribution to the street scene.

He noted that the Council raises no objection to the overall design of the two dwellings proposed, but is not satisfied with the tandem arrangement proposed. The Plot 1 dwelling would sit at the front of the site, towards the northern boundary. Whilst its gable would sit marginally forward of the front elevation of the adjacent apartment block, this projection would not be particularly noticeable within the street scene and it would not look incongruous. The Plot 2 dwelling would sit behind the Plot 1 dwelling, close to the southern boundary, with its reasonably sized private garden running along the northern boundary. The rear dwelling would not be directly behind the front dwelling, but this arrangement would not appear contrived.

He noted that the Council points to the fact that the dwellings within the immediate vicinity along Common Edge Road front the highway. Whilst this may be so, there are a variety of building styles and furthermore, there are examples of 'backland' developments within the nearby Bennetts Lane, which is part of the local urban grain. The proposed development would deliver a dwelling to the frontage of the site, broadly consistent with the arrangement of the nearby dwellings and the dwelling to the rear would sit discreetly, served by a narrow driveway, which would sit comfortably alongside the frontage dwelling.

For these reasons, he was satisfied that the development proposed would not harm the character and appearance of the surrounding area. In such terms, he felt that there is no conflict with saved Policies LQ1 and LQ2 of the adopted Blackpool Local Plan (LP).

Living conditions

He commented that the nearest part of the front elevation of the Plot 2 dwelling would sit about 6.5 metres behind the rear garden of the Plot 1 dwelling according to the undisputed figures provided by the Council. Accordingly, there would be limited separation between the windows serving the front bedrooms of the Plot 2 dwelling and the rear garden of the front dwelling. This would result in unacceptable levels of overlooking and the effect would be unduly invasive for future occupiers of this property. He was not satisfied that this harm could be overcome by landscaping or other forms of boundary treatment given the shallow nature of this garden, and it would not be appropriate to install obscured glazing within the front bedroom windows of the Plot 2 dwelling because the outlook from them would be unacceptably compromised.

He appreciated that the other nearby backland developments may cause overlooking issues for nearby residents. He said 'I do not know the precise planning circumstances behind them; I understand that none arise from recent planning permissions. In any event, I have considered the appeal proposal on its individual merits and against the most up to date development plan policy.'

He therefore concluded that the proposed layout would not provide adequate levels of privacy for future occupiers of the Plot 1 dwelling. He felt that this failure is contrary to saved Policy BH3 of the Local Plan.

Future redevelopment of the Conservative Club

He commented that the proposed dwellings would sit in tandem, but their front elevations would face the highway. The Council suggests that this arrangement would prejudice the future redevelopment of the adjacent site, which is currently home to the Conservative Club.

He commented -firstly, no firm plans for this site are before me and therefore future residential redevelopment is by no means certain and secondly, the side elevations of the proposed dwellings would sit parallel to the side boundary of the adjacent land. He appreciated that the Council's argument that the Plot 2 dwelling could overlook any dwelling built along the frontage of this site close to the northern boundary in the same manner as it would overlook the Plot 1 dwelling. Nonetheless, this may not necessarily be the only acceptable layout for the future redevelopment of this site.

In light of the above, he was satisfied that the arrangement of the proposed dwellings need not unduly compromise the future redevelopment of the adjacent Conservative Club site. In this particular respect, he felt that there is no conflict with the development plan policies referred to above.

Other considerations

The appellant argued that the development would improve the appearance of the appeal site, but so too could the erection of a single dwelling, or indeed, a pair of semi-detached dwellings as suggested by the Council. It is also advanced that the development would make a contribution to resolving a current shortfall in the 5 year supply of housing sites within the Borough. The National Planning Policy Framework (NPPF) indicates that where local planning authorities cannot demonstrate a 5 year supply of deliverable housing sites, relevant policies for the supply of housing should not be considered up-to date and housing applications should be considered in the context of the presumption in favour of sustainable development. He commented that there is some dispute as to whether such a shortfall actually exists, but the contribution which the proposed development would make in such terms is negligible in any event.

Further, whilst this previously developed site enjoys a sustainable location, the NPPF explains that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Given his findings relating to the matter of privacy, he commented that it follows that the proposal does not amount to good design. It therefore does not amount to sustainable development in the wider sense of the definition outlined by the NPPF.

In light of the above factors, and having considered all other matters raised, the Inspector dismissed the appeal.

5.4 Larkfield, St Nicholas Road, Blackpool. Application ref 14/0783

Appeal by Mrs Jenny Taylor against the refusal of planning permission for a single storey side extension including extension to first floor roof terrace. **Appeal dismissed.**

This application was refused under delegated powers on the basis that the proposed extension, would result in a property significantly larger than the original and which has already been extended. In particular it would further transgress the 35 per cent increase in footprint permitted by Policy NE3 of the Blackpool Local Plan and would result in a dwelling which cumulatively would be disproportionately larger than the

original dwelling and would be very conspicuous in this rural setting as part of the Marton Moss Countryside Area

The Inspector visited the site and stated that the existing additions significantly exceed the 35 per cent maximum endorsed by saved Policy NE3 of the Local Plan for extensions to dwellings within the Marton Moss Countryside Area.

He stated “Whilst the appeal dwelling sits within a large plot, the proposed single storey side extension would be a significant addition in its own right. Together with the earlier extensions, the footprint of the resultant dwelling would be 175 per cent greater than that of the original according to the Council’s uncontested figures. This exceeds the guideline outlined above by a huge margin and the proposed extension, when considered alongside the earlier additions, would result in a much larger dwelling than the original. In addition, the proposed extension would be wide with an extensive flat roof which, even accounting for the existing large box dormers, would not respond well to the traditional hipped roof of the main body of the host dwelling”.

These factors led him to conclude that the proposed extension, particularly when considered alongside the previous additions, would be overly large and disproportionate to the size of the original dwelling. Further, its extensive flat roof would be out of character with the dwelling as it stands today. It would also increase the spread of built development, which would increase the overall prominence of the dwelling and detract from its semi-rural setting.

The Inspector appreciated that the applicant wanted to provide additional accommodation for her family; however, this does not outweigh the harm he identified above.

He concluded that for the above reasons, the appeal should be dismissed.

5.5 **Ralmar, Sandy Lane, Blackpool Application Ref 13/0098**

Appeal by Mr. Powell against the Council’s refusal of planning permission for external alterations and use of stables as single private dwelling house - **Appeal dismissed.**

The Inspector considered the main issue to be whether the proposed development would represent sustainable development, having particular regard to national and local policies and the effects on the character and appearance of the area and on highway safety.

Policy context

The development plan for the area includes the saved policies in the adopted Blackpool Local Plan 2001/2016 (LP). The National Planning Policy Framework (NPPF) indicates that weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (para 215). The Blackpool Local

Plan Part 1: Core Strategy (CS) was published in June 2014 and submitted in December 2014. These events post-date the Council's decision on the application and the previous, now quashed, appeal decision relating to it. They therefore represent a material change in circumstances since then.

The NPPF states that decision-takers may give weight (unless other material considerations indicate otherwise) to relevant policies in emerging plans. This weight is dependent on the stage of preparation of the emerging plan, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies in the emerging plan to the policies in the Framework.

