

Blackpool Council

14 February 2017

To: Councillors Elmes, Humphreys, Matthews, Maycock, O'Hara, Stansfield and L Williams

The above members are requested to attend the:

PLANNING COMMITTEE

Wednesday, 22 February 2017 at 6.00 pm
in Committee Room A, Town Hall, Blackpool FY1 1GB

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 17 JANUARY 2017 (Pages 1 - 6)

To agree the minutes of the last meeting held on 17 January 2017 as a true and correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED (Pages 7 - 32)

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

4 PLANNING ENFORCEMENT UPDATE REPORT (Pages 33 - 36)

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

5 PLANNING APPLICATION 16/0643 - 170 PRESTON NEW ROAD, BLACKPOOL (Pages 37 -

56)

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

6 PLANNING APPLICATION 16/0812 - 8-20 QUEEN STREET, BLACKPOOL (Pages 57 - 66)

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

7 PLANNING APPLICATION 16/0809 - WINTER GARDENS, CHURCH STREET, BLACKPOOL
(Pages 67 - 88)

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

8 PLANNING APPLICATION 16/0815 - WINTER GARDENS, CHURCH STREET, BLACKPOOL
(Pages 89 - 110)

The Committee is 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 Bernadette Jarvis, Senior Democratic Governance Adviser, Tel: (01253) 477212, e-mail bernadette.jarvis@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 L Williams (in the Chair)

Councillors

Humphreys	O'Hara	Stansfield
Hutton	Scott	

In Attendance:

Mrs Bernadette Jarvis, Senior Democratic Governance Adviser
Mr Gary Johnston, Head of Development Management
Ms Clare Lord, Legal Adviser

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE MEETING HELD ON 20 DECEMBER 2016

The Committee considered the minutes of the last meeting held on 20 December 2016.

Resolved: That the minutes of the meeting held on 20 December 2016 be approved and signed by the Chairman as a correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

The Committee noted the Planning Inspector's decisions to allow appeals against the Council's refusal of planning permission in respect of the following planning applications:

1. Planning Application 16/0251 for the erection of a single storey detached building, with formation of decking areas, for use as ancillary accommodation (granny annex) to existing private dwelling house following demolition of existing detached store and workshop at 338 Midgeland Road, Blackpool.
2. Planning Application 16/0353 requesting advertisement consent for a high level LED screen on the front elevation of the building at 11 Talbot Road (former Rumours club), Blackpool.
3. Planning Applications 13/0734 and 13/0736 requesting planning permission and listed building consent for external alterations including replacement windows and erection of part two-storey, part single-storey rear extension, second floor rear extension including enclosed roof garden following part-demolition of existing single-storey corridor extension, and use of part-ground floor, part- first floor and second floor as altered as five self-contained permanent flats with associated basement cycle storage, rear bin store, landscaping, car parking and boundary treatment at the Synagogue, Leamington Road, Blackpool.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 17 JANUARY 2017

Mr Johnston, Head of Development Management, advised the Committee that, out of a total of 20 appeals that had been determined by the Planning Inspectorate in the calendar year 2016, 17 had been dismissed with the remaining three appeals upheld as detailed above. This represented an 85 per cent success rate which was slightly below the Government target of 90 per cent, however, it was hoped that the recent trend could be reversed to enable the target to be achieved.

Responding to a question from a Member of the Committee, Mr Johnston confirmed that the number of appeals determined by the Planning Inspectorate this year was slightly above average when compared to previous years and that the number of appeals determined by the Planning Inspectorate varied by Local Authority. Mr Johnston reported his view that the relatively low number of appeals upheld by the Planning Inspectorate demonstrated that the Council had been generally successful in defending appeals.

Resolved: To note the planning appeals determined.

4 PLANNING ENFORCEMENT UPDATE REPORT

The Committee considered a report detailing the planning enforcement activity undertaken within Blackpool during November 2016. The report stated that 33 new cases had been registered for investigation, 24 cases had been resolved by negotiation without recourse to formal action and 42 cases had been closed as there was either no breach of planning control found, no action was appropriate or it was not considered expedient to take action.

One enforcement notice had also been authorised during the same period.

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

5 PLANNING APPLICATION 16/0674 - THE SANDS VENUE

The Committee considered planning application 16/0674 from The Sands Venue for the erection of a single-storey side extension and a three-storey extension to the roof to create third, fourth and fifth floors and use of premises as altered to provide an A1 retail unit and hotel reception at ground floor level, with hotel accommodation above comprising 96 en-suite bedrooms and associated facilities, with associated rooftop plant area and basement car park for 55 cars and demolition of foot bridge over Bank Hey Street.

Mr Johnston gave the Committee a brief overview of the application and presented visual images of the site layout and proposed development. The Committee was reminded that it had previously granted outline planning permission for the development and that the application before it was for approval of the reserved matter of appearance. Mr Johnston reported that a key issue during consideration at the outline stage of the application related to the height of the proposed development and its relationship with the nearby landmark buildings and the application before Committee sought to address those

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 17 JANUARY 2017

concerns. A visual image of the development at outline stage was circulated to Members.

Following concerns raised by the Committee, Mr Johnston reported on the area assigned for taxis to drop off and pick up passengers and stated his view that although there would be a slight reduction in the number of available spaces, there was still a large area available for use by the taxis.

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

Background papers: Applications, plans and replies to consultations on the application.

Chairman

(The meeting ended 6.30 pm)

Any queries regarding these minutes, please contact:
Bernadette Jarvis Senior Democratic Services Adviser
Tel: (01253) 477212
E-mail: bernadette.jarvis@blackpool.gov.uk

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Application Number 16/0674 – THE SANDS VENUE, PALATINE BUILDINGS, PROMENADE, BLACKPOOL, FY1 4TQ – Erection of single storey side extension and a three-storey extension to the roof to create 3rd, 4th and 5th floors and use of premises as altered to provide an A1 retail unit and hotel reception at ground floor level, with hotel accommodation above comprising 96 en-suite bedrooms and associated facilities, with associated rooftop plant area and basement car park for 55 cars and demolition of foot bridge over Bank Hey Street.

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. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the reserved matters application received by the Local Planning Authority including the following plans:

Location Plan stamped as received by the Council on 07 October 2016.

Drawings numbered 0005, 0006, 0007, 0008, 0009, 0011, 0012, 0013 and 0014 stamped as received by the Council on 07 October 2016 and 0010 rev S1 stamped as received by the Council on 06 December 2016.

Reason: For the avoidance of doubt and so the Local Planning Authority can be satisfied as to the details of the permission.

3. 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 Policies LQ1, LQ2, LQ4 and LQ10 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027.

4. No rain water goods, soil pipes, vent pipes or plant shall be installed on the external elevations of the building.

Reason: In the interests of the appearance and style of the building given it's prominent position, in accordance with Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, LQ2 and LQ4 of the Blackpool Local Plan 2001- 2016.

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Report to:	Planning Committee
Relevant Officer:	Gary Johnston, Head of Development Management
Date of Meeting	22 February 2017

PLANNING/ENFORCEMENT APPEALS DETERMINED/ LODGED

1.0 Purpose of the report:

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

2.0 Recommendation(s):

2.1 To note the report.

3.0 Reasons for recommendation(s):

3.1 To provide the Committee with a summary of planning appeals for 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:

3.4 None, the report is for information only.

4.0 Council Priority:

4.1 The relevant Council Priority is 'The Economy: maximising growth and opportunity across Blackpool'

5.0 Background Information

5.1 Planning/Enforcement Appeals Determined

5.2 151 Reads Avenue, Blackpool, FY1 4HZ. (Ref: 15/8411)

5.2.1 An appeal by Mr Khan against the service of an Enforcement Notice relating to an unauthorised material change of use of the ground floor to 2 no. flats (front/rear divide). The appeal, written representations, was under; ground (a) permission should be granted for the development, ground (f) that the steps required by the Notice are excessive and ground (g) that the time given to comply with the Notice is too short. **Appeal dismissed.**

5.2.2 The appeal property is a three-storey, detached building that falls within the Defined Inner Area as designated by saved policies in the Blackpool Local Plan 2001-16, as well as the Raikes Conservation Area. The immediate surrounding area is predominantly residential and a significant number of properties have been sub-divided.

5.2.3 **Ground (a) (permission should be granted for the development)**

The Inspector noted that the resulting flats provide a poor standard of living conditions in that the units are very small and cramped with contrived layouts and limited outlook onto neighbouring walls/gables/fences. One flat receives little natural light due its poor window arrangement, whilst the other (a bedsit) lacks privacy due its living/bed space and kitchen backing directly onto the communal rear yard. The Inspector also stated that the flats (both single occupancy) failed to meet the housing mix for the inner area.

5.2.4 The Inspector concluded that the development is harmful due to its resultant poor living conditions and although in isolation the effects of the development might be small, the cumulative impact of granting small changes would result in incremental intensification, which would be detrimental to the area's character and undermine the Council's housing policy.

5.2.5 As such, the development is not in accordance with saved Policies BH1, BH3, HN5 and HN6 of the Blackpool Local Plan, nor Policies CS12 and CS13 of the Core Strategy. Furthermore, the development is not compliant with the National Planning Policy Framework

5.2.6 **Ground (f) (that the steps required by the Notice are excessive)**

The Inspector observed that the layout and size of the flats were significantly different to what had permission in 2003 and that the Notice can only remedy the current breach of planning control by ceasing the use of both flats, removing the identified dividing wall, and taking out the itemised fixtures and fittings detailed in

the Notice (i.e. additional kitchens, bathroom etc.). As such the steps required were not considered to be excessive.

5.2.7 Ground (g) (that the time given to comply with the Notice is too short)

The Appellant requested 12 months to carry out the works listed in the Notice, whilst the Council was of the opinion that three months was sufficient. The Inspector noted that whilst this might be sufficient to carry out the works, it might not be enough time for tenants to find new accommodation (one of the flats was occupied at the time of the appeal site visit). As such, the Inspector varied the Notice to allow six months for the works to be completed.

5.2.8 Compliance with the Enforcement Notice is due by 2 August 2017. Failure to comply is likely to result in the pursuit of Proceeds of Crime. On a slightly separate note, the Planning Enforcement Team is still pursuing an issue relating to the professional conduct and standards of the owner's chartered agent (Inspire Planning Solutions).

5.2.9 A copy of the Inspector's decision dated 2 February 2017 is attached at Appendix 3a.

5.3 Carandaw Farm, School Road, Blackpool. FY4 5EJ (15/8511)

5.3.1 An appeal by Mrs Julie Lawn against the service of an Enforcement Notice relating to the unauthorised use of the land for the siting of a mobile home / static caravan for residential purposes. **Appeal dismissed.**

5.3.2 Initially, the Inspector stated that as the mobile home was sited on the land, the appeal on ground (b) failed.

5.3.3 The Inspector noted that the Appellant said the mobile home was not for residential purposes, but was used for changing and as a shelter in association with caring for horses and dogs that live on the land – it was effectively, a mess facility, (mess room - a room or building providing meals and recreational facilities for workers). The Inspector noted that the Council state the mobile home is used as a residence, not as a facility ancillary to the livery use of the land. The mobile home has mains water and electricity supplies, and is connected to a septic tank. The internal layout, in what is a large mobile home, had a living area, a kitchen area, two bedrooms and a bathroom – it was modestly furnished.

5.3.4 The Inspector concluded that the Appellant failed to show that there had not been a residential use of the appeal mobile home that brought about a material change of its use to a residential use that required planning permission. The appeal on ground (c) failed.

5.3.5 There were no other grounds of appeal. The case presented by the Appellant suggests she has a home elsewhere, therefore the requirement of the Enforcement

Notice to cease the residential use of the mobile home and remove it from the land within one month does not amount to the loss of her home.

5.3.6 The Enforcement Notice was upheld, and is due for compliance by 1 March 2017.

5.3.7 A copy of the Inspector's decision dated 31 January 2017 is attached at Appendix 3b.

5.4 50 Lyndhurst Avenue, BLACKPOOL. FY4 3AX (15/8398)

5.4.1 An appeal by Mr Paul Whilton against the service of an Enforcement Notice relating to the unauthorised change of use of the pedestrian passageway to form part of residential curtilage at 50 Lyndhurst Avenue and the unauthorised siting of a static caravan within the pre-existing and extended curtilage and use of the said static caravan for residential purposes independent from the main dwelling. **Appeal dismissed.**

5.4.2 The appeal proceeded on ground (b) only; that the breach of planning control has not occurred.

5.4.3 The Inspector noted that the caravan blocks access to the neighbouring properties because it is sited less than a metre from the boundary fence to properties to the south. The Appellant maintains that only the owners of 48 Lyndhurst Avenue are beneficiaries of a deed of conveyance that provides for a right of access over his property. Additionally, a plan submitted with a planning application in 2005 for an extension to the appeal dwelling indicated that an access way about one metre wide would be maintained along the south and west boundaries of the appeal property 'for rear access'. This rear access, given that it was clearly intended to be used by owners of adjoining properties cannot then, or now, be claimed to be part of the curtilage of the dwelling at 50 Lyndhurst Avenue. The static caravan, as a matter of fact, is sited over the access way and has resulted in a change of use of the pedestrian passageway to form part of the residential curtilage at 50 Lyndhurst Avenue and the caravan is sited within the pre-existing and extended curtilage of the property. These elements of the alleged breach of planning control have occurred as a matter of fact.

5.4.4 The Inspector further commented that with regard to the allegation that the static caravan has been used for residential purposes independent of the main dwelling, the Appellant has only claimed that the Council admitted in the Magistrates Court on 15 May 2016 "that they are aware and happy that the vehicle is empty and not in usage". But that admission, on the Council's evidence, was by Counsel who had not visited the caravan or site, and can be discounted. The Appellant does not dispute the Council's claim that the caravan has been occupied by the Appellant's parents (although his father has since sadly passed away) and it is the last known use, rather than a lack of use on the date of issue of the notice, that is relevant to consideration

of a ground (b) appeal. On the evidence available the static caravan has been in use for residential purposes independent of the main dwelling. The ground (b) appeal thus fails.

5.4.5 The Enforcement Notice was upheld, and is due for compliance by 16 April 2017.

5.4.6 A copy of the Inspector's decision dated 16 January 2017 is attached at Appendix 3c.

5.5 7 Cookson Street, Blackpool. FY1 3ED (15/8657)

5.5.1 An appeal by Miss Trudy Wheeler against the service of an Enforcement Notice relating to the unauthorised installation of externally mounted roller shutters, housing boxes and associated guides mounted to the Cookson Street and Charles Street elevations.

Appeal dismissed.

5.5.2 The appeal on ground (a) asked that planning permission be granted to retain the Roller shutters. The Inspector stated that the Appellant's concerns about possible vandalism and other security matters were understood. However, in the form they take, the shutters' unhappy appearance that is made worse by their being solid roller shutters with projecting housing boxes, is not acceptable as a permanent feature in the street scene. The Inspector stated that the shutters should be well designed and enhance the character and appearance of the local area. The galvanised steel roller shutters may be a deterrent to those with malevolent intent, but that is at a cost at this fairly prominent site of a somewhat grim and forbidding appearance. The Inspector further commented that the disagreeable feeling engendered particularly by the Charles Street frontage row of shutters is exacerbated by there being no daytime relief of open shutters while the property is unused. The appeal on ground (a) failed, and planning permission was not granted to retain the roller shutters.

5.5.3 The appeal on ground (f) states the notice's requirement is too onerous. The Inspector stated that he considered a solution would be to replace the solid roller shutters with open mesh shutters, such that the windows might be more visible and that possible use of graffiti spray paints might be reduced. However, the Inspector commented that would not improve the appearance of the two doors or where windows are not shop display windows. On balance, the Inspector found that the suggested alterations would make no worthwhile or necessary improvement. The appeal on ground (f) failed.

5.5.4 The appeal on ground (g) succeeded, as the Inspector agreed that the Appellant should be given more time to consider what other security measures might assist.

5.5.5 The Inspector therefore increased the period for compliance to nine months for the Appellant to find a better long term solution and for her to decide on the future of

her property.

5.5.6 The Enforcement Notice was upheld, and is due for compliance by 14 August 2017.

5.5.7 A copy of the Inspector's decision dated 14 November 2016 is attached at Appendix 3d.

5.6 56 Springfield Road, Blackpool FY1 2BA (16/0388)

5.6.1 An appeal by Mr R Lewis against the decision of the Council to refuse planning permission for the formation of a vehicle crossing. **Appeal dismissed.**

5.6.2 The main issues are the effect of the proposal on the character and appearance of the area together with highway and pedestrian safety.

5.6.3 The Inspector concluded that the proposal would be detrimental to both the character and appearance of the area and to highway and pedestrian safety. As such it would not accord with the development plan. In its favour, the scheme would provide a convenient off road parking space for the Appellant. However, on balance, I consider that this benefit would not outweigh the harm identified by the proposal.

5.6.4 A copy of the Inspector's decision dated 6 February 2017 is attached as Appendix 3e.

5.7 Planning/Enforcement Appeals Lodged

5.8 21 Cranleigh Avenue, Blackpool (16/8054)

5.8.1 An appeal has been lodged by Mrs E Rowland against the issue of an Enforcement Notice regarding the erection of a rear dormer hung in brown uPVC and the erection of a side dormer in brown uPVC and with an opening window without planning permission.

5.8.2 212 Dickson Road, Blackpool (15/8186)

5.8.3 An appeal has been lodged by Mr. Stephen Snelson against the issue of an Enforcement Notice regarding the erection of decking, a fence and a shed at first floor level on the flat roof of the outrigger without planning permission

5.9 Does the information submitted include any exempt information? No

5.10 List of Appendices:

5.11 Appendix 3a – A copy of the Planning Inspectorate decision dated 2 February 2017

Appendix 3b – A copy of the Planning Inspectorate decision dated 31 January 2017

Appendix 3c – A copy of the Planning Inspectorate decision dated 16 January 2017

Appendix 3d – A copy of the Planning Inspectorate decision dated 14 November 2016
Appendix 3e – A copy of the Planning Inspectorate decision dated 6 February 2017

6.0 Legal considerations:

6.1 None

7.0 Human Resources considerations:

7.1 None

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 None

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 None

13.0 Background papers:

13.1 None

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Appeal Decision

Site visit made on 30 January 2017

by Elizabeth C Ord LLB(Hons) LLM MA DipTUS

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

Decision date: 2 February 2017

Appeal Ref: APP/J2373/C/16/3153461

Land and building known as 151 Reads Avenue, Blackpool, FY1 4HZ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr Saghir Khan against an enforcement notice issued by Blackpool Borough Council.
 - The enforcement notice was issued on 19 May 2016.
 - The breach of planning control as alleged in the notice is the sub-division of the former single ground floor flat used for permanent residential use and its amalgamation with the former ground floor storage area at the Land Affected to create 2 no. self-contained flats, one in the front part of the said ground floor (known as Flat 4) and one in the rear part of the said ground floor (known as Flat 5) and the use of Flat 4 and Flat 5 for permanent residential accommodation.
 - The requirements of the notice are i) Cease the use of the front part of the ground floor, known as Flat 4, as a self-contained flat for residential accommodation; ii) Cease the use of the rear part of the ground floor, known as Flat 5, as a self-contained flat for residential accommodation; iii) Remove all kitchen fixtures and fittings from either the ground floor front flat (known as Flat 4), or, the rear flat (known as Flat 5); iv) Remove all shower-room fixtures and fittings from the ground floor rear flat (known as Flat 5); v) Remove the dividing wall between the shower-room in Flat 5 and the lounge/kitchen in Flat 4 to re-instate the former corridor that previously [internally] connected the front and rear halves of the former ground floor flat.
 - The period for compliance with the requirements is three months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (f) and (g) of the Town and Country Planning Act 1990 as amended.
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Decision

1. It is directed that the enforcement notice be varied by deleting the "3 month" time for compliance at paragraph 6 and substituting therefor a "6 month" time for compliance. Subject to this variation, the appeal is dismissed and the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Reasons

Ground (a)

Main issues

2. The main issues are 1) whether the development further intensifies the existing over-concentration of small self-contained residential units in the Defined Inner Area of the town, thereby adding to an incremental, detrimental change in

character of the area and 2) whether it results in unacceptable living conditions.

