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MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 6 OCTOBER 2015

Present:

Councillor L Williams (in the Chair)

Councillors

I Coleman
Critchley

Elmes
Hutton

Robertson BEM
Stansfield

In Attendance:

Mrs Bernadette Jarvis, Senior Democratic Governance Adviser
Mr Gary Johnston, Head of Development Management
Mr Latif Patel, Group Engineer, Traffic Management
Mr Mark Shaw, Principal Planning Officer
Ms Carmel White, Chief Corporate Solicitor

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE MEETING HELD ON 8TH SEPTEMBER 2015

Resolved: That the minutes of the meeting held on 8th September be signed by the Chairman as a correct record.

3 PLANNING APPEALS LODGED

Resolved: To note the planning appeals lodged.

4 PLANNING ENFORCEMENT UPDATE REPORT

Resolved: To note the outcomes of the cases detailed in the report and to support the actions of the Service Manager, Public Protection department, in authorising the notices set out in the report.

5 PLANNING APPLICATION 14/0608 - UNITS 21-25 SQUIRES GATE INDUSTRIAL ESTATE, SQUIRES GATE LANE

Mr Johnston, Head of Development Management reminded the Committee that at its last meeting it had approved the application for the erection of a single storey retail food store (Use Class A1) with main pedestrian access from the Blackpool Retail Park, creation of vehicular access through from the Blackpool Retail Park to the Squires Gate Lane Industrial Estate, creation of 44 car parking spaces and associated servicing area and landscaping, following demolition of existing buildings, subject to the Committee agreeing proposed conditions to be attached to the permission at this meeting.

The Committee considered the proposed conditions outlined in the report and the subsequent amendments to these conditions as detailed in the Update Note. Mr

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Johnston reported on the reasons for the amendments which included the appropriateness of including a proposed timescale for a travel plan to be submitted and approved and the necessity of a restriction on the use of the unit for food retail purposes with ancillary non-food goods sales.

Resolved: To approve the conditions to be attached to the planning permission as set out in the appendix to the minutes.

6 PLANNING APPLICATION 11/0314- LAND AT WHYNDYKE FARM, PRESTON NEW ROAD

The Committee considered outline application 11/0314 for development of a maximum of 1,400 residential dwellings, 20 hectares of Class B2 general industrial/Class B8 storage and distribution, Class D1 primary school, two local neighbourhood centres (Classes A1/A2/A3) Class A4 drinking establishment, Class D1 health centre, Class D1 community building, vehicle access onto Preston New Road and Mythop Road with associated road infrastructure, car parking, public open space, sports pitches, allotments, the retention and improvement of natural habitats, watercourse, ponds, reed beds and hedgerows and landscape features.

Mr Shaw, Principal Planning Officer presented the Committee with a brief outline of the application and the site plan showing the proposed location of each of the facilities. Mr Shaw explained that the site was located predominately within Fylde Borough Council and that its Development Management Committee had approved planning permission for the development, subject to completion of a Section 106 agreement and conditions to be attached to the permission. Mr Shaw reported on the financial contributions that would be sought through a Section 106 Agreement which included the provision of affordable housing within both Blackpool and Fylde, with Fylde Borough Council's intention being that its proportion would be on-site and Blackpool Council's preference that its proportion would be targeted towards the inner Blackpool wards. Financial contributions would also be sought towards secondary education provision, a new bus service to serve the development and significant off-site highway works. Members were advised that it would be a phased development over a 10-15 year period with the sequencing of phases being controlled by appropriate conditions.

Mr Shaw concluded by advising Members of ongoing discussions between the two respective Local Authorities to agree appropriate conditions to be attached to the development, if approved. He referred them to the Update Note which summarised the main topics to be covered by conditions.

Mr Cassidy, the applicant's agent spoke in support of the application.

During consideration of the application, Members sought clarification regarding the controlled road junctions that would be in place to serve the proposed site. It was also clarified to Members that the proposed facilities within the site would be available to all members of the public irrespective of whether they resided within the proposed development area or not.

In response to a concern raised regarding the potential impact on Blackpool Victoria Hospital, Mr Shaw confirmed that he was unaware of any objections from the health authority following the consultation. A further concern was raised regarding accessibility

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of the primary school due to its proposed location within the development, however, it was noted that the school would be under the control of Lancashire County Council and that this was its preferred location for the school.

Resolved: That the application be approved in principle and deferred for delegation to the Head of Development Management subject to the completion of a Section 106 agreement and subject to appropriate conditions.

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

7 PLANNING APPLICATION 15/0494- FORMER YATES WINE LODGE 2-10 TALBOT ROAD

The Committee considered application 15/0494 for the erection of a six storey building to provide a public house/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.