The emerging CS has been the subject of consultations and submitted for examination. No representations at consultation stage justified modifications to the policies relevant to this proposal prior to submission (other than minor changes to improve clarity), but there has yet been no independent finding on the soundness of the Strategy.

The stated purpose of LP policy NE2 (Countryside Areas) is 'to retain the existing rural character and prevent urban expansion'. The supporting text further indicates that the designation of Countryside Areas in conjunction with the Green Belts defines the limit of urban development. Although it provides for dwellings in limited defined circumstances, these are expressed as exceptions to the general restriction of development in the designated areas. For these reasons, in respect of the latter part of the purposes it constitutes a policy for the supply of housing in the terms of para 49 of the NPPF.

At the time of the determination of the application and of the original appeal decision the Council could not demonstrate a 5-year supply of deliverable housing sites against a housing target derived from the Regional Spatial Strategy (RSS). However, following revocation of the RSS, there is now a 5-year supply plus a 20 per cent buffer proposed in CS policy CS2. The evidence underpinning the assessment of housing land supply against the CS2 requirement has yet to be tested in independent examination and the figures might change by the time the CS is adopted. Accordingly, at this stage the Inspector attached only limited weight to this policy, and the 5-year supply assessment. Either way, he stated that the contribution of the single dwelling proposed here to the housing land supply would be minimal.

For the above reasons the Inspector considered that in this respect LP policy NE2 is out of date and hence carries limited weight. In any event, para 49 of the NPPF requires this proposal to be considered in the context of the presumption in favour of sustainable development and NPPF para 14 sets out what this means for decision-taking.

However, the other stated purpose of policy LP policy NE2, which is in essence carried forward into CS policy CS26 (Marton Moss), is retention of the existing rural character of the defined Countryside Areas. This is fully consistent with a core principle set out in NPPF para 17 that planning should 'take account of the different roles and character of different areas, promoting the vitality of our main urban area...recognising the intrinsic character and beauty of the countryside...' Ministers have recently reiterated that the impact of development on the landscape can be an important material consideration outside nationally designated areas. The Inspector considered that the granting of other planning permissions in this area, in other circumstances, does not negate the purpose of the policies or justify further development that would conflict with them. Accordingly this purpose of policy NE2 still stands and the Inspector gave substantial weight to it in this respect. In the absence of unresolved significant objections to it, he also gave significant weight to policy CS26.

Sustainability

The site is within an area designated through policy NE2 as the Marton Moss Countryside Area. The policy states within this designated area new development, including the change of use of existing buildings will not be permitted except for agricultural or horticultural purposes or for outdoor recreational uses appropriate to a rural area. These elements are broadly carried forward into policy CS26.

In two other appeal decisions, Inspectors have described this area as 'semi-rural' i.e. not open countryside; and the Inspector shared their views, which are also supported by the Marton Moss Characterisation Study of 2009. The emerging CS recognises that in the Marton Moss area, the land behind the main highway frontages retains 'an essentially rural character, though very different from typical more open countryside'. The appeal site lies well away from the main roads, and the Inspector agreed with that description. It seemed to him, that originally sporadic development has gradually become more consolidated over time by piecemeal developments. However, the overall density remains low and, while the rural character has been compromised, he agreed that the locality of this site cannot be regarded as urban.

Policy CS26 maintains the provisions of policy NE2 for this area, pending 'a neighbourhood planning approach 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'. This element reflects the NPPF core principle that 'planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area' (para 17). This process has not been completed here; however, the Inspector considered

that both of these policies are broadly consistent with para. 55 of the NPPF regarding housing in both the open countryside and settlements within rural areas and so carry much weight. It states that to promote sustainable development in such areas, housing should be located where it will enhance or maintain the vitality of rural communities.

The Inspector saw that the range of services and facilities were mostly located in the urban area; and there was no evidence that this site was as accessible by non-car modes as locations within the main built-up area. A submitted 'accessibility questionnaire' suggested that the accessibility here is in the lower part of the 'low' level range. He also saw that the walking routes involved include narrow, partly-made and poorly-lit roads without footways that could not be described as attractive for pedestrians, especially at night. The Inspector saw nothing to suggest that the proposed dwelling would support rural communities. Accordingly he felt that the appeal proposal would not contribute to the economic or social dimensions to sustainable development.

The site is approximately half a hectare in extent, most of which is open. The only structures on it are the appeal building, an unauthorised mobile home, a garage/workshop/store and a polytunnel. The Inspector considered that the existing stable building is of a style more akin to a domestic bungalow than to a typical stable. He recognised that the building would be likely to remain on site (it has planning permission for use as stables/store), but if it were converted to a dwelling its appearance would change (particularly with the addition of a large area of glazing under the front projection and replacement of two stable doors by windows), there would be additional domestic paraphernalia around it, and there might be pressure to extend and/or alter the dwelling subsequently. Although permitted development rights could be restricted through a planning condition, the right to apply for planning permission would remain and could be difficult to resist.

He considered that the effect would be to change the character of the site from still essentially rural to more suburban and to have a similar, though limited, impact on its surroundings. It would also make it more difficult to resist other similar proposals in the locality, the cumulative effect of which would compound the harm in this respect. This development would not preserve the character of the area. The nature of the area might change in due course, but decisions on this should be taken in the context of the development plan and the neighbourhood planning approach outlined in policy CS26 in the light of all relevant factors, rather than through decisions on individual proposals such as this. For these reasons, he considered the development would not support the environmental dimension to sustainable development.

He also considered that the proposed development would conflict with LP policy LQ1 in that it would not make a positive contribution to the quality of the surrounding environment; and with policy LQ2 through its adverse effect on the character and setting of the area. Policies LQ1 and 2 are consistent with the emphasis placed by the NPPF on high quality design and he attached full weight to them.

With regard to the access, Sandy Lane here is a single-track, partly surfaced road without footways. However, the Inspector saw that the site is located near the end of a cul-de-sac which is very lightly trafficked here, and he felt that the proposal would be unlikely to add significantly to this. The access is on the inside of a bend and visibility is poor, but the nature of the road greatly limits traffic speeds. The hedge has already been lowered and there is further scope for improving visibility, at the cost of some loss of rural character, but the Inspector did not consider that there would be material harm to highway safety and so there would be no conflict with LP policy AS1.

Conclusions

The Inspector concluded on the main issue that the proposed change of use would not represent sustainable development; therefore the presumption in favour does not apply. Moreover, it would be contrary to LP and CS and NPPF policies as identified above. He recognised that elements of the policy framework provide some support for it, and that there would be no conflict with LP policy AS1, but he felt that the adverse effects of approving the proposal would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

For the reasons given above he concluded that the appeal should be dismissed.

Does the information submitted include any exempt information? No

None

6.0 Planning/Enforcement Appeals lodged

Does the information submitted include any exempt information? No

List of appendices

None

7.0 Legal considerations:

7.1 None

8.0 Human Resources considerations:

8.1 None

9.0 Equalities considerations:

9.1 None

10.0 Financial considerations:

10.1 None

11.0 Risk management considerations:

11.1 None

12.0 Ethical considerations:

12.1 None

13.0 Internal/ External Consultation undertaken:

13.1 None

14.0 Background papers:

14.1 None

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Report to:	Planning Committee
Relevant Officer:	Tim Coglan (Service Manager, Public Protection)
Date of Meeting:	9 June 2015

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 March 2015.