Context

3. The appeal property is situated in Blackpool's "Defined Inner Area", where the evidence demonstrates a high level of deprivation and an imbalanced housing stock with an abundance of bedsits, flats and Houses in Multiple Occupation. I understand that this imbalance has occurred largely due to former tourist and business premises being converted to what the Council describes as "overcrowded housing". Accordingly, a priority for the Council is to address this imbalance by increasing family housing and restricting new flatted development.
4. Blackpool's development plan, which consists of saved policies from the Blackpool Local Plan 2001-2016 (BLP), adopted in June 2006, and the Blackpool Local Plan Part 1: Core Strategy (CS), adopted in January 2016, seeks, amongst other things, to prevent the further over-concentration of existing flats and improve the mix of house types and sizes within Blackpool.

Intensification

5. The development, which is subject to the enforcement notice, consists of the ground floor of a three storey house that was granted planning permission in 2003 for use as four self-contained, permanent flats. The approved layout was a single unit on the second floor, two units on the first floor and a single unit and storage area on the ground floor. All units contained one bedroom. In breach of this planning permission, the ground floor was sub-divided and used as two one bedroom self-contained residential units.
6. In August 2015 a retrospective planning application was made in an attempt to regularize the development. This was refused for reasons not dissimilar to those contained in the enforcement notice.
7. The Appellant states that the development is an efficient use of space, with most of the additional living area being taken from a former storage area, so as not to result in the sub-division or loss of any larger residential units. In support he relies on what he says is an extract of the ground floor plans.
8. However, these plans are not the approved 2003 plans for which permission was granted. The stamped, approved plans show a significantly different layout for the permitted scheme, reflecting one larger ground floor flat, spanning most of the ground floor, which I understand could accommodate two persons. The development is clearly a sub-division of the larger permitted flat.
9. Although in isolation the effects of the development might be small, the cumulative impact of granting small changes would result in incremental intensification, which would be detrimental to the area's character and undermine the Council's housing policy. As such, the ground floor development is not in accordance with saved Policies BH1, BH3, HN5 and HN6 of the BLP, or Policies CS12 and CS13 of the CS, which together seek, amongst other things, to promote regeneration, restrict sub-division for residential use in inner areas and re-balance the mix of dwelling types and sizes taking account of the local context.

10. Furthermore, the development is not compliant with the National Planning Policy Framework (NPPF), which seeks to deliver a wide choice of quality homes.

Living conditions

11. The resulting ground floor flats, identified as Flat 4 (front) and Flat 5 (back) in the enforcement notice, provide a poor standard of living conditions in that the units are very small and cramped with contrived layouts and limited outlook onto neighbouring walls/gables/fences. Flat 4 receives little natural light due its poor window arrangement, and Flat 5 lacks privacy due its living/bed space and kitchen backing directly onto the communal rear yard. Flat 5's very small size results in there being no separate bedroom. The shower rooms in both units, which are accessed from the living/bed spaces, are very small and narrow.
12. The development does not meet the housing standards contained in its Supplementary Planning Document "New Homes from Old Places" (SPD), adopted in March 2011, which addresses the need to improve housing quality in Blackpool. However, in a written ministerial statement of 25 March 2015, the government introduced optional national space standards for new housing¹, which supersede local standards. The Council explicitly refers to these national standards in the BCS, stating that the space standards in the SPD are replaced by the national standards. The development meets the national minimum space standards for one bedroom units for one person².
13. Nonetheless, local planning authorities can set additional technical requirements in their local plans subject to them being justified, having considered the impact on viability, and having demonstrated need. The BCS states that other standards in the SPD, not related to the nationally described standards, will still apply³. As the BCS has gone through public examination and been found sound, these additional SPD standards still apply.
14. The SPD states⁴ that in inner areas the maximum number of one bedroom or studio flats in any development is one in three. Furthermore, it says that no dwelling designed for less than two people⁵ will be acceptable. Therefore, one bedroom units for one person in this location are not in accordance with the SPD.
15. From the size of the two ground floor flats it would appear that they are one person, one bedroom units and, therefore, in breach of the SPD. If they were intended for more than one person, they would breach the national minimum standard of 50m². In any event, two additional one bedroom flats in this five unit converted house would be contrary to the SPD.
16. The development is harmful due to its resultant poor living conditions. Therefore, it is not in accordance with saved Policies BH3 and HN5 of the BLP, or Policies CS7 and CS13 of the CS, which together seek, amongst other

¹Technical housing standards – nationally described space standards, March 2015

² 39m² or 37m² where there is a shower room instead of a bath

³ BCS paragraph 6.25

⁴ SPD requirement 1.4

⁵ SPD requirement 2.2

things, to promote good design, ensure appropriate living conditions and satisfy the relevant standards in place for conversions and new build.

17. Moreover, because it fails to provide acceptable living conditions it is not in compliance with the NPPF, which requires good design.

Other matters

18. The Council has a five year supply of housing land and, therefore, NPPF paragraph 49 is not engaged in the sense that the Council's housing policies should not be treated as out of date.
19. There is no dispute that the site is located in a sustainable location.
20. Whilst the appellant may have invested heavily in the property, this does not justify breaching the planning permission.

Planning balance and conclusion

21. Although the sub-division has the benefit of providing an additional residential unit in a sustainable location, this does not outweigh the harm to the area's character caused by intensification, and the harm to living conditions. Therefore, the appeal on ground (a) is dismissed.

Ground (f)

22. The appellant accepts that, in the event of ground (a) failing, it is appropriate to cease the residential use of Flat 5 (rear). However, he submits that it is unreasonable to cease the residential use of Flat 4 (front). This, he says, is because it has had lawful use as a self-contained unit for a substantial period of time, although he does not say for how long. On my site visit I observed that this unit appeared to have been recently renovated/decorated and was not occupied.
23. If the appellant is indicating a ground (d) appeal and suggesting the Council is out of time for taking enforcement action, he has presented no evidence in support of this. With respect to ground (f) this does not justify lesser steps being taken for the following reasons.
24. The layout and size of Flat 4 is significantly different to what was permitted. Given that the purpose of the notice is to remedy the breach of planning control, this can only be achieved by ceasing the use of both flats, removing the identified dividing wall, and taking out the itemised fixtures and fittings. Therefore, the steps required do not exceed what is necessary and the appeal on ground (f) fails.

Ground (g)

25. The Council has given three months to comply with the notice. Whilst this might be sufficient to carry out the required works, it might not give enough time for tenants to find alternative accommodation. On my visit I noted that Flat 5 (rear) was occupied and, therefore, more time should be given. Six months should be sufficient for tenants to be given notice and to vacate, and then for the required works to be carried out. To this limited extent, the ground (g) appeal succeeds.

Elizabeth C Ord

Inspector

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Appeal Decision

Site visit made on 24 January 2017

by **John Whalley**

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

Decision date: 31 January 2017

Appeal ref: APP/J2373/C/16/3157760 Carandaw Farm, School Road, Blackpool FY4 5EJ

- The appeal was made by Mrs Julie Lawn under Section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against an enforcement notice issued by Blackpool Borough Council.
- The notice was issued on 20 July 2016.
- The breach of planning control alleged in the notice was: Without planning permission, the use of the land for the siting of a mobile home/static caravan for residential purposes.
- The requirement of the notice is to: Cease using the land for the siting of a mobile home/static caravan for residential purposes and remove the mobile home/static caravan from the land in its entirety.
- The period for compliance with the requirement is one month.
- The appeal was made on grounds (b) and (c).

Summary of Decision: The enforcement notice is upheld.

Appeal site

1. The enforcement notice was issued in respect of the siting and alleged residential use of a mobile home/caravan on the site known as Carandaw Farm, School Road, Blackpool. The mobile home was sited forward to the fronting School Road of a group of buildings used to stable horses and to keep dogs. The mobile home was connected to a septic tank and to mains water and electricity supplies. A pair of gas bottles to provide for heating and cooking facilities were connected outside. Inside, there was a lounge, a kitchen, a bedroom, a bathroom and a room used to house dogs.

The appeal on ground (b)

2. The appeal on ground (b) says the breach of planning control set out in the enforcement notice did not occur. The burden of proof in a legal ground of appeal such as this lies with the appellant. The case of *Nelsovil v MHLG [1962] 1 WLR 404* is authority for that position. It is for an appellant to show, for a ground (b) appeal, that the matters alleged in the notice did not, as a matter of fact, occur. For a ground (c) appeal, the onus is on an appellant to show why planning permission is not required for the alleged breach of planning control.
3. It was not contested that there was a mobile home on the appeal land. Mrs Lawn, the Appellant, said it was not for residential purposes, but was used for changing and as a shelter in association with caring for horses and dogs that live

on the land. It was effectively, a mess facility, (mess room - a room or building providing meals and recreational facilities for workers). That is more a matter for the ground (c) appeal; that the stationing and use of the mobile home is lawful. It does not amount to a breach of planning control. As the mobile home was sited on the land, the appeal on ground (b) fails.

The appeal on ground (c)

4. I first determine the lawful use of the appeal land. I then have to come to a view on the use of the mobile home to decide if its use amounted to a material change of use of the land from its lawful use. The case of *Deakin v FSS [2006] EWHC 3402 (Admin)* and *[2007] JPL 1073* is authority for that approach. The Council said the lawful use of the appeal land was as a private livery. That was derived from the implementation of planning permission 08/0705 for works that included: "... installation of a septic tank and siting of a caravan for storage and use of part of old stables as a livery."
5. The Council said the appeal mobile home was being used as a residence, not as a facility ancillary to the livery use of the land. They said they had, on a number of occasions, noted that the mobile home appeared to be occupied at different times of the day and night. Two cars, those owned by the Appellant Mrs Lawn and her partner, were seen parked close to the mobile home at the time checks were made. Mrs Lawn said the mobile home was merely used as a shelter and for changing associated with the equine and kennel use of the land.
6. The mobile home has mains water and electricity supplies. It is connected to a septic tank. The internal layout, in what is a large mobile home, had a living area, a kitchen area, 2 bedrooms and a bathroom. It was modestly furnished. But with the exception of one bedroom used to accommodate dogs, the mobile home appeared to be set up throughout in a manner more appropriate to domestic occupation than just as a mess facility. It did not look as if only used as an occasional shelter and rest resource for those caring for the animals on the appeal site, although such use is also made of the mobile home. There will be the occasions when the care of animals is necessarily not limited to normal working hours. But the Council's evidence appeared to show a residential use well in excess of such needs. The test to be applied where evidence on the facts is contradictory is the balance of probabilities, (*Thrassyvoulou v SSE No 1 [1984] JPL a732*). In this instance, I conclude that Mrs Lawn failed to show that there had not been a residential use of the appeal mobile home that brought about a material change of its use to a residential use that required planning permission. The appeal on ground (c) fails.
7. There were no other grounds of appeal. The case presented by Mrs Lawn implicitly suggests she has a home elsewhere. Therefore the requirement of the notice to cease the residential use of the mobile home and remove it from the land within one month would not amount to the loss of her home. Any appropriate new mess facility connected with the lawful use of the land might be a matter for discussion with the Council.

FORMAL DECISION

8. The enforcement notice is upheld.

John Whalley

INSPECTOR

Appeal Decision

Site visit made on 10 January 2017

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

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

Decision date: 16 January 2017

Appeal Ref: APP/J2373/C/16/3153330

50 Lyndhurst Avenue, Blackpool FY4 3AX

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr Paul Whilton against an enforcement notice issued by Blackpool Borough Council.
 - The enforcement notice was issued on 19 May 2016.
 - The breach of planning control as alleged in the notice is the change of use of the pedestrian passageway to form part of residential curtilage at 50 Lyndhurst Avenue and the siting of a static caravan within the pre-existing and extended curtilage at 50 Lyndhurst Avenue and use of the said static caravan for residential purposes independent from the main dwelling.
 - The requirements of the notice are i. Cease the use of the said static caravan for residential purposes independent of the main dwelling at 50 Lyndhurst Avenue; ii. Remove the said static caravan in its entirety from the land affected; and iii. Restore the boundary line of 50 Lyndhurst Avenue to its pre-existing line and remove all obstructions from the line of the pedestrian passageway between the pre-existing curtilage of 50 Lyndhurst Avenue and the rear boundaries of 49 and 51 Hemingway and the side of 13 Starbeck Avenue to enable unobstructed pedestrian passage along the said pedestrian passageway.
 - The period for compliance with the requirements is three months.
 - The appeal is proceeding on the grounds set out in section 174(2)(b) of the Town and Country Planning Act 1990 as amended. The prescribed fees have not been paid within the specified period so the application for planning permission deemed to have been made under section 177(5) of the Act as amended cannot be considered.
-

Decision

1. The appeal is dismissed and the enforcement notice is upheld.

Reasons

2. 50 Lyndhurst Avenue is a semi-detached dwelling in a residential curtilage. To the south are amenity areas at 49 and 51 Hemingway, to the west is the amenity area of a property on Starbeck Avenue, and to the north, at the rear of the appeal dwelling, is the rear amenity area of 48 Lyndhurst Avenue. Between the appeal dwelling and the boundary fences to the rear amenity areas of 49 and 51 Hemingway is the static caravan that is a subject of the enforcement notice. It is about 20 metres long and 6.7 metres wide and is located less than one metre from the boundary fence and the south gable wall of the appeal dwelling.
3. The appeal is proceeding on ground (b) only; that the breach of planning control has not occurred. The caravan blocks access to the aforementioned neighbouring properties because it is sited less than metre from the boundary fence to properties to the south. The Appellant maintains that only the owners of

48 Lyndhurst Avenue are beneficiaries of a deed of conveyance dated 23 April 1971 that provides for a right of access over his property. The deed submitted in evidence refers to 'a right of foot way' but does not specifically refer to 48 Lyndhurst Avenue and it is unclear what rights of access are actually granted. Furthermore, rights of access are not necessarily gained only by being granted in a deed and may be gained through use over a period of time, and there is no plan attached to the deed showing the land conveyed.

4. In addition, a plan submitted with a planning application in 2005 for an extension to the appeal dwelling indicates that an access way about one metre wide would be maintained along the south and west boundaries of the appeal property 'for rear access'. This rear access, given that it was clearly intended to be used by owners of adjoining properties cannot then, or now, be claimed to be part of the curtilage of the dwelling at 50 Lyndhurst Avenue. The static caravan, as a matter of fact, is sited over the access way and has resulted in a change of use of the pedestrian passageway to form part of the residential curtilage at 50 Lyndhurst Avenue and the caravan is sited within the pre-existing and extended curtilage of the property. These elements of the alleged breach of planning control set out in the notice have occurred as a matter of fact.

5. With regard to the allegation that the static caravan has been used for residential purposes independent of the main dwelling the Appellant has only claimed that the Council admitted in the Magistrates Court on 15 May 2016 "...that they are aware and happy that the vehicle is empty and not in usage". But that admission, on the Council's evidence, was by Counsel who had not visited the caravan or site, and can be discounted. The Appellant does not dispute the Council's claim that the caravan has been occupied by the Appellant's parents (though his father has since sadly passed away) and it is the last known use, rather than a lack of use on the date of issue of the notice, that is relevant to consideration of a ground (b) appeal. On the evidence available the static caravan has been in use for residential purposes independent of the main dwelling.

6. The breaches of planning control alleged in the enforcement notice have, as a matter of fact, occurred. The ground (b) appeal thus fails.

John Braithwaite

Inspector

Appeal Decision

Site visit made on 25 October 2016

by **John Whalley**

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

Decision date: 14 November 2016

Appeal ref: APP/J2373/C/16/3149940

7 Cookson Street/7 & 7B Charles Street, Blackpool FY1 3ED

- The appeal was made by Miss Trudy Wheeler under Section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against an enforcement notice issued by Blackpool Borough Council.
- The notice was issued on 5 April 2016.
- The breach of planning control alleged in the notice was: Without planning permission, the installation of eight externally mounted roller shutters, housing boxes and associated guides mounted to the Cookson Street and Charles Street elevations.
- The requirement of the notice is to: Remove all the externally mounted roller shutters, housing boxes and associated guides mounted to the Cookson Street and Charles Street elevations in their entirety.
- The period for compliance with the requirement is one month.
- The appeal was made on grounds (a), (f) and (g).

Summary of Decision: The enforcement notice is varied and upheld

Appeal development

1. The appeal property, Nos. 7 Cookson Street and 7 & 7B Charles Street, Blackpool, stands at the corner of the 2 roads. The enforcement notice was issued against 8 window and door covering solid galvanised steel roller shutters and their associated housing boxes and guides that have been fitted to the unoccupied retail unit.

The appeal on ground (a)

2. The appeal on ground (a) asks that planning permission be granted to retain the roller shutters installation.

Policy

3. The Blackpool Local Plan was adopted in June 2006. The majority of its policies were saved in June 2009. The Council set out what they considered to be relevant policies.

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

Policy LQ12 - Security Shutters

- (A) Applications for external shutters will not be permitted, other than in exceptional circumstances
 - (i) within the Town Centre
 - (ii) on Listed Buildings.
- (B) Outside of the Town Centre, shutters and grilles will be permitted subject to the following criteria:
 - (i) the shutter, housing box and guides are integrated sympathetically within the fascia
 - (ii) the shutter is designed to integrate with the existing shop front, and must not obscure architectural features of the building such as stall risers.
- (C) Solid shutters will not be permitted on properties within the following locations:
 - (i) local or district shopping centres
 - (ii) the Resort Core
 - (iii) Resort Neighbourhoods
 - (iv) the Promenade frontage.

In these locations shutters should be of brick bond design or similar, which allow an oblique view through into the property and the retention of a window display.

4. The Blackpool Local Plan: Part 1 – Core Strategy was adopted by the Council on 20 January 2016. The Council said it was to be published on the Council’s website. They said significant weight could be given to policies in the Core Strategy. Policy CS7 requires new development to be well designed and to enhance the character and appearance of the local area.

Considerations

5. There had been a difference between the parties as to whether the appeal property was within the local plan designated Town Centre and therefore as to which policy should apply. The Council accepted that the appeal property was not within the Town Centre boundary in the Saved Blackpool Local Plan 2001-2016. But it was within the Town Centre Boundary within the Blackpool Local Plan: Part 1 - Core Strategy (2012-2027). So, as the Blackpool Local Plan: Part 1 - Core Strategy was adopted prior to both the refusal of planning permission, (16/0012 refused 14/03/2016), and the issue of the Enforcement Notice, (15/8657 issued 05/04/2016), the Council considered it fair to say the appeal building lay within the (Revised) Town Centre boundary, and therefore Saved Policy LQ12(A)(i) applied. The Council said there had to be “exceptional circumstances” to approve shutters in the Town Centre. There were no obvious exceptional circumstances. Policy LQ12 recognised that shutters could cause serious damage to the appearance of a building and the area, particularly where they were not integrated into the design of the building.
6. For the Appellant, Miss Wheeler, it was said that the Council had now made reference to the more recently adopted Core Strategy policy map. They did not refer to the Core Strategy policy map in section 5, ‘policy context’, of their appeal statement, in their delegated report relating to the subject application, nor in the enforcement notice. The only reference in their policy section to the Core Strategy was to policy CS7, design. The Council were trying to introduce a new argument to justify treating the appeal site as being within the town centre with regards to policy LQ12, having realised they had misinterpreted the 2001-

2016 Local Plan proposals map. Saved policy LQ12 was the only policy within the Development Plan that specifically related to the installation of security shutters. That was adopted in June 2006 as part of the 2001-2016 Local Plan. It was not replaced by any policies in the Core Strategy. Policy LQ12(A)(i) should therefore only apply to the geographical area identified at the time of adoption - the Town Centre as defined on the 2001-2016 Proposals Map. Accordingly it was considered that the meaning of the 'Town Centre' under Policy LQ12 could only be read alongside the accompanying 2001-2016 Proposals Map. That remained the case until such time as the Council adopted a replacement Development Management Policy DPD. Even if the site were located within the town centre, policy LQ12 allowed the installation of security shutters in exceptional circumstances.