Mr Shaw, Principal Planning Officer presented the Committee with a brief outline of the application and site layout plans. He circulated computerised images illustrating the proposed development relevant to other properties on Talbot Road, Clifton Street and Talbot Square. He reminded Members that the Committee had previously refused a similar application at its meeting on 13th April 2015 and outlined the reasons for refusal. He reported on the changes that had been made to the application to address the Committee's concerns which included a redesign of the building and a lowering of the height of the building. He confirmed that there was spare capacity within the town centre car parks to support the anticipated increase in demand for parking. Mr Shaw also confirmed that a Section 106 agreement relating to the use of the Clifton Street loading bay was nearing completion. Mr Shaw referred Members to the information in the Update Note which provided a summary of the amended conditions. He concluded by reminding Members that the site had been vacant for a number of years.

Mr Boniface, public objector spoke in objection to the application.

Ms Binns, the applicant's agent spoke in support of the application.

Concerns were raised by Members regarding the longevity of the materials to be used, particularly in light of the development's location and the need to prevent a potential deterioration in the building's appearance in the longer term. Mr Shaw presented a display board that had been provided by the applicant showing the materials that were intended to be used, although he confirmed no agreement had been reached as yet regarding the materials.

The Committee noted the applicant's intention that the development, if approved would commence in Spring 2016 with an 18 month development programme.

During consideration of the application, Members expressed views that, should the application be approved, an additional crossing facility on Talbot Road would be beneficial and Mr Patel, Group Management (Traffic Management) agreed to consider this suggestion in conjunction with the planning agents.

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Members commented favourably on the benefits of the proposed development and considered that the amendments to the application had addressed the main concerns from the initial application.

Resolved: That the application be approved in principle and deferred for delegation to the Head of Development Management, subject to the completion of a Section 106 Agreement in relation to the use of the Clifton Street loading bay and subject to the amended conditions, and for the reasons, set out in the appendix to the minutes.

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

8 PLANNING APPLICATION 15/0302- 141-147 ABBEY ROAD

The Committee considered application 15/0302 for the internal and external works including the erection of a 1.8m high wall to Squires Gate Lane boundary and use of the premises as altered as children's day nursery for up to 70 children.

Mr Johnston provided a brief overview of the application and showed Members the proposed plans. He reported that a number of issues identified during the pre-application enquiry process had not been addressed as part of the application. The Committee was advised of the proposed number of children in each age group and numbers of staff who would be on site.

Mr Johnston confirmed that the principle of locating a nursery in the proposed location was acceptable. He reported on the reasons for the recommendation for refusal as the detrimental impact on the residential amenities of the neighbours from excessive noise levels and inadequate parking arrangements which would adversely impact highway and pedestrian safety. He referred Members to the Update Note which detailed an amendment to the reasons for refusal.

Mr Gaunt, applicant spoke in support of the application. Councillor Cox, Squires Gate Ward Councillor also spoke in support of the application.

During consideration of the application, Members, notwithstanding comments made regarding the lack of complaints received to date, were concerned at the potential impact that the development might have on nearby residents due to the number of children that could be accessing the facility. They were also concerned at the increase in traffic, and the location of the available car parking spaces, particularly at peak periods which would impact on highways and public safety. Member also expressed concerns at the height of the proposed fence along the Squires Gate Lane frontage of the site.

During a general discussion regarding potential reductions in the number of children accessing the facility, Mr Johnston confirmed that should the application be refused the applicant would have the opportunity to re-submit a new application to the Committee which could seek to address the reasons for refusal.

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

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

Chairman

(The meeting ended 7.20 pm)

Any queries regarding these minutes, please contact:
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Application Number: 14/0608 Erection of single storey retail food store (Use Class A1) with main pedestrian access from the Blackpool Retail Park, creation of vehicular access through from the Blackpool Retail Park to the Squires Gate Lane Industrial Estate, creation of 44 car parking spaces and associated servicing area and landscaping, following demolition of existing buildings.

Decision: Approve conditions to be attached to the planning permission

Conditions:

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

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

- 2 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 Details of the surfacing materials for the car parking and servicing areas shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development.

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

Application Number: 15/0494 Erection of a 6 storey building to provide a public house/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.

Decision: Grant Permission

Conditions:

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

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

- 2 Notwithstanding the submitted plans, details of materials to be used, including brick, stone, mortar, glazing and window/ door frames, metalwork and rain water pipes, on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of works above ground level.

Reason: In the interests of the appearance of the locality, in accordance with Policies LQ1, LQ2, LQ4 and LQ10 of the Blackpool Local Plan 2001-2016.

- 3 Notwithstanding the submitted plans, details of the surfacing materials to be used shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of works above ground level.

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

- 4 Treatment of the ground floor windows to the Clifton Street and Talbot Road elevations shall be in accordance with details to be submitted to and agreed in writing prior to the development hereby approved first being brought into use and shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the appearance of the locality, in accordance with Policies LQ1, LQ10 and LQ11 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 unless otherwise agreed in writing with the Local Planning Authority.

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 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 unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenities of surrounding occupiers and 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.

- 7 Details of the appearance, technical specification and siting of any external ventilation ducting and plant not shown on the approved plans shall be submitted to and agreed in writing by the Local Planning Authority before installation. The agreed ducting shall then be provided prior to first use and shall thereafter be retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises

and the working conditions of the occupants of nearby business premises, in accordance with Policies BH3 and LQ14 of the Blackpool Local Plan 2001-2016.