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, 67 new cases were registered for investigation, compared to 64 received in March 2014.

Resolved cases

In March 2015, eleven cases were resolved by negotiation without recourse to formal action, compared with ten in March 2014.

Closed cases

In total, 30 cases were closed during the month (42 in March 2014). 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

- No enforcement notices authorised in March 2015 (none in March 2014);
- Six s215 notices authorised in March 2015 (two in March 2014);
- No Breach of Condition notices authorised in March 2015 (none in March 2014);
- One Community Protection Notice authorised in March 2015.

- One enforcement notice served in March 2015 (none in March 2014);
- One s215 notice served in March 2015 (two in March 2014);
- No Breach of Condition notices served in March 2015 (one in March 2014);
- One Community Protection Notice served in March 2015.

relating to those cases set out in the table.

Enforcement notices / S215 notices authorised in March 2015

Ref	Address	Case	Dates
14/8391	18 Gloucester Avenue	Poor condition	S215 Notice authorised 02/03/2015
14/8512	297 Dickson Road	Poor condition	S215 Notice authorised 02/03/2015
14/8256	53 Kenilworth Gardens	Poor condition	S215 Notice authorised 09/03/2015
14/8358	63-65 Albert Road	Poor condition	S215 Notice authorised 13/03/2015
14/8573	3 Dorchester Road	Poor condition	S215 Notice authorised 16/03/2015
14/8388	11 Clarendon Road	Poor condition	S215 Notice authorised 31/03/2015
14/8656	331 Promenade	Display of advertisement on a vehicle	Community Protection Notice authorised 02/03/2015

Enforcement notices / S215 notices served in March 2015

Ref	Address	Case	Dates
13/8498	124 Church Street	Unauthorised shutter, housing box & guides	Notice issued 02/03/2015. Compliance due 13/06/2015 unless an appeal is lodged at PINS by 13/04/2015
13/8575	1 Linfield Terrace	Poor condition	Notice issued 02/03/2015. Compliance due 07/05/2015 unless an appeal is lodged at Magistrates Court by 07/04/2015
14/8656	331 Promenade	Display of advertisement on a vehicle	Community Protection Notice issued 03/03/2015; complied with by 06/03/2015

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
Relevant Officer:	Tim Coglan (Service Manager, Public Protection)
Date of Meeting:	9 June 2015

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 2015.

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, 73 new cases were registered for investigation, compared to 54 received in April 2014.

Resolved cases

In April 2015, sixteen cases were resolved by negotiation without recourse to formal action, compared with seven in April 2014.

Closed cases

In total, 46 cases were closed during the month (26 in April 2014). 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

- No enforcement notices authorised in April 2015 (three in April 2014);
- Two s215 notices authorised in April 2015 (none in April 2014);
- No Breach of Condition notices authorised in April 2015 (none in April 2014).

- One enforcement notice served in April 2015 (none in April 2014);
- Two s215 notices served in April 2015 (none in April 2014);
- No Breach of Condition notices served in April 2015 (none in April 2014);

relating to those cases set out in the table.

Enforcement notices / S215 notices authorised in April 2015

Ref	Address	Case	Dates
14/8653	19 Suffolk Road	Poor condition	S215 Notice authorised 16/04/2015
14/8107	30 Braithwaite Street	Poor condition	S215 Notice authorised 30/04/2015

Enforcement notices / S215 notices served in April 2015

Ref	Address	Case	Dates
13/8196	23 Clifton Drive	Unauthorised change of use of the land from use as a hotel to use as a hotel and for the siting of a static caravan for residential purposes	Enforcement Notice issued 08/04/2015. Compliance is due by 20/06/2015 unless an appeal is made to the Planning Inspectorate by 20/05/2015
15/8061	1 Alexandra Road	Poor condition	S215 Notice issued 01/04/2015. Compliance is due by 11/08/2015 unless an appeal is made to the Magistrate's Court by 11/05/2015
14/8166	259-261 Promenade	Poor condition	S215 Notice issued 08/04/2015. Compliance is due by 20/08/2015 unless an appeal is made to the Magistrate's Court by 20/05/2015

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

COMMITTEE DATE: [09/06/2015](#)

Application Reference: 14/0872

WARD: Anchorsholme
DATE REGISTERED: 17/12/14
LOCAL PLAN ALLOCATION: Main local centre
Local centre

APPLICATION TYPE: Full Planning Permission
APPLICANT: Lidl UK GmbH

PROPOSAL: Erection of single storey extension to Fleetwood Rd elevation to form bakery preparation area, freezer space, additional warehouse space and condenser compound.

LOCATION: LIDL UK GMBH, 4 ANCHORSHOLME LANE WEST, BLACKPOOL, FY5 1LY

Summary of Recommendation: Grant Permission

CASE OFFICER

Mark Shaw

SITE DESCRIPTION

The single storey Lidl store is located adjacent the junction of Fleetwood Road (A587) and Anchorsholme Lane West forming part of a Local Centre as designated within the Blackpool Local Plan. The store was constructed following the granting of planning permission (ref 95/0019 on 31 July 1995) and has been recently extended on the Fleetwood Road elevation under planning permission 09/1302 adding a further 250sqm of floorspace to give an extended store size of 1349sqm.

The store is bounded to the side and rear by residential properties fronting Fleetwood Road and Cherrywood Avenue and has access/ egress to and from the customer car park from Anchorsholme Lane West and access to the service area from Fleetwood Road. The servicing access/egress is also being used temporarily until October 2016 as a customer egress for the duration of the sea defence and flood prevention works at Anchorsholme granted under planning permission 14/0519 with the aim of taking any additional pressure off the junction of Fleetwood Road and Anchorsholme Lane West created by construction vehicles.

DETAILS OF PROPOSAL

The proposal is for an extension to the Fleetwood Road elevation of the building to form additional 'back of house' facilities (bakery preparation, freezer compartment and warehouse) measuring 50 metres by 5 metres which would result in the relatively minor re-arrangement of the car parking area mainly to accommodate the extension with the loss of one of the aisles although there would be no net loss of parking spaces from the car parking area with a total of 81 spaces still being available for staff and customers of the store. The proposed extension would give a total floorspace of 1594 sqm within the store although the applicants have stated that there will be no net increase in the retail floor area as a result of the proposal.

The application is accompanied by a Design and Access Statement, a Flood Risk Assessment and two Technical Notes relating to the operation of the car park and impact of the proposal on the adjoining highway network

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle of Development
- Highway Safety/ Car Parking/ Servicing
- Design of Extension
- Impact on Residential Amenity

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

CONSULTATIONS

Head of Transportation: In response to the initial consultation stated the proposal will lead to the loss of the car park access aisle nearest to the existing building. The loss of the aisle will result in all vehicle movements being contained to the remaining aisle and car park access road, which is likely to lead to additional conflict between vehicles trying to access the car park, with ones trying to manoeuvre into spaces and with others attempting to leave the site leading to block back onto the public highway which will be detrimental to other road users and could contribute to an increase in congestion in the area. Stores of this nature are very popular and this problem could become a regular occurrence. The layout does not show how service vehicles will access the site for servicing purposes. The existing turning area will be lost. I am not convinced that the proposed layout will allow service vehicles to drive in in forward gear, turn within the confines of the site, service the site and drive out in forward gear. No servicing strategy has been provided or tracking plans. The proposal is located on a key sensitive part of the highway network which suffers from delays and congestion. A delivery vehicle was observed reversing into the site from Fleetwood Road blocking traffic and impeding pedestrians. There is a purpose built turning area available and this is a safety concern and needs addressing. The proposal if supported may compound the existing problems and on this basis I am not prepared to support this proposal.