7. In my view, Miss Wheeler was right to say that part (B) of policy LQ12 is more apposite to the fitting of shutters to the appeal property. That says: "*Outside of the Town Centre, shutters and grilles will be permitted where the shutter, housing box and guides are integrated sympathetically within the fascia and the shutter is designed to integrate with the existing shop front, and must not obscure architectural features of the building such as stall risers*". However, whilst there is a less stringent restriction on shutters in this part of Blackpool, I consider that the solid appeal roller shutters and their housings produce an unappealing, indeed disheartening look that is also somewhat intimidating. The 8 shutters are not a sight to lift the spirits. They are cold and defensive features that are detrimental to the character and appearance of the immediate area.
8. Miss Wheeler had inherited the dilapidated appeal property. She had been served with a notice under s.215 of the Act, (*Power to require proper maintenance of land*), requiring remedial works to be carried out. At a cost of some £40,000, Miss Wheeler had carried out an extensive schedule of works to put the property into better repair and to protect it while she looked for a beneficial use of the property. Her concerns about possible vandalism and other security matters are understood. But in the form they take, the shutters' unhappy appearance that is made worse by their being solid roller shutters with projecting housing boxes, is not, in my view, acceptable as a permanent feature in the street scene. They do not meet the guidance in Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy - Proposed Submission (June 2014) that they should be well designed and are to enhance the character and appearance of the local area. The galvanised steel roller shutters may be a deterrent to those with malevolent intent. But that is at a cost in this fairly prominent site of a somewhat grim and forbidding appearance. The disagreeable feeling engendered particularly by the Charles Street frontage row of shutters is exacerbated by there being no daytime relief of open shutters while the property is unused.
9. The appeal on ground (a) fails. Planning permission is not granted to retain the appeal roller shutters.

The appeal on ground (f)

10. The appeal on ground (f) says the notice's requirement is too onerous.
11. It was suggested that, rather than requiring the removal of the shutters, the building's fascia could be altered to incorporate the existing shutter housing boxes into the fabric of the building. The galvanised shutters and their housings

boxes could be powder coated to an off-white colour to help visually integrate the shutters with the existing white render and fascia.

12. Whilst the suggested alterations would be of some help, I consider that a better solution would be to replace the solid roller shutters with open mesh shutters, such that the windows might be more visible and that possible use of graffiti spray paints might be reduced. But that would not improve the appearance of the 2 doors or where windows are not shop display windows. On balance, I find that the suggested alterations would make no worthwhile or necessary improvement. The appeal on ground (f) fails.

The appeal on ground (g)

13. I agree that Miss Wheeler be given more time to consider what other security measures might assist. I increase the period for compliance to 9 months for her to find a better long term solution and for her to decide on the future of her property. To that extent, the appeal on ground (g) succeeds.

FORMAL DECISION

14. The enforcement notice is varied by the deletion of the words "One month" in para. 6 on page 1 of the notice and the substitution therefor of the words: "Nine months". Subject to that variation, the enforcement notice is upheld.
15. Planning permission is not granted on the application deemed to have been made to retain the eight external roller shutters, housing boxes and associated guides mounted to the Cookson Street and Charles Street elevations of the property at 7 Cookson Street/7 & 7B Charles Street, Blackpool FY1 3ED.

John Whalley

INSPECTOR

Appeal Decision

Site visit made on 30 January 2017

by Alison Partington BA (Hons) MA MRTPI

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

Decision date: 6th February 2017

Appeal Ref: APP/J2373/W/16/3160954

Mar Ray House, 56 Springfield Road, Blackpool FY1 2BA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Robin Lewis against the decision of Blackpool Borough Council.
 - The application Ref 16/0388, dated 27 June 2016, was refused by notice dated 23 August 2016.
 - The development proposed is described as "to demolish existing left hand front garden wall and install dropped kerb to provide access for owner's vehicle parking on existing tarmac surface".
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are the effect of the proposal on:
 - The character and appearance of the area; and
 - Highway and pedestrian safety.

Reasons

Character and appearance

3. The appeal property is a 3 storey mid terrace guest house. It is located towards the edge of the town centre with the surrounding area comprising a mix of commercial uses, guest houses, and residential uses. The latter two uses generally occupy 3 storey terraced buildings similar to the appeal property. These all have small front gardens surrounded by a low front boundary wall. These are a very distinctive feature, which create a strong sense of unity to the area, as well as enclosure to the buildings.
4. The proposal would result in the loss of the front wall to the left of the central pedestrian access. The removal of part of this distinctive feature would detract from, and would fail to respect, the character and appearance of the area. Moreover, it would result in the front of the host property having an unbalanced appearance, and the more open nature it would create would be out of keeping. As such the property would appear as a discordant feature that would not integrate appropriately with its surroundings.

5. Therefore, I consider the proposal would unacceptably harm the character and appearance of the area. Accordingly it conflicts with Policy CS7 of the *Blackpool Local Plan Part 1: Core Strategy (2012 – 2027) (adopted January 2016)* and Policies LQ1 and LQ14 of the *Blackpool Local Plan 2001 – 2016 (adopted June 2006)* (BLP) which requires that developments should enhance the character and appearance of the local area, and make a positive contribution to the quality of the surrounding environment.

Highway and Pedestrian Safety

6. Springfield Road is a busy vehicular and pedestrian route that serves both the train station and the town centre. The appeal property is located close to the point where the road forks and part of it becomes a one way road towards the train station, whilst the rest continues as a two way road.
7. The Council have indicated that their guidelines are that access points should be single width and perpendicular to the highway, and that sufficient space should be provided to manoeuvre within the site to allow a vehicle to both enter and exit in forward gear.
8. The area in front of the appeal building is of a very limited depth. As such, and contrary to the guidelines, it would not be possible for a car to enter, or park, at 90 degrees to the highway. In addition there would be very little space to comfortably manoeuvre within the site. I note the appellant indicates that the space would be for his own "small" car, and that he considers that, as a result of its limited dimensions, it would be able to enter and exit in forward gear. However, there is no guarantee that this size of car would be the only type ever to use the space, and I consider that a condition to this end would not be reasonable.
9. In any case, no tracking diagrams have been provided in support of the appellant's claim, whereas the Council's tracking diagrams show that to manoeuvre a car into and out of the space would require significant use of the pavement. Consequently, having regard to the configuration of the site, I am not persuaded that sufficient space would be created to ensure that, in practice, the parking space can be used without reversing and manoeuvring over the pavement and onto the highway.
10. Therefore, I consider that the proposal would be detrimental to both pedestrian and highway safety. As such, it would not accord with Policy AS1 of the BLP which seeks to ensure that developments provide safe and appropriate access to the road network.

Other Matters

11. In support of the appeal my attention was drawn to other properties within the vicinity that have dropped kerbs and parking areas where cars have to reverse either in, or out, of the parking space. However, I observed that properties with such parking areas in the locality are very much in the minority. I do not know the circumstances of these cases, or the policies that applied at the time of their consideration, although I note that the Council have indicated that they have no records of any applications for vehicle crossings in the area. In any event, those I saw confirmed that such parking areas are both detrimental to the character and appearance of the area and to highway and pedestrian

safety, and so do not set a precedent that should be followed. Thus they do not justify allowing the appeal scheme.

12. I note the personal circumstances of the appellant, the high demand for on-street parking in the area, and the inability to park on, or outside, the appeal property itself. However, there is no indication that there has been any recent change in the parking situation in the area. I am satisfied that I have been provided with sufficient information to assess the relevance of the matter in this case, and it is clear that the provision of an off road parking space on the site would be beneficial to the appellant.

Conclusion

13. To conclude: the proposal would be detrimental to both the character and appearance of the area and to highway and pedestrian safety. As such it would not accord with the development plan. In its favour, the scheme would provide a convenient off-road parking space for the appellant. However, on balance, I consider that this benefit would not outweigh the harm I have identified would be caused by the proposal.
14. For the reasons set out above, I conclude the appeal should be dismissed.

Alison Partington

INSPECTOR

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Report to:	PLANNING COMMITTEE
Relevant Officer:	Tim Coglan (Service Manager, Public Protection)
Date of Meeting:	22 February 2017

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 January 2017.

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 The relevant Council Priority is 'The Economy: maximising growth and opportunity across Blackpool.'

5.0 Background Information

5.1 Cases

5.1.1 New cases

In total, 89 new cases were registered for investigation, compared to 33 received in January 2016.

5.1.2 Resolved cases

In January 2017, 10 cases were resolved by negotiation without recourse to formal action, compared with 18 in January 2016.

5.1.3 Closed cases

In total, 52 cases were closed during the month (29 in January 2016). 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.

5.1.4 Formal enforcement notices / s215 notices / BCNs

- Two enforcement notices authorised in January 2017 (one in January 2016);
- No s215 notices authorised in January 2017 (none in January 2016);
- No Breach of Condition notices authorised in January 2017 (none in January 2016).

- No enforcement notices served in January 2017 (one in January 2016);
- No s215 notices served in January 2017 (eight in January 2016);
- No Breach of Condition notices served in January 2017 (none in January 2016);

relating to those cases set out in the table below.

Enforcement notices / S215 notices authorised in January 2017

Reference	Address	Case	Dates
16/8426	565-567 NEW SOUTH PROMENADE	Unauthorised rendering over original brown brickwork of the splay, western and southern elevations	Enforcement Notice authorised 18/01/2017
16/8507	563 NEW SOUTH PROMENADE	Unauthorised rendering over of original brown brickwork at first and second floors of the front elevation	Enforcement Notice authorised 18/01/2017

5.1.5 Does the information submitted include any exempt information? No

5.2 List of Appendices:

5.2.1 None

6.0 Legal considerations:

6.1 None

7.0 Human Resources considerations:

7.1 None

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 None

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 None

13.0 Background papers:

13.1 None

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COMMITTEE DATE: 22/02/2017

Application Reference: 16/0643

WARD: Clifton
DATE REGISTERED: 19/10/16
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Outline Planning Permission
APPLICANT: Mr Kay

PROPOSAL: Erection of six dwellinghouses and two bungalows with associated access (following demolition of 15 and 17 Carson Road) within the rear garden of 170 Preston New Road.

LOCATION: 170 PRESTON NEW ROAD, BLACKPOOL, FY4 4HX

Summary of Recommendation: Grant Permission

CASE OFFICER

Ms P Greenway

BLACKPOOL COUNCIL PLAN 2015-2020

This application accords with Priority one of the Plan - The economy: Maximising growth and opportunity across Blackpool and Priority two of the Plan - Resilient Communities.

SUMMARY OF RECOMMENDATION

The principle of developing the site for residential purposes has been established in the past (in 2000, 2003 and again in 2015) and the site is within the main urban area and in a sustainable location. Any adverse impacts arising from the development i.e. on the amenities of the local residents, other than in terms of site layout and access, could be designed out at Reserved Matters stage.

SITE DESCRIPTION

This 0.3 hectare site is currently the rear garden to a bungalow at 170 Preston New Road, a locally listed building. The site is bounded to the north by the bungalow on Preston New Road, to the west by semi-detached houses on Carson Road, to the south by terraced houses on Newhouse Road and to the east by the KFC / Pizza Hut on Cornelian Way. The area is one of fairly dense, residential development. There is a Tree Preservation Order (TPO) on eight trees within the application site, although permission was given last year for the removal of

six of these as they were diseased, subject to them being replaced (TPO permission 15/0192 refers).

DETAILS OF PROPOSAL

This application is an outline proposal for a residential development in the rear garden of 170 Preston New Road. Access and layout are currently being applied for. The vehicular / pedestrian access is proposed from Carson Road (following demolition of 15 and 17 Carson Road). As originally submitted, the layout was in the form of five pairs of semi-detached houses, but due to concerns raised regarding both the access and the layout, during the course of the application (resulting in it being deferred from a previous Planning Committee meeting) the scheme has been revised to three pairs of semi-detached houses and two detached bungalows. The two bungalows would be to the north of the access road, backing onto the garden of 170 Preston New Road.

The application is accompanied by a bat survey.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- The principle of backland development
- Impact on biodiversity / TPO trees
- Impact on the Locally Listed Building
- The impact on the amenity of surrounding residents and future occupiers
- Highway Safety, Parking and Accessibility

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

CONSULTATIONS

Built Heritage Manager: I have no objection to the proposal.

Blackpool Civic Trust: We note that there is a report from the sustainability officer regarding the possible presence of bats. We feel we cannot comment while the potential problem of bats being present remains. We think this problem needs addressing. In addition, United Utilities have concerns regarding positioning of public sewers which also needs to be investigated.

Head of Highways and Traffic Management: On the original submission for 10 houses, due to the poor layout and concerns with highway safety, he objected to the proposal and suggested that a less intense scheme may be considered acceptable and could gain support. The scheme has been reduced in intensity, the access road remodelled and the highway issues addressed. The scheme has now the support of the Head of Highways and Traffic Management.

Service Manager Public Protection: 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.

Waste Services 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.

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

- Foul and surface water shall be drained on separate systems.
Reason: To secure proper drainage and to manage the risk of flooding and pollution.
- Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards 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. The development shall be completed in accordance with the approved details.
Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the National Planning Policy Framework and National Planning Practice Guidance.

A public sewer crosses this site and we will not grant permission to build over or within three metres of the centre line of it. The requirement for our permission is detailed within the guidance that supports Part H4 of the Building Regulations. If the proposals do not meet these specifications a modification of the site layout or a diversion of the public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with our Developer Engineer at wastewaterdeveloperservices@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable. Deep rooted shrubs and trees shall not be planted within the canopy width (at mature height) of the public sewer and overflow systems. Trees should not be planted directly over sewers or where excavation onto the sewer would require removal of the tree.

Head of Parks and Green Environmental Services: Most of the trees identified on site have low amenity value, and the proposed erection of dwellings gives concerns for remaining trees to have adequate ground conditions for healthy tree growth.

Recommendations:

TPO T1 – Turkey Oak – tree has already had large amount of pruning works undertaken (not under our supervision), several pegs left and large pruning cuts, however the tree is in fair condition. The view of the tree is restricted only to houses in immediate area. If building work is carried out in immediate vicinity of tree concerns are expressed for potential root damage – recommend site inspection with construction agent prior to works commencing.

TPO T2 – Sorbus Aria – information notes that tree blown down in November 2005 and therefore it needs removing from TPO register.

TPO T3 – Horse Chestnut – tree is weighted to one side due to being crowded out by other trees in the vicinity (which have now been removed by persons unknown). Large amount of debris piled around the base of the tree, which has caused main trunk to lean. Tree showing signs of Canker as well as die back at the top. Public visibility limited only to properties on Carson Road.

TPO T4 – Sycamore – tree been felled by persons unknown, needs removing from TPO register.

TPO T5 – Poplar – tree been felled by persons unknown, needs removing from TPO register.

TPO T6 – Sycamore – tree is in border-line fair condition, it is mainly one-sided due to being crowded out by other trees. Cavity in main trunk evident. Limited public visibility, only surrounding properties.

TPO T7 – Mature Poplar – tree is very large and over mature for current location, signs of stress and cracks in main trunk, but would need to be climbed to find out the full extent of this. Bark on several unions. Paving flags laid to base of tree, therefore unable to inspect root plate. Evidence of other species of tree growth from base of tree. Evidence of faulted limbs and main trunk has lean towards nearby properties. Main visibility of tree to KFC customers, Cherry Tree Road North.

TPO T8 – Mature Ash – tree is very large and being crowded out by large over mature poplar next to it, which has caused tree to grow up from the ground with the last 12ft at the top to a 30 degree angle towards the KFC building – resulting in all the weight being to one side. Large amounts of building materials around the base, therefore unable to check root plate. Unions showing in bark and on big limb, showing signs of stress cracks. Previous removals of overhanging limbs from near KFC. . Main visibility of tree to KFC customers, Cherry Tree Road North. Recommend inspection of tree as building work progresses to determine what impact this will have on tree growth.

TPO G1 - Hawthorn Group – one Hawthorn has been reduced to 1m stump by persons unknown. Trees are very poor in shape and form and have various cavity wounds. This group of trees are much smaller than others and have very limited public view.

Sustainability Manager: Notes on Bat Survey by Simply Ecology Ltd October 2016 Paragraph 3.3e.

3.3.1 - States that the surrounding landscape has no connectivity or suitable foraging habitat so only a single activity survey would be sufficient. This is not quite accurate as there is a large area of suitable bat foraging habitat with reasonably good connectivity close by; namely the small tree lined green along Sunningdale Avenue, mature gardens between Sunningdale Avenue and Preston New Road, mature gardens at the rear of the eastern end of Newhouse Road and Cherry Tree Road and the gardens between Levine and Winton Avenue. There are recent (summer 2016) records of Pipistrelle bats from Winton Avenue. Large trees in the existing garden are also to be retained and could continue to offer feeding or commuting opportunities. The housing stock in the area is generally old and there will be many opportunities for bats to roost. However as the survey discovered, openings in the single storey workshop building there is a small possibility bats may roost or hibernate there despite no visual signs being found nor any bats seen to leave the building. Demolition can proceed with care.

Although no bats were seen using the building there is however some small likelihood of bats being present and so the following precautions should be taken during any works.

- If the roof space is separated from the workshop below by a ceiling (not indicated in the survey) the removal of roofing materials should be undertaken by hand with the features being lifted rather than dragged to ensure no hidden bats are killed or injured.
- Workers are to be made aware of the potential for the presence of bats and/or any accumulations of droppings beneath the features they are stripping. Bat droppings are typically dry and crumble to a fine dust when crushed, small shiny fragments of insect wings etc. can be seen.
- If a bat or accumulation of droppings is discovered at any time during demolition all work is to temporarily cease in that area until an experienced, qualified bat ecologist can be consulted. This can be the consultant who undertook the original survey, any other licensed bat worker, or the Bat Conservation Trust (BCT) helpline: 0345 1300 228 or email enquiries@bats.org.uk.
- If it is necessary to capture a bat to remove it to safety, this should be undertaken with gloves or a light cloth, gently capturing the bat and containing it whilst the advice of the bat worker is sought. Thereafter, following on-site advice of the bat worker will ensure there is no breach of the legislative protection afforded to roosting bats.