- 8 Within 6 month of the development first being occupied a detailed travel plan shall be submitted to the Local Planning Authority for written approval. The 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.

The Approved Travel Plan shall subsequently 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.

- 9 Notwithstanding the information shown on the approved plans 1:50 scale sections showing the elevational detailing of the building on each of the three main elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of works above ground level, and the development shall subsequently be constructed in accordance with these agreed details.

Reason: In the interests of the appearance of the premises and locality in accordance with Policies LQ1, LQ4 and LQ10 of the Blackpool Local Plan 2001-2016.

- 10 Details of an external lighting scheme to the building to be incorporated into the development shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of works above ground level and such scheme shall be implemented prior to the first occupation of the development hereby approved and retained thereafter.

Reason: In the interests of the appearance of the development in accordance with Policies LQ1, LQ4 and LQ10 of the Blackpool Local Plan 2001-2016.

- 11 All windows and doors on the development hereby approved shall be recessed 50mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the building and the locality, in accordance with Policies LQ1, LQ2, LQ4 and LQ10 of the Blackpool Local Plan 2001-2016.

- 12 No development shall be commenced until a desk study has been undertaken and agreed in writing with the Local Planning Authority to investigate and produce an assessment of the risk of the potential for onsite contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been agreed in writing with the Local Planning Authority. If remediation methods are then considered necessary, a scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented and completed prior to the commencement of the development. Any changes to the approved scheme shall be agreed in writing with the Local Planning Authority.

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

- 13 Prior to the commencement of any development, details of the foul drainage scheme to serve the development shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. The building shall not 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.

Reason: To secure proper drainage and to reduce the risk of flooding and pollution and to improve bathing water quality standards on the Fylde Coast in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016.

- 14 Prior to the commencement of any development details of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed prior to the first occupation of the building and maintained and managed in accordance with the approved details thereafter.

Reason: To secure proper drainage and to reduce the risk of flooding & pollution and to improve bathing water quality standards on the Fylde Coast in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016.

- 15 The development hereby permitted relates to the following approved plans:-

Site location plan	4271(P) 101 A;
Proposed site plan	4271(P) 102 D
Proposed ground floor plan	4271(P) 103 F
Proposed first floor plan	4271(P) 103-01 E
Proposed second floor plan	4271(P) 103-02 D
Proposed third floor plan	4271(P) 103-03 B
Proposed fourth floor plan	4271(P) 103-04 B
Proposed fifth floor plan	4271(P) 103-05 B
Proposed roof plan	4271(P) 103-06 E
Talbot Road elevation	4271(P) 203 G
Clifton Street elevation	4271(P) 203-01 H
Talbot Square elevation	4271(P) 203-02 G
Deansgate elevation	4271(P) 203-03 C
Clifton Street section	4271(P) 301 B
Talbot Road section	4271(P) 302 A
Talbot Square section	4271(P) 303
Typical ground floor window	4271(P) 801 A
Typical entrance	4271(P) 802 B
Goods in door	4271(P) 804 A
Sub-station door	4271(P) 805 A
Juliet balcony	4271(P) 806 A
Roof plant	4271(P) 807 A
Plant	354-01-M15

Reason: To ensure that the development is carried out in accordance with the approved plans with regards to Policies LQ1, RR2, LQ2, LQ3, LQ4, LQ10, LQ11, SR6, BH3 and BH4 of the

Blackpool Local Plan 2001- 2016.

Application Number: 15/0302 Internal and external works including the erection of 1.8m high wall to Squires Gate Lane boundary and use of premises as altered as children's day nursery for up to 70 children.

Decision: Refuse

Reasons:

- 1 The proposed use as a day nursery for up to 70 children would have a significantly detrimental impact on the residential amenities of the neighbours, particularly at 139/137/135 Abbey Road and at 185/187/189 Squires Gate Lane, by reason of excessive noise levels generated in the outdoor play area in close proximity to their private rear gardens. In addition, the inadequate parking arrangements would result in on-street congestion where there is already significant competition for on-street facilities due to the lack of off street parking at a number of nearby dwellings. As such the proposal would be contrary to Policies BH3 and BH4 of the Blackpool Local Plan 2001-2016, paragraphs 14, 17, 53 and 123 of the National Planning Policy Framework and Policy CS7 of the Blackpool Local Plan: Part 1 – Core Strategy (Proposed Submission).
- 2 The parking facilities would be significantly detrimental to highway and pedestrian safety by virtue of the inadequate number of spaces, their forecourt location, and peak periods of use, and would therefore be contrary to Policy AS1 of the Blackpool Local Plan 2001 - 2016 and paragraph 35 of the National Planning Policy Framework.
- 3 ARTICLE 35 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK paragraph 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: the impact on the amenities of nearby residents, highway safety, conflict with the National Planning Policy Framework, policies of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan: Part 1 – Core Strategy (Proposed Submission) which justify refusal.

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