Subsequent discussions have been on-going for several weeks and the applicant has submitted two Technical Notes to address the above highway concerns and there has also been a site meeting and on the basis of the submitted Technical Notes the Head of Transportation has now confirmed that he is now in a position to support the proposal.

Environmental Protection Service: no comments received at the time of writing this report. Any comments received will be reported in the update note.

Environment Agency: no comments as the proposal is minor/ not high risk

PUBLICITY AND REPRESENTATIONS

Site notices displayed: 05 January 2015

Neighbours notified: 23 December 2014

Two letters of objection have been received from 2 Gresham Road and 350 Fleetwood Road on the following grounds:-

- object in the absence of a satisfactory comprehensive landscaping scheme.

- since the carrying out of previously approved landscaping schemes five sapling trees have been allowed to die and Lidl have shown no interest in environmental issues.
- previously planted trees were not suitable species
- object if the extension causes as much disturbance as the previous extensions
- how many more extensions do Lidl want? It is about time Lidl considered the privacy of adjoining houses as there is already enough noise with noise and disturbance due to deliveries seven days a week, not always within the given hours and not always using the turning facility
- the new exit is also used as an entry point despite large no entry signs

NATIONAL PLANNING POLICY FRAMEWORK

Paragraph 14 states - at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as whole; or
 - specific policies in this Framework indicate development should be restricted.

Paragraph 17 sets out the 12 core land-use planning principles which should underpin both plan-making and decision-taking.

Paragraph 32 states that decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site the reduce the need for major infrastructure; safe and suitable access to the site can be achieved for all people and that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 56 states that good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making places better for people.

Paragraph 61 states that although visual appearance and architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations and therefore decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Paragraph 66 states that applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked upon more favourably.

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

Policy LQ6 Landscape Design and Biodiversity states that new development will be required to incorporate appropriate landscaping and benefits to biodiversity wherever possible, that:

- (a) enhances the spaces between and around buildings, including new streets
- (b) retains existing mature trees, shrubs, hedgerows and other landscape features and species, or habitats of ecological importance, within the site where possible and incorporates them into the overall design
- (c) makes provision for appropriate replacement planting or creation of features where the removal of existing mature landscaping or important ecological species or habitats is unavoidable
- (d) provides new planting of appropriate specification, including the use of indigenous species and semi-mature planting, where appropriate
- (e) avoids the creation of left over spaces
- (f) provides an adequate buffer between obtrusive developments, such as industry, and other uses.
- (g) avoids interference with the operation of public CCTV systems where in place.

Development proposals will be required, where appropriate, to submit a suitable and comprehensive landscaping scheme, with clear proposals for implementation and maintenance, as part of the planning application.

Policy LQ14 Extensions and Alterations states that applications for extensions or alterations will be considered in relation to the existing building, adjoining properties and to the surrounding area.

(A) Overall Design – Extensions and alterations must be well designed, sited and detailed in relation to the original building and adjoining properties.

Policy BH3 Residential and Visitor Amenity states that developments will not be permitted which would adversely affect the amenity of those occupying residential and visitor accommodation by:

- (i) the scale, design and siting of the proposed development and its effects on privacy, outlook, and levels of sunlight and daylight;
- and/or
- (ii) the use of and activity associated with the proposed development; or by
 - (iii) the use of and activity associated with existing properties in the vicinity of the accommodation proposed.

Policy BH11 Shopping and Supporting Uses - Overall Approach states that the Council will maintain and enhance hierarchy of centres shown on the Proposals Map in order to provide access to a wide range of shops, services and other activities accessible to all sections of the community, with the town centre the focus for major new development. New retail, cultural and community development and other key town centre uses will be permitted in Blackpool Town Centre, the district centres and local centres appropriate to the scale, role and character of each centre.

Policy BH14 Local Centres highlights that Local Centres provide for day-to-day convenience shopping needs and other supporting uses readily accessible by a walk-in local catchment. The policy seeks to safeguard and enhance the role of Local Centres. Proposals for retail uses which reinforce the role of the local centres will be permitted.

Policy NE10 Floodrisk states that development in areas at risk from flooding (including tidal inundation) will only be permitted where appropriate flood alleviation measures already exist or are provided by the developer. Developments will not be permitted which would increase run-off that would overload storm drains or watercourses. Sustainable drainage systems will be used in new developments unless it can be demonstrated to the Council's satisfaction that such a scheme is impractical.

Policy AS1 General Development Requirements states that development will be permitted where the access, travel and safety needs of all affected by the development are met as follows:

- (a) convenient, safe and pleasant pedestrian access is provided
- (b) appropriate provision exists or is made for cycle access
- (c) effective alternative routes are provided where existing cycle routes or public footpaths are to be severed
- (d) appropriate access and facilities for people with impaired mobility (including the visually and hearing impaired) are provided
- (e) appropriate provision exists or is made for public transport
- (f) safe and appropriate access to the road network is secured for all transport modes requiring access to the development
- (g) appropriate traffic management measures are incorporated within the development to reduce traffic speeds; give pedestrians, people with impaired mobility and cyclists priority; and allow the efficient provision of public transport
- (h) appropriate levels of car, cycle and motorcycle parking, servicing and operational space are provided, in accordance with standards set out in Appendix B.

Where the above requires the undertaking of off site works or the provision of particular services, these must be provided before any part of the development comes into use.

EMERGING PLANNING POLICY

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16 June 2014 and by the full Council on 25 June 2014. The document was published for public consultation on 4 July 2014 for a period of eight weeks. After the consultation ended the document was updated and was submitted to the Planning Inspectorate in December 2014 for examination in May 2015. The examination took place between 11 and 15 May and we are now awaiting the response from the Inspector.

Paragraph 216 of the NPPF allows relevant policies to be given weight in decision-taking according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF. Overall, a limited number of representations were received to the Proposed Submission document. Of those representations made expressing concern with the proposed policies, it is not considered that the issues raised justify the need for modifications to be made to the policies prior to submission (other than minor modifications to improve clarity for example). Therefore, the Council considers that, due to the advanced stage of the Core Strategy all relevant policies to this development should be given considerable weight in decision making.

Emerging policies in the Core Strategy Submission version that are most relevant to this application are:

CS4 Retail and Other Town Centre Uses
CS7 Quality of Design
CS10 Sustainable Design and Renewable and Low Carbon Energy

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

ASSESSMENT

Principle of Development - this Lidl store is both a successful and busy store (it was said in 2009 to be their busiest store in the north of England) and has previously been extended at the front under planning permission 09/1502 adding 250 sqm of floorspace to give a store of 1349 sqm. The current application will add a further 250 sqm of floorspace which would take the store up to 1594 sqm in size.