Whilst there is no requirement to provide any replacement or additional bat roosting habitat within the new homes, it may be desirable to do so in suitable locations away from the light pollution from the east. As well as with the recognised market leader there is a range of suitable products that are manufactured locally, see <http://greenwoodsecohabitats.co.uk/ecostyrocrete-products/>

PUBLICITY AND REPRESENTATIONS

Press Notice: 03 November 2016

Site notice displayed: 19 October 2016

Neighbours notified: 19 October 2016

Objections from 256 Preston New Road, 175 Newhouse Road and 19 Carson Road. Issues raised are:

1. Noise - construction of and habitation of the houses will lead to additional excessive and prolonged noise.
2. Traffic - Carson Road/Newhouse Road between Preston New Road and Cherry Tree Road North is already a busy "rat run". This blind access point almost directly opposite Sunningdale Avenue will be an additional hazard for traffic both onto and leaving the site and the regular traffic as outlined above.
3. Privacy - construction of 10 new houses overlooking gardens including my garden will impose on my Human Right to Privacy.
4. Natural Environment - there are several substantial trees in that location that will inevitably be damaged by construction, particularly the roots.
5. Bats - despite the submitted report, there are regular sightings of bats in that area throughout the summer months.
6. Lighting - additional street and house lighting will cause further disruption to privacy and security.
7. Drainage - Carson Road is already prone to flooding, this will be made worse by this development. Also in recent years flooding has increased on Carson Road due to heavier rain storms and the drain gullies not being cleared often enough.

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute towards sustainable development. There are three strands to sustainable development namely economic, social and environmental, which are mutually dependent. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

Paragraph 6 of the National Planning Policy Framework confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment. Amongst other things, this includes replacing poor design with better design, and widening the choice of high quality homes.

Paragraph 14 makes clear that at the heart of the National Planning Policy Framework there is a presumption in favour of sustainable development, which is the 'golden thread' running through both plan-making and decision-taking and paragraph 17 of the National Planning Policy Framework sets out 12 core planning principles.

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

1. Proactively drive and support economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the Country needs;
2. Always seek to secure high quality and a good standard of amenity for all existing and future occupants of land and building.
3. Contribute to conserving and enhancing the natural environment and reducing pollution.
4. Encourage the effective use of land by reusing land that has previously been developed (brownfield land).

Other relevant paragraphs are:

Part 6 - Delivering a wide choice of high quality homes

Paragraph 49 - Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 50 - To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.

Part 7 - Requiring good design

Paragraph 56 - The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

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

Part 11 - Conserving and enhancing the natural environment

Planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

Part 12 - Conserving and enhancing the historic environment

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

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

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

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

The Blackpool Local Plan: Part 1 - Core Strategy was adopted by the Council in January 2016. The policies in the Core Strategy that are most relevant to this application are -

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

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

CS6: Green Infrastructure - protect and enhance the quality, accessibility and functionality of green infrastructure.

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

CS8: Heritage - seeks to safeguard listed buildings, conservation areas and locally listed buildings.

CS9: Water Management - all new developments should ensure buildings are located away from areas of flood risk, incorporate mitigation measures and SUDS where possible, ensure there is no increase in the rate of run-off and reduce the volume of surface water run-off where possible.

CS10: Sustainable Design and Renewable and Low Carbon Energy - mitigate the impacts of climate change where possible.

CS11: Planning Obligations - development will only be permitted where existing infrastructure, services and amenities are already sufficient or where the developer enters into a legal agreement.

CS12: Sustainable Neighbourhoods - seeks to provide a better quality of life for residents, with high quality housing and enhancing the appearance of important existing buildings and their settings.

CS13: Housing Mix, Density and Standards - a mix of dwelling sizes is required within the site, or the proposal should contribute towards a balanced mix of provision in the surrounding area.

CS14: Affordable Housing - where developments comprise 3-14 dwellings then a financial contribution towards off-site affordable housing is required. The contribution will be set out in a Supplementary Planning Document.

CS15: Health and Education - contributions will be sought towards provision of school places and healthcare facilities where the development would impact on existing provision.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006. A number of policies in the Blackpool Local Plan (2006) have now been superseded by policies in the Core Strategy (these are listed in Appendix B of the Core Strategy). Other policies in the Blackpool Local Plan are saved until the Local Part 2: Site Allocations and Development Management Policies is produced.

The following policies are most relevant to this application:

- LQ1 Lifting the quality of design
- LQ2 Site context
- LQ3 Layout of streets and spaces
- LQ6 Landscape Design and Biodiversity
- HN4 Windfall sites
- BH3 Residential and Visitor Amenity
- BH4 Public Health and Safety
- BH10 Open space in new housing developments
- NE6 Protected Species
- NE7 Sites and Features of Landscape, Nature Conservation and Environmental Value
- AS1 General Development Requirements

SPG11 Open Space: New Residential Development and the Funding System

ASSESSMENT

Principle of backland development

Regarding the principle of residential development in this location, outline planning permission was granted in 2000 (00/0744 refers) for a residential development comprising six, two-bedroomed flats in one two-storey block across the middle of the site. This was renewed in 2003 (reference 03/1038), however the permission lapsed in 2008. A further outline permission (with all matters reserved) was granted in 2015 (15/0747 refers). The principle of residential development on this garden site has therefore been established.

In order to be more in keeping with the character of the area, it is considered that the proposed family houses and bungalows are preferable to flats. As the site is over 0.2 hectares in area, Policy CS13 requires a mix of house of house types and sizes in order to ensure that a wide variety of housing needs would be accommodated as part of the development. The application proposes three bedroomed houses and bungalows, which is considered appropriate in this location and is in keeping with the character of the area.

Biodiversity / Tree Preservation Order (TPO) trees

The Council's Sustainability Manager has commented on the submitted bat survey (above) and considers it inaccurate as there is a large area of suitable bat foraging habitat with reasonably good connectivity close by. As there is a small possibility bats may roost or hibernate in the workshop, he recommends that precautions be taken during demolition work. He also suggests that bat boxes can be incorporated into the design of the proposed houses, away from the east of the site where there is light pollution. These matters can be the subject of conditions; subject to which, it is not considered that there would be any adverse impact on the local bat population.

The Head of Parks and Green Environmental Services has commented that most of the trees identified on site have low amenity value, and the proposed dwellings give concerns for the remaining trees to have adequate ground conditions for healthy tree growth. He recommends a site inspection with the construction agent prior to works commencing in order to provide protection measures for the trees TPO1 and TPO8. Six trees are shown for retention on the layout. The remainder of the trees are considered poor. The TPO originally applied to eight individual trees and one group of trees. Of those eight trees, permission was granted last year for six to be removed as they were hazardous and a condition was imposed requiring their replacement in accordance with a scheme to be agreed. The scheme could be designed to take account of any new building proposed, should planning permission be forthcoming on this application.

Locally listed building

In terms of the impact of on 170 Preston New Road, the proposed scheme would not be particularly visible from Preston New Road and there would still be a sizeable garden attached to the bungalow. The proposed layout would not have any significant impact on the setting of the locally listed property, particularly since the two properties proposed closest to the locally listed bungalow would also be bungalows (they were originally submitted as houses).

Amenity

With regard to the impact on the amenities of neighbours, the layout is for consideration at the present time. There was an issue with loss of privacy for the most northerly four properties as they would be only 6m - 8m distant from the shared boundary with the bungalow at 170 Preston New Road. The developer has addressed this by substituting two bungalows here instead, which is considered a satisfactory solution to any amenity issues. There would be minimal impact with the southerly six properties as their rear gardens would be in the order of 21 metres long, due to the need to retain TPO'd trees.

I do not consider that the noise and disturbance generated by the proposed residents would have a significant impact on the quality of life in the existing private rear gardens around the site. The most affected properties would be 13 and 19 Carson Road between which would be the new vehicular access. The access is sufficiently wide to accommodate the carriageway, two footways and a planted border. The provision of suitable boundary screening would overcome any overlooking issues and help to block out any noise.

Highway Safety, Parking and Accessibility

Two parking spaces per property would be contained within each curtilage, together with three additional visitor spaces in a layby on the access road. The Head of Highways and Traffic Management objected to the original submission for ten dwellings here, but considered that access for a lesser number of properties would be acceptable. Following a meeting with officers, the developer has addressed this by improving the access and parking arrangements and reducing the number of units to eight and his comments on the revised proposal are awaited. All the car parking requirements generated by the scheme could be contained within the site and would have no impact in terms of congestion or on-street parking in the residential streets in the vicinity. The Head of Highways and Traffic Management has informally suggested that off-site highway works would be required within Carson Road (namely a raised table at the access and a Traffic Regulation Order restricting parking in the immediate vicinity) and these matters can be covered by condition. The Head of Waste (residential) has yet to comment on the suitability of the site for refuse wagon access.

Other Issues

With regards to surface water drainage and flooding, the Ordnance Survey map shows a land drain running east-west across the bottom (south) of the site; however the Environment Agency flood maps do not indicate that the site is at potential risk of flooding from rain or tidal sources. United Utilities has suggested a number of conditions regarding foul and surface water discharge from the site. Any new hard surfaces could be the subject of a condition requiring them to be permeable. With regard to noise and cooking smells from the fast-food outlets, if these became a nuisance, they could be controlled through the use of Statutory Nuisance powers by Environmental Protection colleagues.

CONCLUSION

The National Planning Policy Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development, which 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, planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Relevant policies for the supply of housing should not be considered up-to-date where the Council is unable to demonstrate a five-year supply of deliverable housing sites. However, this is not applicable as the 2013 Strategic Housing Land Availability Assessment (SHLAA) Update demonstrates that Blackpool has a five-year supply against the proposed housing requirement. Therefore, the Core Strategy policies are a material consideration along with relevant saved policies in the current Blackpool Local Plan.

The proposal is in outline only with all matters except layout and access reserved for future consideration. The site is in a sustainable location and any adverse impacts arising from the development i.e. on the amenities of the local residents in terms of appearance, scale and landscaping, could be designed out at Reserved Matters stage.

The recommendation is subject to no significant highway issues being raised by the Head of Highways and Traffic Management.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

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

Since no open space capable of being utilised as play area has been shown, there would be a requirement for a commuted sum (in lieu of open space provision) at the full amount. This could be secured by means of an appropriately worded condition, if permission was forthcoming. Although the number of bedrooms may be subject to change, the scheme is currently for 8 x 3 bedroom dwellings: £1032 x 8 = £8,256 total requirement.

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.

BACKGROUND PAPERS

Planning Application File 16/0643 which can be accessed via the link below:

<http://idoxpa.blackpool.gov.uk/online-applications/search.do?action=simple>

Recommended Decision: Grant Permission

Conditions and Reasons

1. i. Approval of the following details (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority:
 - Scale
 - Appearance
 - Landscaping
- ii. Applications for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason i and ii: This is an outline planning permission and these conditions are required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended).

2. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority on including the following plans:

Location Plan stamped as received by the Council on 19/09/2016; dwg no JBA231-PL-003 Rev A (Proposed Site Plan); dwg no JBA231-PL-0004 (Proposed Indicative House Plans and Carson Road elevations); dwg no JBA231-PL-006 (Proposed Site Plan with Refuse Vehicle Tracking).

Reason: For the avoidance of doubt and so the Local Planning Authority can be satisfied as to the details of the permission.

3. No works shall take place until a Construction Management and Site Waste Management Plan (including recycling) have been submitted to and approved in writing by the Local Planning Authority. The Plans shall include and specify the provision to be made for the following;
- a joint dilapidation survey in relation to the adjoining highway
 - vehicle access to and from the site
 - prevention of disturbance to bats
 - measures to protect the TPO'd trees from damage
 - dust mitigation measures as a result of the works
 - control of noise emanating from the sites as a result of the works
 - hours of construction work for the works
 - the locations of contractors' compounds, site buildings and other storage arrangements
 - provision for all site operatives, visitors and waste loading, off loading, transfer, 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, including a hard standing area of 15 m for wheel washing facilities, and
 - the routeing agreement of works traffic

The works shall then proceed in accordance with the approved plans unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenities of surrounding residents, to ensure there is no unacceptable risk of pollution to water resources or to human health, to safeguard the character and appearance of the area, to assist in securing safe waste minimisation, recycling and energy conservation and in the interests of highway safety in accordance with Policies CS7 and CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, AS1, BH3 and BH4 of the saved Blackpool Local Plan 2001-2016.

4. Provision shall be made for bat roosting opportunities in the dwellings hereby approved and submitted with the Appearance Reserved Matter for approval by the Local Planning Authority. The approved works shall be implemented in full before the development is first brought into use, unless otherwise agreed in writing by the Local Planning Authority and maintained thereafter.

Reason: To ensure that bat species are protected and their habitat enhanced in, accordance with the Wildlife & Countryside Act 1981, as amended, the Conservation [Natural Habitats &c] Regulations 1994, Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ6 of the Blackpool Local Plan 2001 - 2016.

5. Prior to commencement of any demolition of the existing workshop on the site, any features which are suitable for roosting bats (e.g. the roof tiles and eaves) must be removed under the supervision of a licensed bat ecologist. If the presence of roosting bats is detected or suspected at any stage before or during the proposed development, then works shall not proceed until it has been established whether or not a Natural England licence is required and a scheme for the relocation of the bats and the method of felling/demolition has been submitted to and approved in writing by the Local Planning Authority. The relocation of the bats and the felling/demolition shall only take place in accordance with the approved scheme.

Reason: To ensure that there are no adverse effects on the favourable conservation status of bats, in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, Policy LQ6 of the Blackpool Local Plan 2001 - 2016 and The Wildlife & Countryside Act 1981 (as amended).

6. Foul and surface water shall be drained on separate systems.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016 and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

7. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards 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. The development shall be completed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016 and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

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

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

NOTE – The development is of a scale to warrant a contribution of £8,256 towards the provision of, or improvement to, off-site open space and management of the open space provision, in accordance with Policy BH10 of the Blackpool Local Plan 2001-2016 and SPG 11. The Applicant(s) should contact the Council to arrange payment of the contribution.

9. The first dwelling shall not be occupied until road works and traffic management measures have been provided within the public highway in the vicinity of the development (advice note 3 specifies the type of works to be provided).

Reason: To ensure the provision of safe access into the site, in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no change of use from Use Class C3 (the subject of this permission) to Use Class C4 shall take place without the written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and to prevent the further establishment of Houses in Multiple Occupation which would further increase the stock of poor quality accommodation in the town and further undermine the aim of creating balanced and healthy communities, in accordance with Policies BH3 and HN5 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) the driveways shown on the approved plan shall not be used for any purpose which would preclude the parking of motor cars.

Reason: In the opinion of the Local Planning Authority the retention of parking space within the site is of importance in safeguarding the appearance of the locality and highway safety, in accordance with Policies AS1 and LQ1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no enlargement of the rear roofs of the two bungalows the subject of this permission shall be carried out without the written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises, in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Advice Notes to Developer

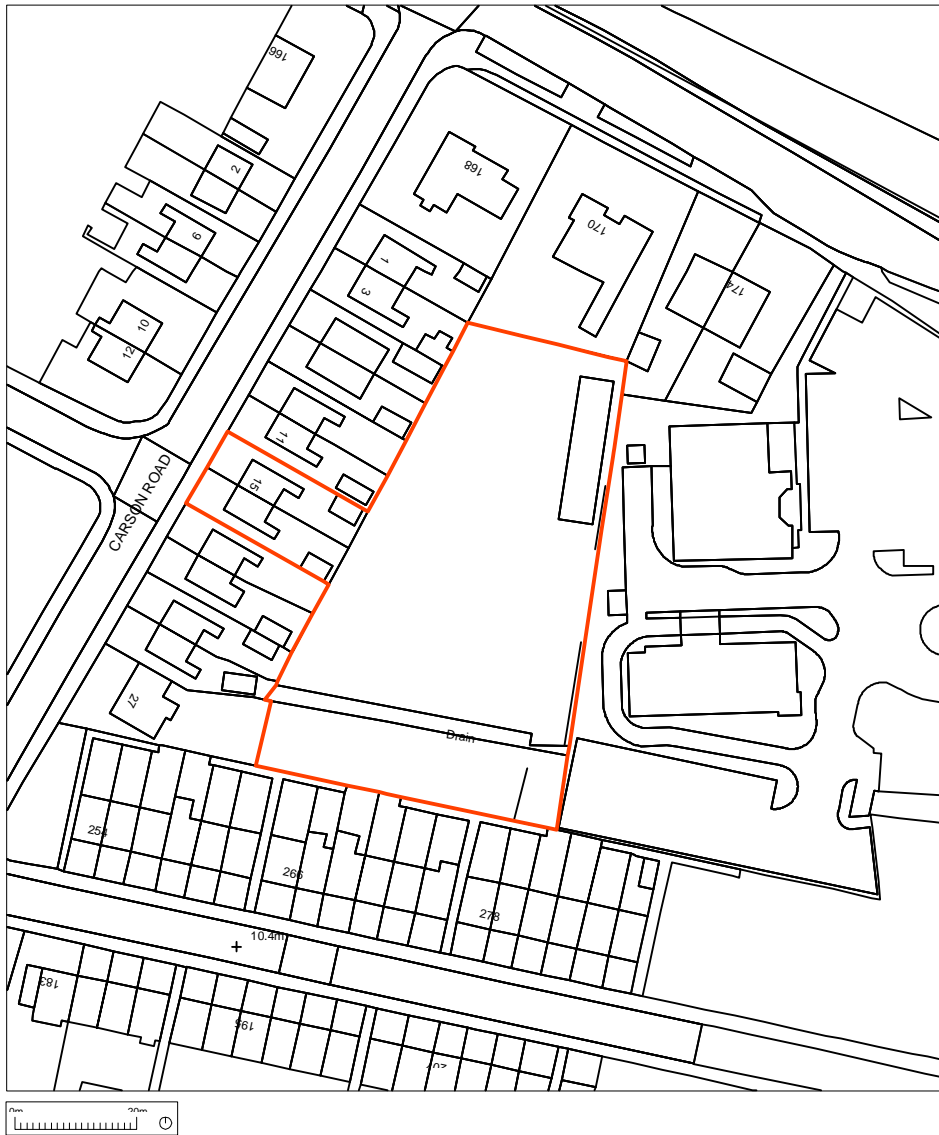
1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.
2. Policy BH10 of the Blackpool Local Plan states that new residential developments will need to provide sufficient open space to meet the needs of its residents in accordance with the Council's approved standards. The policy goes on to say that where it is not possible to provide the full requirement of public open space on site, developers may pay a commuted sum to cover the provision or improvement of public open space off site. Details of the Council's standards and calculated commuted sum rates are set out in Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development". In accordance with this document, and given that no public open space can be provided on site, the commuted sum required in respect of this development would be £8,256.

3. The grant of planning permission will require the developer to enter into an appropriate Legal Agreement with Blackpool Council acting as Highway Authority. The Highway Authority may also wish to implement their right to design all works within the highway relating to this proposal.

The scope of works to be covered by the agreement may include:

- improved street lighting at the site access
- a Traffic Regulation Order to restrict parking on Carson Road in order to improve visibility
- a speed table at the site access including additional traffic calming features along Carson Road
- making up of redundant access points

The applicant is advised to contact the Council's Highways and Traffic Division, Blackpool Council, P.O. Box 4, Blackpool, FY1 1NA (Tel 01253 477477) for further information.



	- Initial issue.	24/05/16	JPB
Rev.	Amendment	Date	By

Joseph Boniface Architects Ltd
 RIBA Chartered Practice

01253 280 485
 bonifacearchitects.co.uk
 office@bonifacearchitects.co.uk
 62 Counce Street, Blackpool, FY1 3LA.

Page 55

Project
**New Residential Development,
 Land to rear of 170 Preston New
 Road,
 Blackpool,
 FY4 4HE.**

Client
Peake Property Services

Drawing Title
Site Location Plan

Status
PLANNING

Scale
1:1250 @ A4

Drawn By JPB	Date 23/05/2016
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Drawing Number JBA231-PL-001	Revision \
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Agenda Item 6

COMMITTEE DATE: 22/02/2017

Application Reference: 16/0812

WARD: Claremont
DATE REGISTERED: 02/12/16
LOCAL PLAN ALLOCATION: Resort Core
Town Centre Boundary
Leisure Zone / Resort Core
Defined Inner Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: Scarborough Group

PROPOSAL: Use of upper floors as short stay holiday accommodation (Use Class C1) with associated reception and bar at ground floor

LOCATION: 8-20 QUEEN STREET, BLACKPOOL, FY1 1PD

Summary of Recommendation: Refuse

CASE OFFICER

Mr G Johnston

BLACKPOOL COUNCIL PLAN 2015 -2020

This application has been considered in relation to Priority One and Priority Two of the plan but as a result of the proposed location of the development and the nature of the proposal it is not considered to be in accordance with either Priority One or Priority Two.

SUMMARY OF RECOMMENDATION

This application would not represent the qualitative holiday accommodation sought by Policies CS21 and CS23 of the Blackpool Local Plan Part 1: Core Strategy. In addition it would represent the loss of office space in the Town Centre which has only recently been vacated and hence the proposal would be contrary to paragraph 22 of the National Planning Policy Framework and Policy CS3 of the Blackpool Local Plan Part 1: Core Strategy. It would not be consistent with Policy SR9 of the Blackpool Local Plan in that it would not introduce an appropriate holiday accommodation in the Leisure Zone and there would be amenity issues for the occupants of the accommodation which would make it contrary to paragraph 17 of the National Planning Policy Framework, Policy CS7 of Blackpool Local Plan Part 1: Core Strategy and Policy BH3 of the Blackpool Local Plan. Whilst it is acknowledged that there would be some employment benefits with the scheme and it is recognised that the premises

is in a sustainable location, it is felt that in terms of paragraph 14 of the National Planning Policy Framework the disbenefits associated with the proposal would outweigh the benefits.

INTRODUCTION

This application was the subject of pre-application discussion and issues were raised regarding the location of the proposal and the nature of the proposal. The written advice given was that any application for this type of holiday accommodation would not be supported.

SITE DESCRIPTION

This application relates to a modern looking building with extensive areas of glazing to front elevation on the northern side of Queen Street. There is a canopy at ground floor level which extends across frontage of the Litten Tree Public House to the west. The more traditional former Continental Hotel is to the east. The premises is within the Leisure Zone as identified on the Proposals Map to the Local Plan, within the Town Centre, at the northern end of the Resort Core and within the Town Centre Conservation Area. In the past the premises has been used as offices - some B1, A2 and D1 class uses.

DETAILS OF PROPOSAL

The application is to use the upper floors as holiday accommodation - described as an hotel but the layout plans clearly show accommodation that is more akin to a 'youth hostel' with primarily dormitory accommodation comprising bunk beds. There would be six double rooms with en-suite facilities, three twin rooms and the remainder of the rooms would be dormitory accommodation. There would be two sets of male and female showers/wcs on the first and second floors. The third floor would be all dormitory accommodation. A total of 110 guests could be accommodated. The ground floor would comprise a reception area with bar/dining area with ancillary staff accommodation. It is suggested that the proposal would create five full time and 10 part time jobs. There is a management plan accompanying the application and this indicates the following measures to control occupancy of the accommodation:

- all bookings will require the use of a credit/debit card registered to a valid UK address;
- customers must provide valid photo ID to confirm their address;
- all bookings must be made online and 48 hours prior to arrival and;
- confirmation of booking will be sent via an email address.

It is suggested that the majority of bookings would be made by groups or families and that the applicant has extensive experience in providing high quality hotel developments. In addition, it is suggested the applicant would seek accreditation for the accommodation.

In addition to the Management Plan the application is accompanied by a Planning Statement which seeks to justify the proposal. It is also suggested that the property is now completely vacant (having been partially vacant since June 2013) and that it has been marketed for the past three years without anyone interested in taking the whole of the premises.

The application is for change of use only but the Planning Statement includes some indicative elevations of how the property could be externally enhanced if permission is granted.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- the principle of the development
- amenity considerations associated with the application
- parking and highways considerations associated with the application

CONSULTATIONS

Built Heritage Manager: The change of use would have no impact on the character of the conservation area. That said, this is clearly the first phase of a process, and any external alterations and signage would have to make a substantial contribution to the enhancement of the appearance of the conservation area.

Blackpool Civic Trust: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the Update Note.

Head of Highways and Traffic Management: 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.

Service Manager Public Protection: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the Update Note.

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 14 December 2016

Neighbours notified: 12 December 2016

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

NATIONAL PLANNING POLICY FRAMEWORK

Paragraph 7 - three dimensions to sustainable development - economic/social/environmental

Paragraph 14 - presumption in favour of sustainable development

Paragraph 17 - 12 core principles - including good standard of design and amenity

Paragraph 22 - avoid long term protection of employment sites where there is no realistic prospect of them being brought back into use

Paragraph 23 - promote management and growth of town centres

Paragraph 34 - locate developments where the use of sustainable modes of travel can be used

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

The Blackpool Local Plan Part 1: Core Strategy 2012-2027 was adopted by the Council in January 2016.

The policies in the Core Strategy that are most relevant to this application are -

Policy CS1: Strategic Location of Development
Policy CS3 Economic Development and Employment
Policy CS4 Retail and other Town Centre Uses
Policy CS5 Connectivity
Policy CS7 Design and Amenity
Policy CS8 Heritage
Policy CS17 Blackpool Town Centre
Policy CS21 Leisure and Business Tourism
Policy CS23 Managing Holiday Bedspaces

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006. A number of policies in the Blackpool Local Plan (2006) have now been superseded by policies in the Core Strategy (these are listed in Appendix B of the Core Strategy). Other policies in the Blackpool Local Plan are saved until the Local Part 2: Site Allocations and Development Management Policies is produced.

The following policies are most relevant to this application:

Policy AS1 General Development Requirements
Policy BH3 Residential and Visitor Amenity
Policy SR8 Leisure Zone
Policy SR9 Use of Upper Floors
Policy LQ10 Conservation Areas

ASSESSMENT

The principle of the development

Policy CS1 of the Core Strategy seeks to promote the regeneration of the inner area of the town and the Town Centre is one of the three key areas. This site is within the Town Centre but is specifically identified as being within the Leisure Zone on the Proposals Map to the 2006 Local Plan, where prior to and since 2006 this zone has been promoted as the main location for bars, public houses and nightclubs. The Resort Core is also an area where inner area regeneration is to be focused. The application premises are at the northern end of the Resort Core but as mentioned above is specifically identified as being within the Leisure Zone on the

Proposals Map. There is a recognition that there are still too many bed spaces in the Resort Core than are needed to sustain the number of visitors to the town. Quantatively this proposal would add to those bedspaces and whilst it would be modernised accommodation (converted from the existing offices) it would not add qualitatively to the existing stock of accommodation given the nature of the proposed offer. The three key sites in the Town Centre - Central Business District, Winter Gardens and Leisure Quarter are seen as the focus for new hotel development over the plan period (Policies CS18, 19 and 20) and permissions have in the past been granted for the Yates site, Clifton Road-Talbot Road/ Sorting office, Abingdon Street-Edward Street, Leopold Grove and the Sands Venue. These proposals would add quantatively to the stock of bedspaces but more importantly would add qualitatively to that stock in a way that the application proposal would not.

Policy CS3 of the Core Strategy seeks to promote office development, enterprise and business start-ups in the Town Centre. This proposal would create five full time jobs and 10 part time jobs but would involve the loss of some 1310 sq metres of office floorspace although the applicant's agent is suggesting that this premises has been marketed for some three years without success and hence is relying on paragraph 22 of the National Planning Policy Framework relating to the long term protection of employment sites. It is clear that some of the premises was vacated in 2013 but the remainder has only recently been vacated (December 2016). In this context the premises cannot be considered to be long term vacant premises

Policy CS21 of the Core Strategy seeks to support new visitor accommodation focused on the Town Centre, Resort Core and the defined holiday accommodation areas in the Holiday Accommodation Supplementary Planning Document. The policy recognises the need to reduce the amount of lower quality accommodation whilst supporting the provision of new high quality accommodation. Whilst this would be modern converted accommodation, the format of the accommodation would not be dissimilar to what exists in some areas of the town in terms of multi occupancy bedrooms. It would not represent the high quality accommodation envisaged by the policy.

Policy CS23 of the Core Strategy is seeking to manage the quantum of holiday bedspaces and promote good quality accommodation. It is contended that this accommodation would not be the qualitative improvement envisaged by the policy.

Policy SR9 of the Local Plan allows for appropriate leisure and hotel uses in all of the Town Centre. The issue here is that the Policy dates from 2006 and predates the Humberts Study which informed the preparation of the Core Strategy and hence pre-dates the Core Strategy policies. For the reasons outlined above the proposal is not considered to represent appropriate holiday accommodation in this location.

The applicant's agent is suggesting the scheme is compliant with the National Planning Policy Framework and policies in the Local Plan and Core Strategy and would have the following benefits –

- Making best use of an underutilised part / vacant mixed use employment site;

- Utilising vacant upper floors for holiday accommodation;
- Contributing towards making Blackpool a tourist destination which is attractive all year round;
- Ensuring that an appropriate level of low budget, high quality accommodation is maintained within the Town Centre;
- Providing a range of local employment opportunities;
- Be appropriately managed in accordance with the Management Plan and booking system;
- Regenerating an area which suffers from a poor quality built environment and anti-social behaviour;
- The opportunity to submit a further planning application for external alterations which will significantly enhance the street scene and Conservation Area.

Whilst it is acknowledged that there would be some benefits with the proposal, it is contended that the disbenefits outweigh these in terms of the location of the premises within the Leisure Zone and the nature of the accommodation being proposed.

Amenity considerations associated with the application

The building is within the Leisure Zone (Policy SR8) in the Town Centre and some of the accommodation is directly above the Litten Tree Public House. Since 2006, this area has been the focus of applications for public houses, bars and nightclubs. The purpose of the policy has been to segregate these uses from other more traditional Town Centre uses and to accommodate the needs of residents and visitors in one defined area of the Town Centre. Queen Street has a number of bars and is the focus for late night activity at the weekends throughout the year. Whilst Policy SR9 is supportive of the use of upper floors for appropriate leisure and hotel uses in all of the Town Centre there is a recognition that there may be amenity issues with office and residential uses in the Leisure Zone. Since 2006, it is contended that those amenity issues could also affect other uses because of the concentration of bar uses in Queen Street and late night activity in Queen Street. It is contended that it is not an ideal family environment and would not represent a good standard of design and amenity as envisaged by paragraph 17 of the National Planning Policy Framework, Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy and Policy BH3 of the Local Plan.

Parking and highways considerations associated with the application

The existing building has no dedicated car parking spaces. The parking standards would suggest one space per bedroom but this is likely to be based on the room accommodating a couple or family. This case is slightly different with six double rooms with en-suite facilities, three twin rooms and the remainder of the rooms being dormitory accommodation. The standards allow for a reduced requirement in town centre locations (up to 35%). Given the proximity to Blackpool North Station and other modes of travel it is not felt that the lack of car parking would be a justifiable reason for refusal.

Other issues

It is acknowledged that the applicant is suggesting that the management plan would preclude the accommodation being used as a 'hostel' but it is not felt that this is a family friendly location and it is more likely to be attractive to stag and hen groups. This is a market the Council is seeking to move away from.

CONCLUSION

Whilst it is recognised that there are some benefits with the proposal it is contended that these are outweighed by the disbenefits and hence the application is recommended for refusal.

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.

BACKGROUND PAPERS

Planning Application File(s) 16/0812 which can be accessed via the link below:

<http://idoxpa.blackpool.gov.uk/online-applications/search.do?action=simple>

Recommended Decision: Refuse

Reasons for Refusal

1. The proposal would be contrary to Policies Policies CS21 and CS23 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 in that it would not provide the quality of holiday accommodation envisaged by the policies and would provide multi-occupancy bedroom accommodation which the Council is seeking to

replace with higher quality en-suite accommodation in the Town Centre, Resort Core and Holiday Accommodation Areas.

2. The proposal would be contrary to paragraph 22 of the National Planning Policy Framework and Policy CS3 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 in that it would represent the loss of office accommodation in the Town Centre and it has not been demonstrated that this is long term vacant space and that there is no realistic prospect of the accommodation being used for office use.
3. The proposal would be contrary Policy SR9 the of Blackpool Local Plan 2001-2016 in that it would not introduce an appropriate holiday accommodation in the Leisure Zone and there would be amenity issues for the occupants of the accommodation as a result of the concentration of bars/clubs in Queen Street and the associated late night activity which would make the proposal contrary to paragraph 17 of the National Planning Policy Framework, Policy CS7 of Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy BH3 of the Blackpool Local Plan 2001-2016.
4. **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 which conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and the Blackpool Local Plan 2001-2016, which justify refusal.

Advice Notes to Developer

Not applicable

Land Registry Official copy of title plan

Title number **LA822269**
Ordnance Survey map reference **SD3036NE**
Scale **1:1250**
Administrative area **Blackpool**



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See supplementary plans no.s 1 to 2.



This official copy issued on 19 October 2015 shows the state of this title plan on 19 October 2015 at 13:57:17. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002).
This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.
This title is dealt with by Land Registry, Durham Office.



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COMMITTEE DATE: 22/02/2017

Application Reference: 16/0809

WARD: Talbot
DATE REGISTERED: 28/11/16
LOCAL PLAN ALLOCATION: Town Centre Boundary
Winter Gardens
Defined Inner Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: Blackpool Council

PROPOSAL: Erection of three storey extension with part basement to existing Winter Gardens complex to form Conference and Exhibition Centre (Class D1) fronting Leopold Grove, erection of link extension to Empress Ballroom with associated demolition works, escape staircase, public realm, landscaping, servicing area/ access arrangements and rooftop plant.

LOCATION: WINTER GARDENS, CHURCH STREET, BLACKPOOL, FY1 1HW

Summary of Recommendation: Grant Permission

CASE OFFICER

Mr M Shaw

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority one of the Plan** - The economy: Maximising growth and opportunity across Blackpool.

SUMMARY OF RECOMMENDATION

This detailed planning application reference: 16/0815 and application for Listed Building Consent reference: 16/0809 has been the subject of pre-application discussions following on from the granting of outline planning permission in December 2016 under reference 16/0363. This outline approval established the principle and the scale of development. Subject to the agreement of detailed matters including facing materials, servicing arrangements, hard and soft landscaping and public realm works, the proposal is considered to be in accordance with relevant local and national planning policy and will deliver significant regeneration, economic, employment, heritage and environmental benefits for the town and significantly contribute towards securing the long term future of the Winter Gardens.

INTRODUCTION

Government funding in the region of £25 million has now been confirmed to deliver this development with preparatory site work due to begin, subject to the planning permission and listed building consent being granted, in the late Spring and with the aim for the facility to be open in 2019. The delivery of this development is an important part of the town's regeneration ambitions and will have significant benefits on a number of fronts from heritage and environmental to employment and economic and will strengthen the town centre and the town as a whole.

SITE DESCRIPTION

The application relates to the Winter Gardens, a Grade II* Listed Building, in a block bounded by Church Street, Leopold Grove, Adelaide Street, Coronation Street, Adelphi Street and Carter Street. The Winter Gardens complex dates back to the 1870s and the site was extended and developed up until 1939. The main areas within the complex are the vestibule, Floral Hall, Ambulatory and Pavilion Theatre, Arena, Opera House, Empress Ballroom, The Olympia and the Spanish Hall suite which comprises the Spanish Hall, Galleon Bar, Renaissance Room and Baronial Hall. This application relates to the recently cleared site on Leopold Grove frontage which is currently used as a surface level car park and fenced off from Leopold Grove. The site drops in level approximately 1.5 metres across the frontage from the Church Street end towards Adelaide Street.

The Winter Gardens complex is within the designated town centre and the Town Centre Conservation Area. Directly across Leopold Grove from the application site is a modern contemporary block of 10 flats at the junction with Church Street. Adjoining this block of flats are four vacant and fire damaged period properties and a surface level car park which has outline planning permission granted on 23 November 2016 for the erection of a five/ six storey 156 bedroom hotel with basement parking reference: 16/0553.

DETAILS OF PROPOSAL

This is an application for planning permission and listed building consent for the erection of a three storey building fronting onto Leopold Grove on the site of a 0.6 hectare surface level car park which will sit alongside and between the Empress Ballroom and the Opera House. Some existing structures, which are of no significant heritage value, including the two storey scale flat roof rear extension to the Empress Ballroom, will be removed as part of the development, which will provide a purpose built conference and exhibition space and a gross internal floorspace of 5,860 sqm. The capacity of the building is stated to be 380 people on the ground floor in the form of flexible exhibition space and for 1200 people on the first floor flexible conference space.

The building has a bold and modern contemporary design with a profiled frontage with a number of flat roof elements comprised of glazing, terracotta cladding, brickwork to match the Ballroom and grey panelling at roof level. The proposal will re-create a street frontage into the Winter Gardens from Leopold Grove and link into the existing entrances into the

Winter Gardens from St John's Square and Coronation Street. It will have a two storey glass link into the Empress Ballroom reflecting the lower scale and sensitivity of the Empress Ballroom building. The proposed building will have a maximum height of 19.5 metres which matches the scale of the brick frontage to the Empress Ballroom.

The application is accompanied by a Design and Access Statement, a Flood Risk Assessment and Drainage Strategy, Transport Assessment and Travel Plan, Heritage Statement, Noise Impact Assessment and Environmental Noise Survey report, Sustainability Statement, Planning Statement, Public Realm Design and Access Statement and a Bat Survey.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle of Development
- Design of the building and its impact on the Winter Gardens and the Town Centre Conservation Area
- Access, Parking and Servicing Arrangements
- Economy/ Employment
- Impact on Residential Amenity
- Other Issues

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

CONSULTATIONS

The Theatres Trust - The Winter Gardens is the largest, earliest and most complete surviving Winter Gardens complex in the United Kingdom. It has been central to tourism, leisure and entertainment for over 130 years helping make the town England's premier seaside resort. Its outstanding architectural and historic significance is reflected in the Grade II* listing. There has been a history of under investment in the building and since the Council took ownership the Trust has been working closely with the Council to secure a viable future.

The Trust therefore supports the construction of a new state of the art conference, exhibition and convention centre on the site which will be connected to the Opera House, Empress Ballroom and Floral Hall. This type of use will support and complement the existing cultural offer attracting additional and a broader range of users to the Winter Gardens helping the complex to become more economically sustainable in the long term. Expanding the range and quality of spaces available for a wide range of events and activities will not only enhance cultural, leisure and educational events but will also undoubtedly increase opportunities for income generation, thereby improving the overall viability and investment in the upkeep of this unique heritage asset.

As noted in comments on the outline application it is essential the design maintains clear and safe access for articulated delivery vehicles to the Opera House loading dock and that acoustic measures are incorporated to ensure that noise generated from shows and events do not

impact concurrent events in either venue. Having seen the details we are pleased these have largely been considered and suitably addressed. We also support the replacement and upgrade of the technical equipment and the heating and cooling system in the Empress Ballroom. We also welcome the removal of the extension at the Leopold Grove end of the Ballroom and restoration of the west elevation.

However, we are concerned about the proposed route for food deliveries which runs behind the Opera House stage wall and then appears to access the goods lifts via the theatre's loading dock corridor. Due to the potential noise impact of moving food trollies during a performance we urge reconsideration of this route or require assurances that full sound proofing will be provided. We also note the new dressing room for the Ballroom shares access with public wc's and is some distance from the stage on the opposite side of the Ballroom. Further consideration should be given to finding space closer to the stage or provide separate access to the dressing rooms.