The store is well established and located within a designated local centre and is in a sustainable location. There are no objections therefore in principle to the further extension and improvement of the store subject to the store being proportionate to the size of the local centre, having satisfactory off street parking and access/ egress facilities, having a satisfactory design and providing the extension does not impact unduly on the residential amenities of the occupiers of neighbouring dwellings, particularly those on Anchorsholme Lane West and Fleetwood Road.

Highway Safety/ Car Parking/ Servicing - Adopted Council car parking standards require that a maximum of approximately one space per 20 sqm be provided for retail food stores. The proposal would give an extended store size of 1594 sqm and provides 81 car parking spaces which equates almost to one space per 20 sqm of floorspace (1 space for every 19.6 sqm of floorspace). Therefore in terms of off street parking provided for the store the proposal meets the current maximum standards and is considered acceptable.

However there was initially concern expressed by the Head of Transportation regarding the loss of one of two aisles on the Fleetwood Road side of the car park and the additional pressure that could create within the car park and on the surrounding road network. However, subsequent discussions and the submission of two Technical Notes and a site meeting have satisfied these concerns. The applicants have confirmed that the issue of the HGV reversing into the site from Fleetwood Road will not be allowed to happen again. It has also been confirmed that the temporary egress onto Fleetwood Road granted under planning permission 14/0519 until October 2016 cannot be made permanent as part of this application but instead will be considered as a standalone issue upon the expiry of planning permission 14/0519.

Design of Extension - The proposed extension would be constructed in matching brick and roof tiles. Amended plans have been submitted illustrating glazing on the two main elevations and brick detailing and brick pillars to break up the expanse of brickwork particularly on the Fleetwood Road elevation. In this amended form the proposal is considered acceptable.

In terms of the visual appearance of the store there have previously been issues relating to the landscaping of the site boundaries and one of the objectors has also focussed on this point. It is considered that the store would benefit from additional planting around the two road boundaries onto Fleetwood Road and Anchorsholme Lane West and therefore a landscaping condition has been included as part of the proposed conditions at the end of this report

Impact on Residential Amenity - It is not considered that the physical extension of the store itself will have any impact on the occupiers of neighbouring properties given its distance of 28 metres

from the nearest house, 350 Fleetwood Road. Whilst the proposal would provide an additional 250 sqm of floorspace the proposal would not create additional retail floorspace. On the basis that the retail floorarea of the store would not increase, an increase in traffic generation at the store should be limited and therefore the additional impact of the extension on residential amenity is also limited.

CONCLUSION

Having addressed the highway concerns regarding the application and the design of the extension this proposal is considered to be acceptable in all respects subject to the suggested attached conditions including a requirement for additional landscaping to the two road boundaries of the site.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

None.

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, in accordance with Policy LQ14 of the Blackpool Local Plan 2001-2016.

3. a) No development shall take place until full details of both hard and 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, means of enclosure and boundary treatment, areas of soft landscaping, hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and

number/ densities), existing landscaping to be retained, 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.

4. No goods shall be stored or displayed for sale other than within the building shown on the approved plan.

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

5. Prior to the development hereby approved being first brought into use the car parking provision shown on the approved plans shall be provided and 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.

6. There shall be no increase in the retail sales area beyond that shown on submitted plan ref 03 H

Reason: To minimise the traffic levels to and from the site in the interests of residential amenity and highway safety and to maintain a store size that is proportionate in retail floor area terms to a local centre in accordance with Policies LQ1, AS1, BH3, BH11 and BH14 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.

COMMITTEE DATE: [09/06/2015](#)

Application Reference: 15/0160

WARD: Waterloo
DATE REGISTERED: 18/03/15
LOCAL PLAN ALLOCATION: Resort Core

APPLICATION TYPE: Full Planning Permission
APPLICANT: Blackpool and the Fylde College

PROPOSAL: Erection of a part single/part two storey educational building to be developed in two phases, with associated car, motor cycle and cycle parking, landscaping, boundary treatment, two wind turbines (15 metres high), sub-station, lighting and vehicle access from Yeadon Way.

LOCATION: LAND AT YEADON WAY, YEADON WAY, BLACKPOOL, FY1 6BF

Summary of Recommendation: Grant Permission

CASE OFFICER

Gary Johnston

INTRODUCTION

To meet the need for practical skills associated with the evolving energy sector Blackpool and the Fylde College made a bid to the Lancashire Enterprise Partnership for funding for an Energy College. The bid was successful and the College which operates a number of sites across the Fylde then had to find a site to accommodate the facility. Following discussions with the Council this site was identified as the preferred location by the College.

SITE DESCRIPTION

This application relates to part of the 'South Car Park' to the west of Yeadon Way. The car park is an elongated triangular shape and extends from Lytham Road/Hampton Road to the south to Waterloo Road in the north. It is bounded by the Blackpool South railway line to the west and Yeadon Way to the east. There are residential properties fronting Hampton Road and a petrol station, pub and 'motel' to the south. To the east beyond Yeadon Way is part of the playing field to the South Shore Academy, the Territorial Army Centre and Aldi. To the north beyond Waterloo Road is more car parking and Bancroft Park, forming part of the Central Corridor. To the west is Blackpool South Railway station and a mixture of residential and commercial properties fronting Lytham Road.

The car park is surfaced and has 938 spaces plus coach parking and 5 pay and display machines. The application would relate to the middle section of the car parking and would have a site area of 1.53 hectares. It would involve the loss of 577 car parking spaces and would leave a small area of car parking to the north adjacent to the station and another larger area of car parking to the south adjacent to Lytham Road and the petrol filling station/pub/ motel. The site is part of the Central Corridor and the Resort Core as identified in the Local Plan

DETAILS OF PROPOSAL

The application is for the erection of 2950 sq m building to accommodate an Energy College for Blackpool and the Fylde College. It would measure 87 metres by 29 metres (at its widest) by 11 metres high (at its highest). The proposal is to be developed in two phases. The first would provide 2200 sq m of teaching space plus ancillary facilities. The second phase would provide the remaining 750 sq m of accommodation. The building would sit centrally on the site and would be parallel to Yeadon Way. At its nearest point it would be 8 metres from Yeadon Way but the bulk of the building would be between 25 and 30 metres away from Yeadon Way. There would be a paved/landscaped forecourt area between the building and Yeadon Way which would include two 15 metre high wind turbines. with areas of car parking to the north and south which would provide a total of 181 standard car parking spaces, 13 mobility spaces and 2 electric vehicle parking spaces. Motor cycle and cycle parking would also be provided. To the rear of the building (facing the railway line) would be the servicing area and storage compounds.

The building would be clad with aluminium cladding of differing colours with complementary coloured curtain walling, windows and brise soleil. It would be part flat roofed and part curved roof construction. There would be solar panels and the overall design has evolved to achieve BREEAM excellent. It is envisaged that the college would cater for some 360 students. The College undertook a consultation event on 4 March 2015 at the Solaris Centre and the overall feedback was positive.

The application is accompanied by a range of documents - Design and Access Statement, Flood Risk Assessment, Ecological Statement, Contamination Desk Top Study, Noise Assessment and Transport Assessment/Travel Plan. Prior to the submission of the application a screening opinion request was submitted to the Council and the Council responded that in its opinion the proposal did not require an Environmental Assessment.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- principle of the development
- loss of car parking
- design of the development
- impact on residential amenity
- impact on highway safety

CONSULTATIONS

United Utilities (drainage) - United Utilities wishes to draw attention to the following as a means to facilitate sustainable development within the region. Drainage Comments in accordance with the National Planning Policy Framework and Building Regulations, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. Building Regulations H3 clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority: an adequate soak away or some other adequate infiltration system, (approval must be obtained from local authority/building control/Environment Agency); or, where that is not reasonably practical a watercourse (approval must be obtained from the riparian owner/land drainage authority/Environment Agency); or, where

that is not reasonably practicable a sewer (approval must be obtained from United Utilities). 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. A public sewer crosses this site and we will not permit building over it. We will require an access strip width of 8 metres, 4 metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary.

Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems. We will have no objection to the proposed development provided that the following conditions are attached to any approval:

Foul Water Condition - Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details. This development shall be completed maintained and managed in accordance with the approved details.

Surface Water Condition - Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

A separate metered supply to the building will be required at the applicant's expense and all internal pipe work must comply with current Water Supply (Water Fittings) Regulations 1999. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offer a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 0870 751 0101 to obtain maps of the site. Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

Sustainability Manager - 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.

Environmental Protection Service - Environmental Protection have no concerns regarding this application providing a suitable Construction Management Plan is submitted prior to any works starting on site.

Blackpool Services, Contaminated Land - Following on from the Phase 1 study this shows that there is a potential for contamination to be present within the ground conditions due to the historical land uses. Therefore a Phase 2 study is required along with a minimum of six rounds of gas and groundwater monitoring. This is to be submitted and approved by the Local Authority before works commence.

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.

NATS Safeguarding - The proposed development has been examined by our technical safeguarding teams and conflicts with our safeguarding criteria (*in respect of the proposed wind turbines*). Accordingly, NATS (En Route) plc objects to the proposal. The reasons for NATS's objection are outlined in our report TOPA SG20971. We would like to take this opportunity to draw your attention

to the legal obligation of local authorities to consult NATS before granting planning permission for a wind farm. The obligation to consult arises in respect of certain applications that would affect a technical site operated by or on behalf of NATS (such sites being identified by safeguarding plans that are issued to local planning authorities). In the event that any recommendations made by NATS are not accepted, local authorities are obliged to follow the relevant directions within Planning Circular 2 2003 - Scottish Planning Series: Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) (Scotland) Direction 2003 or Annex 1 - The Town And Country Planning (Safeguarded Aerodromes, Technical Sites And Military Explosives Storage Areas) Direction 2002. These directions require that the planning authority notify both NATS and the Civil Aviation Authority ('CAA') of their intention. As this further notification is intended to allow the CAA to consider whether further scrutiny is required, the notification should be provided prior to any granting of permission. It should also be noted that the failure to consult NATS, or to take into account NATS's comments when determining a planning application, could cause serious safety risks for air traffic. The applicant's agent is seeking to resolve the objection from NATS but if this is not possible then the wind turbines may be omitted from the scheme or their design amended.

Police Architectural Liaison Officer - Has the following comments to make - I submitted my recommendations to Mr Barlow on the project design team in early January this year. Although the DAS makes reference to this, there is little detail within the application as to how my security recommendations have been considered and incorporated into the development. My comments and recommendations were as follows;

College and University buildings within the Lancashire area are often targeted for burglary and theft for several reasons. The potential payoff to the offender is high because these types of premises often have many laptops, ipads, cameras and other technical equipment. This kind of equipment is often valuable and easy to remove and conceal which means they are convenient items to steal and sell on. An intruder can easily blend in to the student population whilst looking around for crime opportunities to take advantage of and if an intruder is found in an area where they should not be they can excuse their presence by saying they are lost. Most weekends, after a certain time of evening and during holiday periods it is likely the building will be unoccupied. Types of crimes that have affected the Bispham Campus within the last 12 months include; Theft of pedal cycles which were secured to cycle stand; Burglary of cabins during building works; Damage to vehicles; Theft of ipad from classroom.

Once a building is complete, it is often difficult and costly to address crime and anti-social problems. It is far easier and cost effective to reduce the risk of such issues through the design and security at the outset. In order to reduce the risk of crime and anti-social behaviour affecting the completed development, consideration should be given to the following areas; External approach -all routes should be open and wide with clear sight lines and lighting, planting should be kept to a low level so there are no areas of concealment available; Boundary treatments where appropriate should be robust, of sufficient height and design to deter climbing - welded mesh would be an option to consider and this would allow natural surveillance when not in use; Any car park areas should have appropriate boundary treatments to deter casual intruders wandering through and looking for crime opportunities.

Access control into the building - will there be free access or a card key/fob operated system that allows students only into the building. Once inside, more secure areas should be further restricted, consider an air lock system allowing entry into a lobby area then further restriction to other parts of the building - further discussion required. General classroom areas should allow for security when not in use. Secure internal storage of valuable equipment/ICT CCTV covering the entrance(s), cycle storage and parking areas to deter crime. Glazing - ground floor (and glazing that is easily accessible elsewhere) should be laminated minimum 6.8mm. External doors should be robust and fit for purpose with general pedestrian entrances being certified to PAS 24 (or an alternative accepted

security standard) by a UKAS accredited certification body. External entrances to areas where valuable equipment is to be stored may require a higher standard of security, such as security shutters - further discussion will be required with the Architectural Liaison Officer once the design has been drawn up. Any glazing in external doors must include one pane of attack resistant glass (6.8mm laminated glass or glass successfully tested to BS EN356:2000 rating P3A). Comprehensive Intruder Alarm linked to an Alarm Receiving Centre must be installed to deter and detect intrusion.

Cycle storage provision must be close to the entrance, well overlooked at all times and covered by CCTV which provides good clear images capable of providing identification of offenders and prosecution in court. It is recommended that Internal Lighting is operated by detection devices which are both energy efficient and identify the presence (and progress) of intruders, giving a clear visual alert to security and passers-by out of normal operating hours. Emergency exits should be devoid of any external furniture and where possible overlooked from other buildings/areas. The BREEAM target is to achieve Excellent, I would therefore welcome further information on the security proposals for this development in order to achieve the security credit available. Should planning permission be granted, I ask that the above recommendations be made a security condition, utilising your powers under the below legislation, in order to reduce the risk of crime affecting the future visitors, staff, businesses and local area, thereby promoting safer communities and reducing avoidable demand on policing resources. (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. Section 17 Crime and Disorder Act 1998 Further advice on the requirements of Secured By Design is available from this office or at www.securedbydesign.

WASTE - Commercial - 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.

Railtrack - No objections in principle. Has highlighted certain issues which the applicant's agent is addressing.

Head of Transportation - Has been party to one of the pre-application meetings. 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

Press notice published: 2 April 2015

Site notice displayed: 9 April 2015

Neighbours notified: 30 March 2015

Representations have been received from 10 Hampton Road and the Tuxford Hotel, 23 Alexandra Road.