We are also concerned about long term storage requirements for tables and chairs from the Ballroom. It is important for the long term operation of the Ballroom that a new storage area is determined and safeguarded as part of this proposal. Once the above issues are addressed The Theatres Trust recommend the granting approval for the two applications to help secure a viable future for the Winter Gardens.

Architects/ Winter Gardens response

It is proposed that a new acoustic door be installed to replace the existing stage scenery door which will improve the acoustic separation between the access corridor and the Opera House and we will also upgrade the acoustic performance of the other link doors between the corridor and the auditorium to provide improved sound proofing. The Winter Gardens also propose to put in place a Management regime to ensure that when performances are occurring in the Opera House the movement of food trolleys does not cause disruption. There are other ways that items can be moved and things can be organised to happen in advance of events to ensure no disturbance, it all depends on what is on at what time, and the Winter Gardens is very experienced in managing multiple events within the centre, without causing disruption.

We have discussed this issue with the Winter Gardens and they are happy with the location that has been proposed. They will be able to clarify the details if necessary, but the new dressing rooms replace those that are currently on the first floor balcony. The existing rooms do not have direct access to the stage so this new provision is the same as the current situation. In fact it is better because it is on the stage and dance floor level. There are other dressing rooms that can be used as necessary for direct access.

There are no proposals to remove the building mentioned above as part of this application. The new proposed Conference Centre building provides a great deal of additional accessible flexible storage space that is far greater than any that it displaces. This application forms no part of the proposals for the Museum and concerns about what another application may involve should be addressed to that proposal. However the Winter Gardens understands very

clearly what its requirements are for storage and will not allow anything which would damage its ability to run the centre effectively.

We just need to be clear on the storage point, the storage in the new centre is only intended for that new space and will not replace the existing area in the Adelaide Street storage spaces. This is the area that we store the equipment for the Empress Ballroom and Arena

Up-dated Theatre Trust comments

I'm generally content that those issues have been considered. I am still concerned about the relationship with museum project, which I know is technically unrelated, thus my ongoing concerns that long term, storage facilities for all of the uses in the complex as a whole.

Historic England - Begun in 1878, the Blackpool Winter Gardens are the paramount example of a seaside entertainment venue. It is the earliest, most complete example of its type, as well as being one of the most ambitious. The initial phases saw the construction of skating rinks, as well as a pavilion, with promenading area and seating for 2,500. The success of the complex saw it progressively increase in size - the first Opera House, Her Majesty's Opera House, opened in 1889 and 1896 the huge Empress Ballroom was constructed, alongside a decorative Italian garden. Almost as notable as the continued expansion and upgrading of the complex, is the consistent use of architects and designers of the highest quality. As a result the Blackpool Winter Gardens retains a number of important examples of individual's works. It has also staged entertainers of international standing over the decades and is of considerable communal value as a result.

The Winter Gardens is an outstanding example of a seaside entertainment facility, altered to meet the changing demands of the holidaying public, whilst maintaining the highest quality of design and architecture. Its significance is recognised in its designation as a grade II* listed building, placing it in the top 5% of England's listed buildings. However, the condition of the Winter Gardens has resulted in it being included on the Historic England's Heritage at Risk list and is undergoing phased restoration.

The site which is the subject of the current planning application has a varied history, originally it functioned as an ice rink, and then an Italian ornamental rock garden linked to the Empress Ballroom. Later it housed an early multi storey car park, the removal of which has left an open space on the eastern elevation of the grade II*, showing the scars of the former buildings and sections of the structure which were not designed to be visible. The gap site has a negative impact on the setting of the heritage asset. We have previously provided comments on an outline application for the construction of a conference centre on the site, where we stated support for the principle of the development, but had concerns regarding the outline nature of the proposal. The current application now seeks full planning for the centre and we have the following comments to make:-

The worked-up scheme shows that the mass of the building is successfully broken up, with the result that the conference centre does not compete with its surroundings and is sensitive to the proportions of the adjacent structures. It considered that the building would integrate successfully into the Leopold Grove elevation of the Winter Gardens and heal the damage

which has been caused by the loss of earlier structures. The use of high quality materials on the elevations is imperative to allow the new build to further sit comfortably adjacent to the Winter Gardens. We feel the contemporary use of a ceramic material, with brick used as an emphasis, is an interesting reference to the Winter Gardens themselves and is appropriate.

We very much welcome the approach to fully integrate the new build into the historic complex, in order that the two function seamlessly together. Not only does this have the potential to further reinvigorate the Winter Gardens as a destination, but the new intervention has utilised the opportunity to address a number of existing issues for the complex such as accessibility and ventilation, which would help to future proof the heritage asset from a commercial view point. This is an approach to be commended.

The manner in which the new build has been integrated is sensitive, as it utilises and enhances former entrances which have fallen out of use, for example the entrance to the Empress Ballroom. The scheme also seeks to improve the Opera House Foyer, once a significant space in the complex, but now sadly altered, with its interest affected accordingly.

Paragraph 132 of the National Planning Policy Framework (NPPF) states that there is a desirability for new development to sustain and enhance the significance of a heritage asset, something which the proposal achieves. The National Planning Policy Framework also places emphasis on schemes recognising the economic viability heritage assets can contribute to creating sustainable communities (NPPF 132). This approach forms the heart of the proposal, with the national significance of the Winter Gardens forming a unique selling point of the Conference Centre, whilst in turn the centre aims to add positively to the financial future of the complex. The new building has been designed to respect its surroundings, resulting in a structure which helps to create a strong sense of place and local character, whilst being appropriately innovative. As such the proposal is considered to be in line with paragraph 58 of the National Planning Policy Framework requiring good design. In conclusion, we consider the proposal to be a sensitive and well considered scheme and are supportive of the application from a heritage perspective. We recommend that the application be determined in line with national planning policy and your own specialist advisors.

County Archaeologist LCC - The Winter Gardens is a grade II* Listed Building recorded as a seaside entertainment complex (Lancashire Historic Environment Record PRN10620) which was built 1875-8, with later alterations and additions. The national significance of this site has been recognised by virtue of its listing. The entire Winter Gardens complex except the car park on Leopold Grove is included in this designation. Lancashire Archaeological Advisory Service (LAAS) has viewed the documents supporting the application and is satisfied the development can go ahead. The 1847 1st Edition Ordnance Survey 1:10560 mapping (Lancashire Sheet 50, surveyed 1844) shows part of the proposed development area that will form the new Conference and Exhibition Centre was occupied by a structure named as a Parsonage, which was probably associated with the nearby church of St John. The Parsonage is renamed as a Vicarage on the more detailed OS mapping of 1893 but was demolished pre-1912 and the site was redeveloped into the Winter Gardens complex (Lancashire Historic Environment Record PRN15437). The nature and extent of the clearance works is however unknown and whilst it is possible some remains could survive, given the previous

development of the site this seems unlikely. LAAS would therefore not recommend any formal archaeological work, but if extensive remains are encountered we would be happy to advise further.

Victorian Society - The case was considered the Society's Northern Buildings Committee at its most recent meeting, and I write now to convey our response. My letter of 3 October 2016 articulated the Society's in-principle acceptance of this scheme. We accept the scale of the proposed development, as we do, broadly, the palette of materials. We also welcome the removal of later accretions from the eastern façade of the Empress Ballroom. A scholarly reinstatement (as far as possible) of this elevation of the listed building should be carried out.

Notwithstanding the above, we maintain certain reservations over the proposed architectural treatment of the new building, particularly its entrance. In light of the Winter Gardens' particular character, its identity, its function and its history, we feel that the new entrance proposed to Leopold Grove, intended to provide access to the new conference facility, is insufficiently legible and puzzlingly low-key. Even from certain angles on Leopold Grove itself it could prove to be almost invisible. A greater sense of grandeur and celebration is required, particularly given those facets of the Winter Gardens' significance noted above and the nature of the buildings' other principal entrances. We therefore recommend that the treatment of this element of the Conference Centre is revised and reworked, and that a design both more attuned to the special interest of the building and more functionally appropriate is devised.

Architects response - We would welcome their support of the proposals scale, palette of materials and the proposals to remove later accretions from the eastern façade of the Empress Ballroom. With regard to their stated reservations we provide the following statement that will hopefully be helpful to you.

The proposed new entrance is not meant to over-power or detract from the existing historic buildings and entrances to the complex. One important element of our brief for the new building is to use the new intervention as a key to resolve level change issues within the existing buildings so that the whole complex can function more efficiently. The large double height entrance foyer and circulation space that has been proposed will do this, and will provide a spacious and impressive volume that will allow for thousands of people to circulate and enjoy new views of the exposed Empress Ballroom flank wall. The detailing of this space will be clean and minimal to heighten the appreciation of the historic buildings details. The new building will be a powerful and modern addition to the Winter Garden's complex that plays a subtle game of responding to the required function and the existing architecture and context while not over powering. The historic principal entrances into the Winter Gardens must not be dominated or overshadowed by the new. We feel that the proposals provide a distinct and legible entrance without dominating the entire elevation, particularly given its proximity to the Empress Ballroom.

Built Heritage Manager- I refer to the application for the proposed new conference centre at the Winter Gardens. I have no objection to the application. Please will you request samples

and technical information for all materials including the fixing and maintenance of the terracotta tiles.

Information should be provided for the methods of making good and cleaning of existing brickwork. I could not find any information regarding rainwater disposal arrangements for the new building. Please will you also request details of how the new building will abut the existing buildings, and whether existing rainwater disposal arrangements will need to be altered to take account of this.

Architects response - We are soon to progress the Technical Design of the project and will be able to give a more detailed/ specific response once this has advanced. You need to be aware that at this point, we can not be specific about the exact materials that we propose to use as they have not been designed, costed or approved. However, we know exactly the types of materials that are proposed and these are as has been indicated on the planning application documents. We would expect these details to be reserved by condition.

In the first instance we would like to expand on the queries:

1. **Samples and Technical Information for all materials including the fixing and maintenance of the Terracotta Tiles** - We would have expected these matters to be reserved by condition, however we have gathered relevant technical information that will hopefully give you a better idea of what is proposed. In addition we have considered also that all metal parts will be suitable to reflect the necessity of protecting them from corrosion in marine environments.
2. **Methods of making good and cleaning of existing brickwork**- General references were included in the Conservation Architect Description of the proposal (P.45) and impact assessment (p.55). Also please refer to the following statement from the Conservation Architect: "While I am surprised that they are asking for it at this stage, our proposal for cleaning the existing masonry to the north and east elevations would be to use a light steam based (DOFF) system initially. If this did not provide the desired level of clean we would enhance the specification to a slightly more aggressive JOS Torq system which is a mild air abrasive based cleaning. This system would most likely be required to clean the plaster and paint from the east elevation to Leopold Grove once the addition is removed. Both systems are conservation sensitive and would be carried out by trained specialists and subject to extensive trials, which could be dealt with for approval by a listed building condition".
3. **Details of how the new building will abut the existing buildings**- The proposal has incorporated the most relevant abutment details. We would however expect this to be reserved by condition as the technical Information is being developed. However the approach that will be taken is that the new building will be self supporting and will stand independently of the existing structure that it abuts. The existing building will be made good before closing up. There will be a movement joint between the existing and the new with a suitable weather flashing to ensure watertightness. If any additional abutment details are required at this point we would be happy to develop

them.

- 4. Rainwater Disposal arrangements-** As we are currently developing the Technical Design of the project we would have expected to have this reserved by condition. However, in principle, we have envisaged to not modify any existing conditions but to improve them. The new building will have an individual rainwater disposal strategy.

The Conservation Architect has included the following in the Heritage Statement:-

P.55- The overhaul, repair and extension (where necessary) of the original cast iron rainwater goods to the north elevation of the Empress Ballroom will enhance the character of the heritage asset to the newly internalised elevation and will serve to reveal the history of development within the new conference facilities.

P.54- The abutment of the new building to the north west stair turret of the Empress Ballroom requires a special detail due to the projecting gutter that exists in this location. It is proposed to remove the gutter and form a new parapet gutter in this location to enable a clean liner abutment. The physical impact of this detail on the heritage asset is mitigated by the fact that it is not visible from any significant vantage points and that the detail will be fully reversible if necessary.

Police Architectural Liaison Officer- it is important that the construction site is adequately secured to prevent/ reduce potential for criminal activity including theft and damage. Within the past 12 months the area has been subject to burglary, assault and thefts, including the thefts of number of wallet and phone thefts. Lighting, monitored CCTV and access control systems can help and prevent crimes. The submitted Design and Access Statement includes a Secure by Design section and a number of pre-application comments have been incorporated into the proposal, however some further measures are also recommended.

Blackpool Civic Trust- No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the Update Note.

Town Centre Forum- 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.

The Twentieth Century Society- 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.

Contaminated Land Officer- No comments

Head of Housing and Environmental Protection Service - a construction management plan is required. I would suggest working times of 8am -6pm Monday to Friday and 9am- 1pm

Saturday with no Sunday or Bank Holiday working. There could be issues with delivery and servicing noise, reversing alarms depending on the time of day. It would be useful to have more details of delivery times. A morning curfew may be required and also a 'quiet system of working' for evening activity.

A scheme for any external flood lighting should be submitted and agreed prior to installation.

Head of Highways and Traffic Management - 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.

Waste -No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the Update Note.

Drainage 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.

Blackpool International Airport - No objections

United Utilities- Water - No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the Update Note.

Electricity North West - 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.

Press notice published: 22 December 2016
5 site notices displayed: 16 December 2016
Neighbours notified: 13 December 2016

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

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) was published on 27 March 2012. The National Planning Policy Framework states that the purpose of the planning system is to contribute towards sustainable development. There are three strands to sustainable development namely economic, social and environmental. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise it contains 12 core planning principles including :-

- 1 - 'building a strong, competitive economy'-ensure the planning system does everything it can to support sustainable economic growth

- 2 -'ensuring the vitality of town centres'-recognise town centres as the heart of their communities and pursue policies to support their viability and vitality
- 7 - 'requiring good design'.....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
- 12 -'conserving and enhancing the historic environment'.....the desirability of new development making a positive contribution to local character and distinctiveness

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

The National Planning Practice Guidance - Development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, local man-made and natural heritage and culture, while not preventing or discouraging appropriate innovation. The successful integration of all forms of new development with their surrounding context is an important design objective, irrespective of whether a site lies on the urban fringe or at the heart of a town centre.

Natural features and local heritage resources can help give shape to a development and integrate it into the wider area, reinforce and sustain local distinctiveness, reduce its impact on nature and contribute to a sense of place. Views into and out of larger sites should also be carefully considered from the start of the design process. Local building forms and details contribute to the distinctive qualities of a place. These can be successfully interpreted in new development without necessarily restricting the scope of the designer. Standard solutions rarely create a distinctive identity or make best use of a particular site. The use of local materials, building methods and details can be an important factor in enhancing local distinctiveness when used in evolutionary local design, and can also be used in more contemporary design. However, innovative design should not be discouraged.

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

The Blackpool Local Plan: Part 1 - Core Strategy has been adopted by the Council at its meeting on 20 January 2016. In accordance with paragraph 216 of the National Planning Policy Framework significant weight can now be given to the policies of the Core Strategy. Certain policies in the Saved Blackpool Local Plan have now been superseded by policies in the Core Strategy (these are listed in the appendices to the document). Other policies in the Saved Blackpool Local Plan will remain in use until Part 2 of the new Local Plan is produced.

The policies in the Core Strategy that are most relevant to this application are -

- CS1 - Strategic Location for Development
- CS5 - Connectivity
- CS7 - Quality of Design
- CS8- Heritage
- CS9 - Water Management
- CS10 - Sustainable Design
- CS17- Blackpool Town Centre
- CS18- Winter Gardens
- CS21- Leisure and Business Tourism

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

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

- LQ1 Lifting the Quality of Design
- LQ2 Site Context
- LQ3 Layout of Streets and Spaces
- LQ4 Building Design
- LQ7 Strategic Views
- LQ9 Listed Buildings
- LQ10 Conservation Areas
- BH3 Residential and Visitor Amenity
- BH4 Public Health and Safety
- AS1 General Development Requirements
- AS2 New Development With Significant Transport Implications

ASSESSMENT

Principle The proposed extension relates to the site of a surface level car park which also previously included a service ramp and retail premises enclosed by the Empress Ballroom, The Opera House and restaurant premises 'Amaro' and shop fronting Church Street. The proposal includes the demolition of a number of out-dated back of house buildings including the two storey scale box extension built onto the rear (Leopold Grove elevation) of the Empress Ballroom. This proposal has already been granted the benefit of outline planning permission which establishes the principle and scale of development under reference 16/0363. The scale of the development replicates that shown under application 16/0363.

Subject to the subsequent submission of full details, materials and other detailed submissions, the extension will make beneficial use of an neglected and under-used part of the Winter Gardens complex and remove some unsympathetic additions to the complex and re-instate some original features to the Empress Ballroom including re-opening the Leopold Grove elevation and creating an outside seating terrace. The proposal will strengthen the offer, viability and long term future of the Winter Gardens and will significantly assist in the regeneration of the town centre. It is considered therefore that the proposal constitutes

sustainable development meeting the social, economic and environmental requirements as set out in the National Planning Policy Framework and should therefore be supported.

Design of the building and its impact on the Winter Gardens and the Town Centre

Conservation Area The application seeks full approval for all details (design, scale, layout, means of access and landscaping) and listed building consent although the scale (height and bulk) of the extension has been previously approved under planning permission 16/0363.

The building has a bold and modern contemporary design with a profiled frontage with a number of flat roof elements comprised of glazing, terracotta cladding, brickwork to match the Ballroom and grey panelling at roof level. The proposal will re-create a street frontage into the Winter Gardens from Leopold Grove and will link into the existing entrances into the Winter Gardens from St John's Square and Coronation Street. It will have a two storey glass link into the Empress Ballroom reflecting the lower scale and sensitivity of this link. The proposed building will have a maximum height of 19.5 metres which matches the scale of the brick frontage to the Empress Ballroom. The proposed building is profiled and set back from the rear elevation of the Empress Ballroom giving a clean visual break between the new and existing buildings and help to reduce the bulk of the proposed building. The submitted plans also indicate a two storey height glazed entrance feature abutting the Empress Ballroom which will lighten the appearance of the building. The eaves level of the proposed building will line through the ledge feature directly above the high level circular detail on the rear gable wall of the Empress Ballroom.

The proposal has the support of Historic England and the Theatres Trust, now that the detailed queries raised concerning impact have been dealt with. The comments of the Built Heritage Manager will largely be addressed via appropriate conditions to be attached to any approvals. The Victorian Society comments are not considered to outweigh those comments given in favour of the scheme. The building has been designed so as not to overpower the two existing main entrances and is considered to respond appropriately to the existing architecture and will link well into the existing complex. In terms of the acceptability of the scale, the proposal is considered to be in accordance with national and local planning policy subject to the submission of suitable quality facing materials and other associated external works and the approval of other relevant design, technical and operational matters which will be dealt with as conditions of approval.

Public Realm/ Landscaping is a key component in terms of the quality and setting of the proposed development and its transformation of the built environment on and around Leopold Grove. As with the facing materials of the building itself the hardsurfacing materials to be used are to be dealt with as a condition of any planning permission and listed building consent to ensure the appropriate level of quality of materials are used so as not to detract from the overall of the scheme. As well as using attractive materials they will also need to be hardwearing given that servicing takes place from Leopold Grove and involves large articulated vehicles. The removal of the extension on the rear of the Empress Ballroom will enable an attractive terraced seating area to be created.