The comments received are as follows -

- Very disappointing to lose a large parking area next to South Station / Shops /Hotels. Opportunity to add a second platform for South Railway Station and easy parking for railway will be lost. Walking through car parks no longer an option. Site for traction rallies etc. Would be lost. A view of a large shed type building for visitors approaching Blackpool's South Shore via Yeadon Way would not be visually pleasing.
- Have no doubt that the project will get planning permission and go ahead whatever the views of the local residents. I would like to point out however that I have concerns about the noise pollution from the wind turbines, particularly during the sleeping hours, and also light pollution

from all the extra lighting associated with the building. I hope I do not have to say `I told you so` after everything is up and running, installed to all the legislative specifications required but probably very expensive to remedy . My last point to make, presuming the project goes ahead, is that I hope Blackpool Council takes this opportunity to finally solve the long running problem (that they have continually chosen not to address) regarding boy racers etc. causing chaos in the remainder of the car park. Can I suggest a simple barrier system that operates between the hours of 2200 and 0700.

NATIONAL PLANNING POLICY FRAMEWORK

Paragraph 14 states - at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as whole; or
- specific policies in this Framework indicate development should be restricted.

Paragraph 17 sets out the 12 core land-use planning principles which should underpin both plan-making and decision-taking.

Paragraph 21 requires authorities to set out a clear economic vision and strategy for their area.

Paragraph 70 covers the issue of the provision of facilities to meet social, recreational and cultural needs.

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 states that 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 Site Context states that the design of new development proposals will be considered in relation to the character and setting of the surrounding area. New developments in streets, spaces or areas with a consistent townscape character should respond to and enhance the existing character. These locations include locations affecting the setting of a Listed Building or should be a high quality contemporary and individual expression of design.

Policy LQ4 Building Design states that in order to lift the quality of new building design and ensure that it provides positive reference points for future proposals, new development should satisfy the following criteria:

(A) Public and Private Space - New development will need to make a clear distinction between areas of public and private landscaping utilising appropriate landscaping treatments. Residential

developments will be expected to achieve a connected series of defensible spaces throughout the development.

(B) Scale - The scale, massing and height of new buildings should be appropriate for their use and be related to:

- (i) the width and importance of the street or space
- (ii) the scale, massing and height of neighbouring buildings.

(C) Design of Facades - The detailed appearance of facades will need to create visual interest and must be appropriate to the use of the building. New buildings must have a connecting structure between ground and upper floors composed of:

- (i) a base, of human scale that addresses the street
- (ii) a middle, of definite rhythm, proportions and patterns, normally with vertical emphasis on the design and positioning of windows and other architectural elements
- (iii) a roof, which adds further interest and variety
- (iv) a depth of profile providing texture to the elevation.

(D) Materials - need to be of a high quality and durability and in a form, texture and colour that is complementary to the surrounding area.

Policy LQ5 Public Realm Design states that new developments creating outdoor areas will be expected to provide a high quality area that is convenient for all users.

Policy LQ6 Landscape Design and Biodiversity states that new development will be required to incorporate appropriate landscaping and benefits to biodiversity wherever possible, that:

- (a) enhances the spaces between and around buildings, including new streets.
- (b) retains existing mature trees, shrubs, hedgerows and other landscape features and species, or habitats of ecological importance, within the site where possible and incorporates them into the overall design.
- (c) makes provision for appropriate replacement planting or creation of features where the removal of existing mature landscaping or important ecological species or habitats is unavoidable.
- (d) provides new planting of appropriate specification, including the use of indigenous species and semi-mature planting, where appropriate.
- (e) avoids the creation of left over spaces.
- (f) provides an adequate buffer between obtrusive developments, such as industry, and other uses.
- (g) avoids interference with the operation of public CCTV systems where in place.

Development proposals will be required, where appropriate, to submit a suitable and comprehensive landscaping scheme, with clear proposals for implementation and maintenance, as part of the planning application.

Policy LQ8 Energy and Resource Conservation seeks to ensure that developments minimise their overall demand for resources.

Policy BH3 Residential and Visitor Amenity states that developments will not be permitted which would adversely affect the amenity of those occupying residential and visitor accommodation by:

- (i) the scale, design and siting of the proposed development and its effects on privacy, outlook, and levels of sunlight and daylight; and/or
- (ii) the use of and activity associated with the proposed development; or by
- (iii) the use of and activity associated with existing properties in the vicinity of the accommodation proposed.

Policy BH19 Neighbourhood and community facilities states that the Council will promote new community facilities on derelict or underused sites where there is an identified shortfall in provision and subject to a sequential test - firstly within or adjoining district or main local centres, then in other local centres and finally if neither of the first two is available on accessible sites served by various means of travel.

Policy NE10 Floodrisk states that development in areas at risk from flooding (including tidal inundation) will only be permitted where appropriate flood alleviation measures already exist or are provided by the developer. Developments will not be permitted which would increase run-off that would overload storm drains or watercourses. Sustainable drainage systems will be used in new developments unless it can be demonstrated to the Council's satisfaction that such a scheme is impractical.

Policy AS1 General Development Requirements states that development will be permitted where the access, travel and safety needs of all affected by the development are met as follows:

- (a) convenient, safe and pleasant pedestrian access is provided.
- (b) appropriate provision exists or is made for cycle access.
- (c) effective alternative routes are provided where existing cycle routes or public footpaths are to be severed
- (d) appropriate access and facilities for people with impaired mobility (including the visually and hearing impaired) are provided.
- (e) appropriate provision exists or is made for public transport.
- (f) safe and appropriate access to the road network is secured for all transport modes requiring access to the development.
- (g) appropriate traffic management measures are incorporated within the development to reduce traffic speeds; give pedestrians, people with impaired mobility and cyclists priority; and allow the efficient provision of public transport.
- (h) appropriate levels of car, cycle and motorcycle parking, servicing and operational space are provided, in accordance with standards set out in Appendix B.

Where the above requires the undertaking of off site works or the provision of particular services, these must be provided before any part of the development comes into use.

Policy AS2 New Development with Significant Transport Implications states that new developments which would generate significant levels of travel will only be permitted in locations which have good access to the existing main highway network and which are well served by sustainable modes of transport. All proposals at or exceeding 500sqms gross floor area will be required to be supported by a simple Transport Assessment. A comprehensive Transport Assessment and a Travel Plan will be required for all proposals at or exceeding the thresholds set out in Appendix B. Where the above requires the undertaking of off site works or the provision of particular services, these must be provided before any part of the development comes into use. The Council will refuse development which generates excessive or inappropriate traffic in the locality.

Policy RR13 Central Corridor states that the area will be enhanced as a visitor attraction. Development or redevelopment will be permitted subject to following criteria - enhancement, meeting a local need and impact on car parking.

EMERGING PLANNING POLICY

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16 June 2014 and by the full Council on 25 June 2014. The document was published for public consultation on 4 July 2014 for a period of eight weeks. After the consultation ended the document was updated and was submitted to the Planning Inspectorate in December 2014 for

examination in May 2015. The examination took place between 11 and 15 May and we are now awaiting the response from the Inspector.

Paragraph 216 of the NPPF allows relevant policies to be given weight in decision-taking according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF. Overall, a limited number of representations were received to the Proposed Submission document. Of those representations made expressing concern with the proposed policies, it is not considered that the issues raised justify the need for modifications to be made to the policies prior to submission (other than minor modifications to improve clarity for example). Therefore, the Council considers that, due to the advanced stage of the Core Strategy all relevant policies to this development should be given considerable weight in decision making.