Access, Parking and Servicing Arrangements Servicing, access and back of house facilities are shown on the submitted plans within the building itself and to the rear of Amaro restaurant and retail premises fronting Church Street. No off- street car park facilities are included with the proposal and the proposal will rely on existing town centre parking facilities and public transport facilities. The implementation of a travel plan, cycle parking and a condition relating to the agreement of servicing arrangements will be imposed on any approval for the proposal. However final comments of the Head of Highways and Traffic Management Transportation are still awaited and will be reported via the up-date notes together with any further conditions/ recommendations.

The proposal is important is seeking to integrate the Conference and Exhibition Centre in with the existing complex which will help the viability and connectivity of the development between the different areas and will help secure the future of the Winter Gardens, help maximise its potential and make it fit for 21st century requirements.

Economy/ Employment The construction of a purpose built conference and exhibition facility for a maximum of 1500 conference delegates will add significantly to the economy of the town centre and help make Blackpool a stronger and more vibrant all year round visitor destination. As well as providing employment opportunities at the new Conference Centre the proposal will help strengthen employment opportunities and business in local hotels, bars, shops and restaurants and the contribution to the Blackpool economy and the employment opportunities offered are to be welcomed.

Impact on Residential Amenity- the proposed Conference and Exhibition Centre will undoubtedly introduce increased activity and noise in and around Leopold Grove, as will the new hotel development across the road. Although this is a busy town centre location the activities are not anything over and above what one would expect from a busy town centre location and the existing Winter Gardens complex is already partly serviced from Leopold Grove. Therefore the impact of the proposal on the flat development at the junction of Leopold Grove and Church Street is not considered too significant given the context and the existing situation.

In terms of the physical impact of the proposal on the nearby flats, the existing buildings already form a significant and longstanding backdrop to the application site and the proposal is not expected to increase this impact significantly. There may be some shading of the ground floor of the flats on the opposite side of Leopold Grove as the sun moves to its westerly position but this is not considered so significant an impact to warrant refusal of the application on amenity grounds.

Other Issues

Contaminated land and archaeological matters have already been investigated and it is understood there are no particular issues. Should this subsequently change then the relevant specialist advisors will be further involved to resolve any matters.

Drainage - detailed drainage comments from United Utilities are awaited on the technical submissions and these will be reported via the Update Note. The imposition of conditions

requiring the provision of separate foul and surface water drainage facilities are standard conditions and are included in the list of conditions.

Crime and disorder - The Police Architectural Liaison Officer advises that a number of earlier recommendations have been taken on board. The additional recommendations have been forwarded to the architect for comment and any response will be reported via the Update Note.

CONCLUSION

For the reasons outlined above the proposal is considered to be in accordance with the relevant local and national planning policy and guidance and should therefore be supported.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

None

FINANCIAL BENEFITS

See report

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

BACKGROUND PAPERS

Outline planning application File(s) reference: 16/0363 and planning permission for the hotel on Leopold Grove reference: 16/0553 which can be accessed via the link below:

<http://idoxpa.blackpool.gov.uk/online-applications/search.do?action=simple>

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. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority including the following plans:

Location Plan stamped as received by the Council on 28th November 2016.

Drawings numbered;

BP003-BA-Z0-B1-PL-A-1202 Rev P1.3

BP003-BA-Z0-00-PL-A-1203 Rev P1.3

BP003-BA-Z0-01-PL-A-1204 Rev P1.3

BP003-BA-Z0-02-PL-A-1205 Rev P1.3

BP003-BA-Z0-04-PL-A-1207 Rev P1.3

BP003-BA-Z0-10-PL-A-1213 Rev P1.3

BP003-BA-Z1-ZZ-EL-A-2100 Rev P1.1

BP003-BA-Z0-ZZ-EL-A-2201 Rev P1.2

BP003-MF-Z1-RF-DR-M-1205 Rev P3

Reason: For the avoidance of doubt and so the Local Planning Authority can be satisfied as to the details of the permission.

3. The building/use hereby approved shall not be occupied/first commenced until the servicing arrangements, including manoeuvring areas and delivery times, have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority; the servicing shall thereafter carried out in accordance with the approved details and 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.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ4 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. Prior to the development hereby approved being first brought into use the secure cycle storage and refuse storage provision shall be provided in accordance with details to be submitted and approved in writing with the Local Planning Authority

and shall thereafter be retained.

Reason: To enable access to and from the property by sustainable transport mode and to ensure safe and adequate refuse storage provision, in accordance with Policies AS1, LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policies CS5 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027

5. Notwithstanding the submitted plans details of external materials to be used, including brick, tiles, 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, LQ9, and LQ10 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS8 and CS18 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. The development shall not be occupied until a travel plan has been submitted to and approved in writing by the Local Planning Authority. Such travel plans 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 and Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

7. 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 the development.

Reason: In the interests of the appearance of the locality, in accordance with Policies LQ1, LQ3, LQ9 and LQ10 of the Blackpool Local Plan 2001-2016 and

Policies CS7, CS8 and CS18 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. Notwithstanding the submitted plans, details of the appearance, technical specification and siting of any external ventilation ducting and plant shall be submitted to and agreed in writing by the Local Planning Authority before development commences. The agreed ducting and shall then be provided prior to first use and shall thereafter be retained.

Reason: To safeguard the living conditions of the occupants of nearby premises, in accordance with Policies BH3, BH4 and LQ1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

9. 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 routeing 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 Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. 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.

11. 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 & pollution and to improve bathing water quality standards on the Fylde Coast in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016.

12. 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 and Policies CS7, CS8 and CS18 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

13. Prior to the development hereby approved being first occupied a scheme of off-site highway works shall be carried out in accordance with details to be submitted to and agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and free flow of traffic in accordance with Policies AS1 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS8 and CS18 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

14. Detailed treatment of the exposed Empress Ballroom elevation to Leopold Grove and the link of the approved building into the Empress Ballroom shall be carried out in accordance with details to be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development.

Reason: In the interests of the appearance of the Empress Ballroom, Winter Gardens and wider locality, in accordance with Policies LQ1, LQ2, LQ4, LQ9, and LQ10 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS8 and CS18 of the

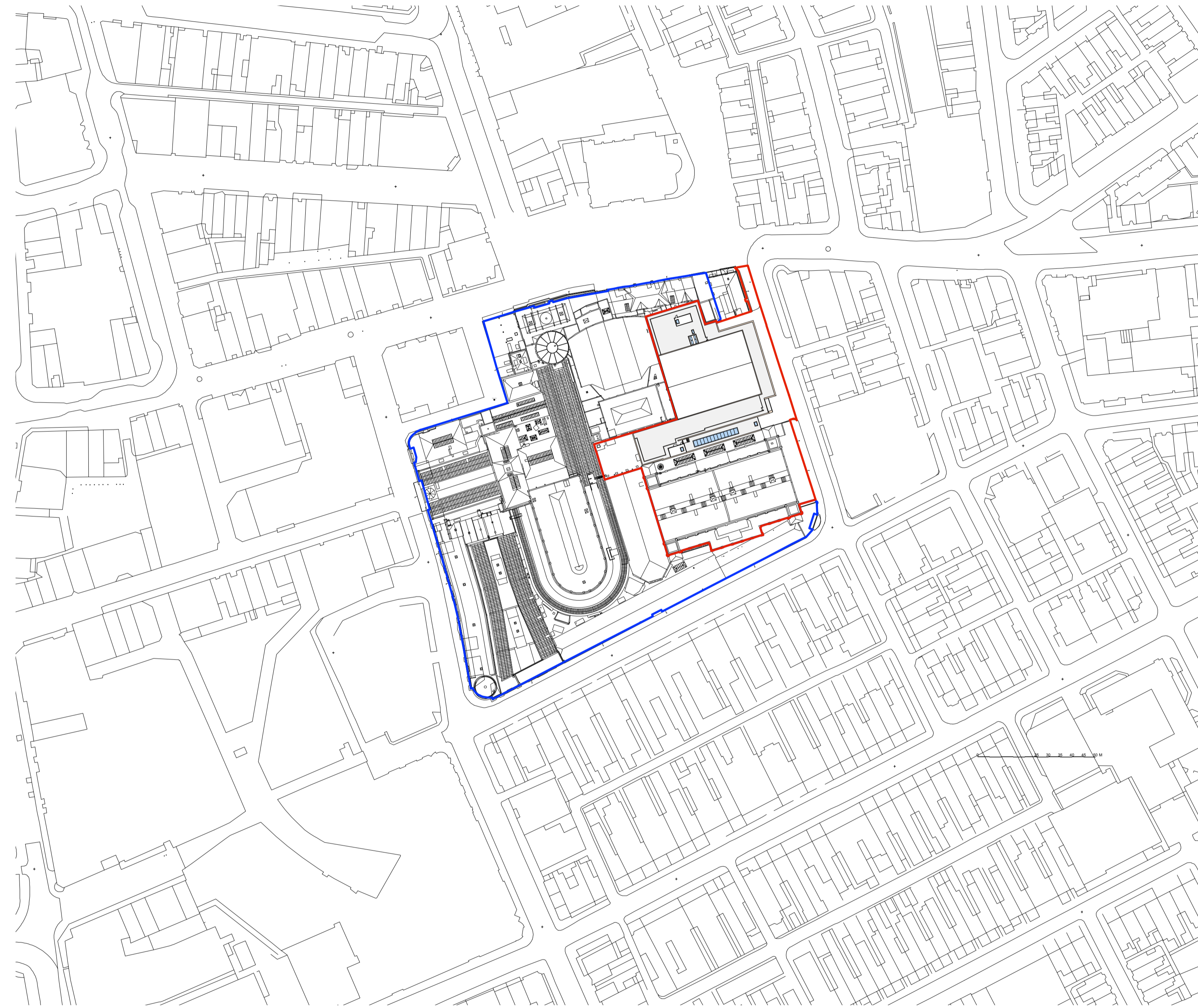
15. a) No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed changes to existing ground levels, means of enclosure and boundary treatment, areas 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 five years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason. To ensure the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall with regards to Policy LQ6 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS8 and CS18 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Advice Notes to Developer

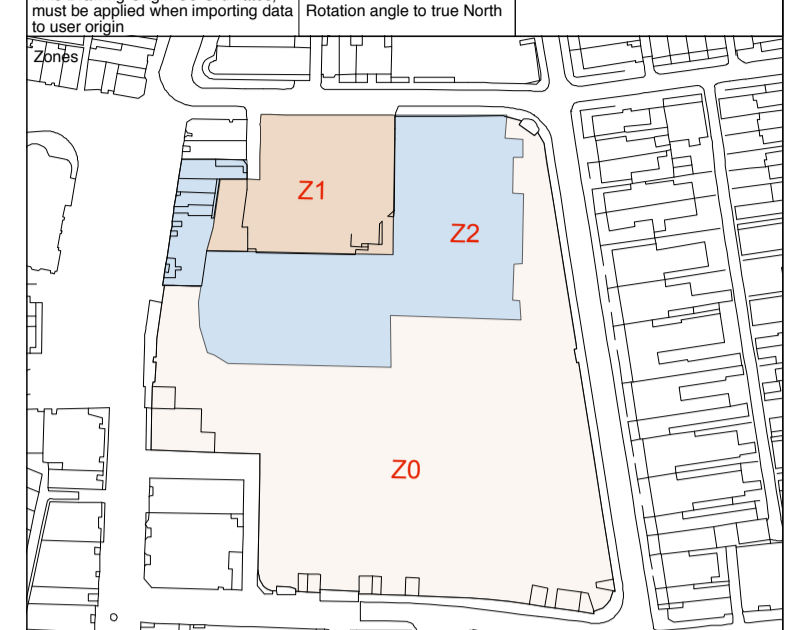
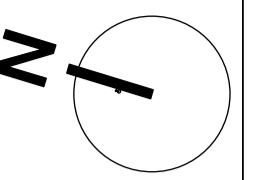
Not applicable

Appendix 7(a)



This drawing should be read in conjunction with the Project Numbering System
Key drawing BP003-BA-Z0-00-DR-A-0001

Drawing Origin Co-Ordinates X: 330900 Y: 436150
Rotation R: 16.95 degrees



Key

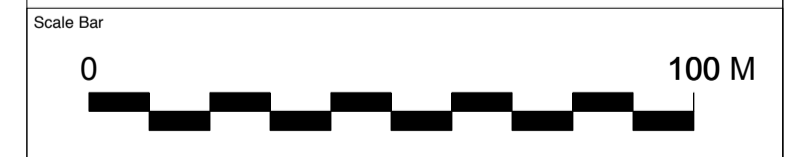
Extent of Planning Application

Land owned by the applicant

Z0 - Site excluding detail of buildings

Z2 - Entrance Balcony - Existing building

Z1 - Conference Centre - New building



Suitability	Revision	Date	Comments
S0	P1	01.09.2016	General Issue
S0	P1.2	07.10.2016	General Update
S2	P1.3	18.11.2016	General Update
S2	P1.4	24.11.2016	Planning Application

A1

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Notes
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Do not scale
All dimensions to be checked on site

Project
Blackpool Conference & Exhibition Centre

Address
**Blackpool Winter Gardens
97 Church Street
FY1 1HW**
Blackpool Council



Blackpool Council
BUILDING A BETTER COMMUNITY FOR ALL

Information Title
Location Plan

Date	18.11.16	Drawn	AS	Checked	JB	Scale	1:1250	
Project No. - Originator - Zone - Level - Type - Role - Number	BP003-BA-Z0-ZZ-PL-A-0002						Suitability	Revision
						S2-P1.4		

BISSET ADAMS

The Cube Building, 17-21 Wenlock Road, London N1 7GT, United Kingdom
T +44 (0)20 7250 0440 | E info@bissetadams.com | www.bissetadams.com

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COMMITTEE DATE: [22/02/2017](#)

Application Reference: 16/0815

WARD: Talbot
DATE REGISTERED: 28/11/16
LOCAL PLAN ALLOCATION: Town Centre Boundary
Winter Gardens
Defined Inner Area

APPLICATION TYPE: Listed Building Consent
APPLICANT: Blackpool Council

PROPOSAL: Erection of three storey extension with part basement to existing Winter Gardens complex to form Conference and Exhibition Centre (Class D1) fronting Leopold Grove, erection of link extension to Empress Ballroom with associated demolition works, escape staircase, public realm, landscaping, servicing area/ access arrangements and rooftop plant.

LOCATION: WINTER GARDENS, CHURCH STREET, BLACKPOOL, FY1 1HW

Summary of Recommendation: Grant Permission

CASE OFFICER

Mr M Shaw

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority one of the Plan** - The economy: Maximising growth and opportunity across Blackpool

SUMMARY OF RECOMMENDATION

This detailed planning application reference: 16/0815 and application for Listed Building Consent reference: 16/0809 has been the subject of pre-application discussions following on from the granting of outline planning permission in December 2016 under reference 16/0363. This outline approval established the principle and the scale of development. Subject to the agreement of detailed matters including facing materials, servicing arrangements, hard and soft landscaping and public realm works, the proposal is considered to be in accordance with relevant local and national planning policy and will deliver significant regeneration, economic, employment, heritage and environmental benefits for the town and significantly contribute towards securing the long term future of the Winter Gardens.

INTRODUCTION

Government funding in the region of £25 million has now been confirmed to deliver this development with preparatory site work due to begin, subject to the planning permission and listed building consent being granted, in the late Spring and with the aim for the facility to be open in 2019. The delivery of this development is an important part of the town's regeneration ambitions and will have significant benefits on a number of fronts from heritage and environmental to employment and economic and will strengthen the town centre and the town as a whole.

SITE DESCRIPTION

The application relates to the Winter Gardens, a Grade II* Listed Building, in a block bounded by Church Street, Leopold Grove, Adelaide Street, Coronation Street, Adelphi Street and Carter Street. The Winter Gardens complex dates back to the 1870s and the site was extended and developed up until 1939. The main areas within the complex are the vestibule, Floral Hall, Ambulatory and Pavilion Theatre, Arena, Opera House, Empress Ballroom, The Olympia and the Spanish Hall suite which comprises the Spanish Hall, Galleon Bar, Renaissance Room and Baronial Hall. This application relates to the recently cleared site on Leopold Grove frontage which is currently used as a surface level car park and fenced off from Leopold Grove. The site drops in level approximately 1.5 metres across the frontage from the Church Street end towards Adelaide Street.

The Winter Gardens complex is within the designated town centre and the Town Centre Conservation Area. Directly across Leopold Grove from the application site is a modern contemporary block of 10 flats at the junction with Church Street. Adjoining this block of flats are four vacant and fire damaged period properties and a surface level car park which has outline planning permission granted on 23 November 2016 for the erection of a five/ six storey 156 bedroom hotel with basement parking reference: 16/0553.

DETAILS OF PROPOSAL

This is an application for planning permission and listed building consent for the erection of a three storey building fronting onto Leopold Grove on the site of a 0.6 hectare surface level car park which will sit alongside and between the Empress Ballroom and the Opera House. Some existing structures, which are of no significant heritage value, including the two storey scale flat roof rear extension to the Empress Ballroom, will be removed as part of the development, which will provide a purpose built conference and exhibition space and a gross internal floorspace of 5,860 sqm. The capacity of the building is stated to be 380 people on the ground floor in the form of flexible exhibition space and for 1200 people on the first floor flexible conference space.

The building has a bold and modern contemporary design with a profiled frontage with a number of flat roof elements comprised of glazing, terracotta cladding, brickwork to match the Ballroom and grey panelling at roof level. The proposal will re-create a street frontage into the Winter Gardens from Leopold Grove and link into the existing entrances into the Winter Gardens from St John's Square and Coronation Street. It will have a two storey glass

link into the Empress Ballroom reflecting the lower scale and sensitivity of the Empress Ballroom building. The proposed building will have a maximum height of 19.5 metres which matches the scale of the brick frontage to the Empress Ballroom.

The application is accompanied by a Design and Access Statement, a Flood Risk Assessment and Drainage Strategy, Transport Assessment and Travel Plan, Heritage Statement, Noise Impact Assessment and Environmental Noise Survey report, Sustainability Statement, Planning Statement, Public Realm Design and Access Statement and a Bat Survey.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle of Development
- Design of the building and its impact on the Winter Gardens and the Town Centre Conservation Area
- Access, Parking and Servicing Arrangements
- Economy/ Employment
- Impact on Residential Amenity
- Other Issues

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

CONSULTATIONS

The Theatres Trust -The Winter Gardens is the largest, earliest and most complete surviving Winter Gardens complex in the United Kingdom. It has been central to tourism, leisure and entertainment for over 130 years helping make the town England's premier seaside resort. Its outstanding architectural and historic significance is reflected in the Grade II* listing. There has been a history of under investment in the building and since the Council took ownership the Trust has been working closely with the Council to secure a viable future.

The Trust therefore supports the construction of a new state of the art conference, exhibition and convention centre on the site which will be connected to the Opera House, Empress Ballroom and Floral Hall. This type of use will support and complement the existing cultural offer attracting additional and a broader range of users to the Winter Gardens helping the complex to become more economically sustainable in the long term. Expanding the range and quality of spaces available for a wide range of events and activities will not only enhance cultural, leisure and educational events but will also undoubtedly increase opportunities for income generation, thereby improving the overall viability and investment in the upkeep of this unique heritage asset.

As noted in comments on the outline application it is essential the design maintains clear and safe access for articulated delivery vehicles to the Opera House loading dock and that acoustic measures are incorporated to ensure that noise generated from shows and events do not impact concurrent events in either venue. Having seen the details we are pleased these have largely been considered and suitably addressed. We also support the

replacement and upgrade of the technical equipment and the heating and cooling system in the Empress Ballroom. We also welcome the removal of the extension at the Leopold Grove end of the Ballroom and restoration of the west elevation.