Emerging policies in the Core Strategy Submission version that are most relevant to this application are:

- CS1 - strategic location for development
- CS3 - economic development and employment
- CS5 - connectivity
- CS7 - quality of design
- CS9 - water management
- CS10 - sustainable design
- CS15 - health and education
- CS22 - key resort gateways

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

ASSESSMENT

Principle of the development

The site is part of the Central Corridor and the Resort Core as identified in the Local Plan. The site is in a sustainable location being adjacent to the Blackpool South Railway station being close to the South Shore District Centre and the Waterloo Road/St Annes Road Local Centre. There are bus routes on Waterloo Road (services 5 and 16) and Lytham Road (services 5, 10 and 11). The site is also adjacent the main car route into the town. In this respect the site would meet local and regional requirements. There are no sequentially more preferable sites in any of the district or main local centres and the facility cannot be accommodated on the Ashfield Road or Palatine campuses. The principle of the development of the site is considered acceptable and it is considered that it would enhance the setting of the Central Corridor as required by Policies RR13 of the Local Plan and CS22 of the Core Strategy.

Loss of car parking

Another aspect of Policies RR13 and CS22 is the impact of the proposal on car parking in the Central Corridor given its importance in serving attractions in the Resort Core. The existing 'South Car Park' in the Central Corridor has 938 spaces and this proposal would reduce overall numbers to 361 spaces which would be split into two areas - the smaller northern car park adjacent to the railway station and Waterloo Road and the larger southern car park adjacent to Lytham Road. Whilst this appears a drastic reduction in car parking capacity at the southern end of the Central Corridor it has

to be borne in mind that usage of this area is sporadic and peak usage is confined to Bank Holidays and the October half term holiday. The car park is therefore an under used resource for the bulk of the year. In retaining some public parking in this area adjacent to the railway station and South Shore District Centre and at the southern end to serve the attractions at the southern end of the Resort Core it is considered that the requirements of Policies RR13 and CS22 in terms of car parking are met.

Design of the development

The building would be of a modern design and would face Yeadon Way. The design and materials would be similar to the Automotive Technology building being erected at the Ashfield Road campus. It would be set behind a paved/ landscaped forecourt between 8 and 30 metres from Yeadon Way. The bulk of the building would be broken up by elevations on different planes and different roof types (flat and curved) and materials/colours. It is considered that the design would meet the requirements of Policies LQ1 and LQ4 of the Local Plan and CS7 of the Core Strategy and given the desire to meet BREEAM requirements it would meet the requirements of Policies LQ8 and CS10. The forecourt would meet the requirements of Policy LQ5 of the Local Plan. Given that the site is in effect an island site sandwiched between Yeadon Way and the railway line it is inevitable that the 'back of house' facilities will be visible. These will be visible from the railway line and the rear of properties fronting Lytham Road. The proposal seeks to mitigate this visual impact and whilst the rear elevation is more bland in appearance than the front elevation there has been an attempt to add some interest and the curved roof will help to add some interest. Overall it is felt that the design of the building would be consistent with the design policies of the Local Plan and Core Strategy and the paragraphs relating to design in the NPPF.

Impact on residential amenity

The houses which front onto Hampton Road would be some 80 metres from the car parking area to serve the building, some 150 metres from the building and some 170 metres from the nearest wind turbine. These distances are considered acceptable to avoid any undue impact on the amenities of residents. Modern lighting is designed to reduce light spill and avoid impact on amenity. In terms of the residents of properties fronting Lytham Road they would be closer to the back of house operation (servicing - materials , food and bins), hence it is considered necessary to restrict the hours of servicing/ waste collection to avoid undue impact on their amenities. It is considered with this caveat the proposal would be consistent with Policies BH3 and CS7 and para 17 of the NPPF.

Impact on highway safety

There would be two points of vehicular access to the site, one at the northern end off Yeadon Way and one at the southern end off the spur road off Yeadon Way. There would be a defined pedestrian route through the site which would link the car parking areas to the south and north of the site as well as providing a route from Waterloo Road and Lytham Road and the parking areas within the site to provide a total of 196 spaces. The proposal is considered acceptable in highway safety terms and is considered to be consistent with Policies AS1 and AS2 and CS5. The location would offer access by rail and by bus with services on Waterloo Road and Lytham Road and access by cycle and motorcycle (with on site parking being provided) and accordingly a travel plan is required to assist in reducing reliance on the private motor car.

CONCLUSION

This is considered to be an appropriate location for this facility and would be a boost to the economy of the area in providing a state of the art teaching facility. It is considered to be a sustainable location capable of being served by various means of travel and would enhance this part of the Central Corridor which represents an under used resource and a stark featureless area as you approach the town. Parking will be retained to serve the station and District Centre and to serve the attractions at the southern end of the Resort Core.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

None

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. Before any above ground structures are erected details of materials to be used on the external elevations of the building shall be submitted to and be approved in writing by the Local Planning Authority. The approved materials shall then be used as part of the development.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ4 of the Blackpool Local Plan 2001-2016.

3. Before any above ground structures are erected details of the surfacing materials to be used as part of the development shall be submitted to and be approved in writing by the Local Planning Authority. The approved materials shall then be used as part 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. a) Before any above ground structures are erected details of both hard and soft landscaping works shall be submitted to and be approved in writing by the Local Planning Authority. These details shall include any proposed changes to existing ground levels, means of enclosure and boundary treatment, areas of soft landscaping, hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, 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.

5. Prior to the development hereby approved being first brought into use the refuse storage provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants and neighbours, in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

6. Prior to the development hereby approved being first brought into use the car parking provision shown on the approved plans shall be provided and 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.

7. Prior to the development hereby approved being first brought into use the secure cycle storage and motorcycle provision shown on the approved plans shall be provided 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.

8. 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 and because such details are not part of the application.

9. The development shall not be occupied until a travel plan has been submitted to and be approved in writing by the Local Planning Authority. Such travel plan shall include the appointment of a travel co-ordinator and a format that consists of surveying, travel audits, a working group, action plans with timescales and target setting for the implementation of each element.

No part of the development shall be occupied prior to the implementation of the Approved Travel Plan (or implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation). Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: In order to ensure appropriate provision exists for safe and convenient access by public transport, cycle, and on foot as well as by car, in accordance with Policy AS1 of the Blackpool Local Plan 2001 – 2016.

10. The development hereby approved shall not be occupied until the servicing provisions, including manoeuvring areas, have been provided in accordance with the approved details; such areas shall not be used thereafter for any purpose other than that indicated on the approved plan and all servicing within the site including loading and unloading shall take place from within the servicing area shown. The development shall not be serviced or waste collected between the hours of 8pm and 7am the following day

Reason: In the interests of the appearance of the locality and highway safety and the amenities of local residents, in accordance with Policies LQ4, BH3 and AS1 of the Blackpool Local Plan 2001-2016.

11. Before any above ground structures are erected details of the appearance, technical specification and siting of any external ventilation ducting and plant shall be submitted to and be approved in writing by the Local Planning Authority. The approved ducting and plant shall then be provided prior to first use and shall thereafter be retained.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and the visual amenities of the area, in accordance with Policies BH3 and LQ4 of the Blackpool Local Plan 2001-2016.

12. Before the premises are first occupied walls or fences of a type and situation as to be approved in writing by the Local Planning Authority shall be erected and thereafter retained.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ1 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.