However, we are concerned about the proposed route for food deliveries which runs behind the Opera House stage wall and then appears to access the goods lifts via the theatre's loading dock corridor. Due to the potential noise impact of moving food trollies during a performance we urge reconsideration of this route or require assurances that full sound proofing will be provided. We also note the new dressing room for the Ballroom shares access with public wc's and is some distance from the stage on the opposite side of the Ballroom. Further consideration should be given to finding space closer to the stage or provide separate access to the dressing rooms.

We are also concerned about long term storage requirements for tables and chairs from the Ballroom. It is important for the long term operation of the Ballroom that a new storage area is determined and safeguarded as part of this proposal. Once the above issues are addressed The Theatres Trust recommend the granting approval for the two applications to help secure a viable future for the Winter Gardens.

Architects/ Winter Gardens response

It is proposed that a new acoustic door be installed to replace the existing stage scenery door which will improve the acoustic separation between the access corridor and the Opera House and we will also upgrade the acoustic performance of the other link doors between the corridor and the auditorium to provide improved sound proofing. The Winter Gardens also propose to put in place a Management regime to ensure that when performances are occurring in the Opera House that the movement of food trolleys does not cause disruption. There are other ways that items can be moved and things can be organised to happen in advance of events it ensure no disturbance, it all depends on what is on at what time, and the Winter Gardens is very experienced in managing multiple events within the centre, without causing disruption.

We have discussed this issue with the Winter Gardens and it is happy with the location that has been proposed. It will be able to clarify the details if necessary, but the new dressing rooms replace those that are currently on the first floor balcony. The existing rooms do not have direct access to the stage so this new provision is the same as the current situation. In fact it is better because it is on the stage and dance floor level. There are other dressing rooms that can be used as necessary for direct access.

There are no proposals to remove the building mentioned above as part of this application. The new proposed Conference Centre building provides a great deal of additional accessible flexible storage space that is far greater than any that it displaces. This application forms no part of the proposals for the Museum and concerns about what another application may involve should be addressed to that proposal. However the Winter Gardens understands very clearly what its requirements are for storage and will not allow anything which would damage its ability to run the centre effectively.

We just need to be clear on the storage point. The storage in the new Centre is only intended for that new space and will not replace the existing area in the Adelaide Street storage spaces. This is the area that we store the equipment for the Empress Ballroom and Arena.

Updated Theatre Trust comments

I'm generally content that those issues have been considered. I am still concerned about the relationship with the Museum project, which I know is technically unrelated, thus my on-going concerns that long term, storage facilities for all of the uses in the complex as a whole.

Historic England - Begun in 1878, the Blackpool Winter Gardens is the paramount example of a seaside entertainment venue. It is the earliest, most complete example of its type, as well as being one of the most ambitious. The initial phases saw the construction of skating rinks, as well as a pavilion, with promenading area and seating for 2,500. The success of the complex saw it progressively increase in size - the first Opera House, Her Majesty's Opera House, opened in 1889 and 1896 the huge Empress Ballroom was constructed, alongside a decorative Italian garden. Almost as notable as the continued expansion and upgrading of the complex, is the consistent use of architects and designers of the highest quality. As a result the Blackpool Winter Gardens retains a number of important examples of individuals' works. It has also staged entertainers of international standing over the decades and is of considerable communal value as a result.

The Winter Gardens is an outstanding example of a seaside entertainment facility, altered to meet the changing demands of the holidaying public, whilst maintaining the highest quality of design and architecture. Its significance is recognised in its designation as a grade II* listed building, placing it in the top 5% of England's listed buildings. However, the condition of the Winter Gardens has resulted in it being included on the Historic England's Heritage at Risk list and is undergoing phased restoration.

The site which is the subject of the current planning application has a varied history, originally it functioned as an ice rink, and then an Italian ornamental rock garden linked to the Empress Ballroom. Later it housed an early multi storey car park, the removal of which has left an open space on the eastern elevation of the grade II*, showing the scars of the former buildings and sections of the structure which were not designed to be visible. The gap site has a negative impact on the setting of the heritage asset. We have previously provided comments on an outline application for the construction of a conference centre on the site, where we stated support for the principle of the development, but had concerns regarding the outline nature of the proposal. The current application now seeks full planning for the centre and we have the following comments to make:-

The worked up scheme shows that the mass of the building is successfully broken up, with the result that the Conference Centre does not compete with its surroundings and is sensitive to the proportions of the adjacent structures. It considered that the building would integrate successfully into the Leopold Grove elevation of the Winter Gardens and heal the damage which has been caused by the loss of earlier structures. The use of high quality materials on the elevations is imperative to allow the new build to further sit comfortably adjacent to the Winter Gardens. We feel the contemporary use of a ceramic material, with

brick used as an emphasis, is an interesting reference to the Winter Gardens themselves and is appropriate.

We very much welcome the approach to fully integrate the new build into the historic complex, in order that the two function seamlessly together. Not only does this have the potential to further reinvigorate the Winter Gardens as a destination, but the new intervention has utilised the opportunity to address a number of existing issues for the complex such as accessibility and ventilation, which would help to future proof the heritage asset from a commercial view point. This is an approach to be commended.

The manner in which the new build has been integrated is sensitive, as it utilises and enhances former entrances which have fallen out of use, for example the entrance to the Empress Ballroom. The scheme also seeks to improve the Opera House Foyer, once a significant space in the complex, but now sadly altered, with its interest affected accordingly.

Paragraph 132 of the National Planning Policy Framework (NPPF) states that there is a desirability for new development to sustain and enhance the significance of a heritage asset, something which the proposal achieves. The National Planning Policy Framework also places emphasis on schemes recognising the economic viability heritage assets can contribute to creating sustainable communities (NPPF 132). This approach forms the heart of the proposal, with the national significance of the Winter Gardens forming a unique selling point of the conference centre, whilst in turn the centre aims to add positively to the financial future of the complex. The new building has been designed to respect its surroundings, resulting in a structure which helps to create a strong sense of place and local character, whilst being appropriately innovative. As such the proposal is considered to be in line with paragraph 58 of the National Planning Policy Framework requiring good design. In conclusion, we consider the proposal to be a sensitive and well considered scheme and are supportive of the application from a heritage perspective. We recommend that the application be determined in line with national planning policy and your own specialist advisors.

County Archaeologist LCC - The Winter Gardens is a grade II* Listed Building recorded as a seaside entertainment complex (Lancashire Historic Environment Record PRN10620) which was built 1875-8, with later alterations and additions. The national significance of this site has been recognised by virtue of its listing. The entire Winter Gardens complex except the car park on Leopold Grove is included in this designation. Lancashire Archaeological Advisory Service (LAAS) has viewed the documents supporting the application and is satisfied the development can go ahead. The 1847 1st Edition Ordnance Survey 1:10560 mapping (Lancashire Sheet 50, surveyed 1844) shows part of the proposed development area that will form the new conference and exhibition centre was occupied by a structure named as a Parsonage, which was probably associated with the nearby church of St John. The Parsonage is renamed as a Vicarage on the more detailed OS mapping of 1893 but was demolished pre-1912 and the site was redeveloped into the Winter Gardens complex (Lancashire Historic Environment Record PRN15437). The nature and extent of the clearance works is however unknown and whilst it is possible some remains could survive, given the previous development of the site this seems unlikely. LAAS would therefore not recommend

any formal archaeological work, but if extensive remains are encountered we would be happy to advise further.

Victorian Society - The case was considered the Society's Northern Buildings Committee at its most recent meeting, and I write now to convey our response. My letter of 3 October 2016 articulated the Society's in-principle acceptance of this scheme. We accept the scale of the proposed development, as we do, broadly, the palette of materials. We also welcome the removal of later accretions from the eastern façade of the Empress Ballroom. A scholarly re-instatement (as far as possible) of this elevation of the listed building should be carried out.

Notwithstanding the above, we maintain certain reservations over the proposed architectural treatment of the new building, particularly its entrance. In light of the Winter Gardens' particular character, its identity, its function and its history, we feel that the new entrance proposed to Leopold Grove, intended to provide access to the new conference facility, is insufficiently legible and puzzlingly low-key. Even from certain angles on Leopold Grove itself it could prove to be almost invisible. A greater sense of grandeur and celebration is required, particularly given those facets of the Winter Gardens' significance noted above and the nature of the buildings' other principal entrances. We therefore recommend that the treatment of this element of the Conference Centre is revised and reworked, and that a design both more attuned to the special interest of the building and more functionally appropriate is devised.

Architects response - We would welcome their support of the proposals scale, palette of materials and the proposals to remove later accretions from the eastern façade of the Empress Ballroom. With regard to their stated reservations we provide the following statement that will hopefully be helpful to you. The proposed new entrance is not meant to over power or detract from the existing historic buildings and entrances to the complex. One important element of our brief for the new building is to use the new intervention as a key to resolve level change issues within the existing buildings so that the whole complex can function more efficiently. The large double height entrance foyer and circulation space that has been proposed will do this, and will provide a spacious and impressive volume that will allow for thousands of people to circulate and enjoy new views of the exposed Empress Ballroom flank wall. The detailing of this space will be clean and minimal to heighten the appreciation of the historic buildings details. The new building will be a powerful and modern addition to the Winter Garden's complex that plays a subtle game of responding to the required function and the existing architecture and context while not over powering. The historic principal entrances into the Winter Gardens must not be dominated or overshadowed by the new. We feel that the proposals provide a distinct and legible entrance without dominating the entire elevation, particularly given its proximity to the Empress Ballroom.

Built Heritage Manager- I refer to the application for the proposed new conference centre at the Winter Gardens. I have no objection to the application. Please will you request samples and technical information for all materials including the fixing and maintenance of the terracotta tiles.

Information should be provided for the methods of making good and cleaning of existing brickwork. I could not find any information regarding rainwater disposal arrangements for the new building. Please will you also request details of how the new building will abut the existing buildings, and whether existing rainwater disposal arrangements will need to be altered to take account of this.

Architects response - We are soon to progress the Technical Design of the project and will be able to give a more detailed/ specific response once this has advanced. You need to be aware that at this point, we can not be specific about the exact materials that we propose to use as they have not been designed, costed or approved. However, we know exactly the types of materials that are proposed and these are as has been indicated on the planning application documents. We would expect these details to be reserved by condition.

In the first instance we would like to expand on the queries:

1. **Samples and Technical Information for all materials including the fixing and maintenance of the Terracotta Tiles** - We would have expected these matters to be reserved by condition, however we have gathered relevant technical information that will hopefully give you a better idea of what is proposed. In addition we have considered also that all metal parts will be suitable to reflect the necessity of protecting them from corrosion in marine environments.
2. **Methods of making good and cleaning of existing brickwork**- General references were included in the Conservation Architect Description of the proposal (P.45) and impact assessment (p.55). Also please refer to the following statement from the Conservation Architect: "While I am surprised that they are asking for it at this stage, our proposal for cleaning the existing masonry to the north and east elevations would be to use a light steam based (DOFF) system initially. If this did not provide the desired level of clean we would enhance the specification to a slightly more aggressive JOS Torq system which is a mild air abrasive based cleaning. This system would most likely be required to clean the plaster and paint from the east elevation to Leopold Grove once the addition is removed. Both systems are conservation sensitive and would be carried out by trained specialists and subject to extensive trials, which could be dealt with for approval by a listed building condition".
3. **Details of how the new building will abut the existing buildings**- The proposal has incorporated the most relevant abutment details. We would however expect this to be reserved by condition as the technical Information is being developed. However the approach that will be taken is that the new building will be self supporting and will stand independently of the existing structure that it abuts. The existing building will be made good before closing up. There will be a movement joint between the existing and the new with a suitable weather flashing to ensure watertightness. If any additional abutment details are required at this point we would be happy to develop them.
4. **Rainwater Disposal arrangements**- As we are currently developing the Technical Design of the project we would have expected to have this reserved by condition.

However, in principle, we have envisaged to not modify any existing conditions but to improve them. The new building will have an individual rainwater disposal strategy.

The Conservation Architect has included the following in the Heritage Statement:-

P.55- The overhaul, repair and extension (where necessary) of the original cast iron rainwater goods to the north elevation of the Empress Ballroom will enhance the character of the heritage asset to the newly internalised elevation and will serve to reveal the history of development within the new conference facilities.

P.54- The abutment of the new building to the north west stair turret of the Empress Ballroom requires a special detail due to the projecting gutter that exists in this location. It is proposed to remove the gutter and form a new parapet gutter in this location to enable a clean liner abutment. The physical impact of this detail on the heritage asset is mitigated by the fact that it is not visible from any significant vantage points and that the detail will be fully reversible if necessary.

Police Architectural Liaison Officer- it is important that the construction site is adequately secured to prevent/ reduce potential for criminal activity including theft and damage. Within the past 12 months the area has been subject to burglary, assault and thefts, including the thefts of number of wallet and phone thefts. Lighting, monitored CCTV and access control systems can help and prevent crimes. The submitted Design and Access Statement includes a Secure by Design section and a number of pre-application comments have been incorporated into the proposal, however some further measures are also recommended.

Blackpool Civic Trust - No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the Update Note.

Town Centre Forum - 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.

The Twentieth Century Society - 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.

Contaminated Land Officer - No comments

Head of Housing and Environmental Protection Service - A construction management plan is required. Would suggest working times of 8am -6pm Monday to Friday and 9am- 1pm Saturday with no Sunday or Bank Holiday working. There could be issues with delivery and servicing noise, reversing alarms depending on the time of day. It would be useful to have

more details of delivery times. A morning curfew may be required and also a 'quiet system of working' for evening activity.

A scheme for any external flood lighting should be submitted and agreed prior to installation.

Head of Highways and Traffic Management - 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.

Waste - No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the Update Note.

Drainage 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.

Blackpool International Airport - No objections

United Utilities - Water No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the Update Note.

Electricity North West - 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.

Press notice published: 22 December 2016

5 site notices displayed: 16 December 2016

Neighbours notified: No representations have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the Update Note.

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) was published on 27 March 2012. The National Planning Policy Framework states that the purpose of the planning system is to contribute towards sustainable development. There are three strands to sustainable development namely economic, social and environmental. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise it contains 12 core planning principles including :-

1 - 'building a strong, competitive economy'-ensure the planning system does

- everything it can to support sustainable economic growth
- 2 -'ensuring the vitality of town centres'-recognise town centres as the heart of their communities and pursue policies to support their viability and vitality
 - 7 - 'requiring good design'.....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
 - 12 -'conserving and enhancing the historic environment'.....the desirability of new development making a positive contribution to local character and distinctiveness

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

The National Planning Practice Guidance - Development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, local man-made and natural heritage and culture, while not preventing or discouraging appropriate innovation. The successful integration of all forms of new development with their surrounding context is an important design objective, irrespective of whether a site lies on the urban fringe or at the heart of a town centre.

Natural features and local heritage resources can help give shape to a development and integrate it into the wider area, reinforce and sustain local distinctiveness, reduce its impact on nature and contribute to a sense of place. Views into and out of larger sites should also be carefully considered from the start of the design process. Local building forms and details contribute to the distinctive qualities of a place. These can be successfully interpreted in new development without necessarily restricting the scope of the designer. Standard solutions rarely create a distinctive identity or make best use of a particular site. The use of local materials, building methods and details can be an important factor in enhancing local distinctiveness when used in evolutionary local design, and can also be used in more contemporary design. However, innovative design should not be discouraged.

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

The Blackpool Local Plan: Part 1 - Core Strategy has been adopted by the Council its meeting on 20 January 2016. In accordance with paragraph 216 of the National Planning Policy Framework significant weight can now be given to the policies of the Core Strategy. Certain policies in the Saved Blackpool Local Plan have now been superseded by policies in the Core Strategy (these are listed in the appendices to the document). Other policies in the Saved Blackpool Local Plan will remain in use until Part 2 of the new Local Plan is produced.

The policies in the Core Strategy that are most relevant to this application are -

CS1 - Strategic Location for Development
CS5 - Connectivity
CS7 - Quality of Design
CS8 - Heritage
CS9 - Water Management
CS10 - Sustainable Design
CS17- Blackpool Town Centre
CS18- Winter Gardens
CS21- Leisure and Business Tourism

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

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

LQ1 Lifting the Quality of Design
LQ2 Site Context
LQ3 Layout of Streets and Spaces
LQ4 Building Design
LQ7 Strategic Views
LQ9 Listed Buildings
LQ10 Conservation Areas
BH3 Residential and Visitor Amenity
BH4 Public Health and Safety
AS1 General Development Requirements
AS2 New Development With Significant Transport Implications

ASSESSMENT

Principle - The proposed extension relates to the site of a surface level car park which also previously included a service ramp and retail premises enclosed by the Empress Ballroom, The Opera House and restaurant premises 'Amaro' and shop fronting Church Street. The proposal includes the demolition of a number of out-dated back of house buildings including the two storey scale box extension built onto the rear (Leopold Grove elevation) of the Empress Ballroom. This proposal has already been granted the benefit of outline planning permission which establishes the principle and scale of development under reference 16/0363. The scale of the development replicates that shown under application 16/0363.

Subject to the subsequent submission of full details, materials and other detailed submissions the extension will make beneficial use of an neglected and under-used part of the Winter Gardens complex and remove some unsympathetic additions to the complex and re-instate some original features to the Empress Ballroom including re-opening the Leopold Grove elevation and creating an outside seating terrace. The proposal will strengthen the offer, viability and long term future of the Winter Gardens and will significantly assist in the regeneration of the town centre. It is considered therefore that the proposal constitutes

sustainable development meeting the social, economic and environmental requirements as set out in the National Planning Policy Framework and should therefore be supported.

Design of the building and its impact on the Winter Gardens and the Town Centre

Conservation Area - The application seeks full approval for all details (design, scale, layout, means of access and landscaping) and listed building consent although the scale (height and bulk) of the extension has been previously approved under planning permission 16/0363.

The building has a bold and modern contemporary design with a profiled frontage with a number of flat roof elements comprised of glazing, terracotta cladding, brickwork to match the Ballroom and grey panelling at roof level. The proposal will re-create a street frontage into the Winter Gardens from Leopold Grove and will link into the existing entrances into the Winter Gardens from St John's Square and Coronation Street. It will have a two storey glass link into the Empress Ballroom reflecting the lower scale and sensitivity of this link. The proposed building will have a maximum height of 19.5 metres which matches the scale of the brick frontage to the Empress Ballroom. The proposed building is profiled and setback from the rear elevation of the Empress Ballroom giving a clean visual break between the new and existing buildings and help to reduce the bulk of the proposed building. The submitted plans also indicate a two storey height glazed entrance feature abutting the Empress Ballroom which will lighten the appearance of the building. The eaves level of the proposed building will line through the ledge feature directly above the high level circular detail on the rear gable wall of the Empress Ballroom.

The proposal has the support of Historic England and the Theatres Trust, now that the detailed queries raised concerning impact have been dealt with. The comments of the Built Heritage Manager will largely be addressed via appropriate conditions to be attached to any approvals. The Victorian Society comments are not considered to outweigh those comments given in favour of the scheme. The building has been designed so as not to overpower the two existing main entrances and is considered to respond appropriately to the existing architecture and will link well into the existing complex. In terms of the acceptability of the scale the proposal is considered to be in accordance with national and local planning policy subject to the submission of suitable quality facing materials and other associated external works and the approval of other relevant design, technical and operational matters which will be dealt with as conditions of approval.

Public Realm/ Landscaping is a key component in terms of the quality and setting of the proposed development and its transformation of the built environment on and around Leopold Grove. As with the facing materials of the building itself the hardsurfacing materials to be used are to be dealt with as a condition of any planning permission and listed building consent to ensure the appropriate level of quality of materials are used so as not to detract from the overall of the scheme. As well as using attractive materials they will also need to be hardwearing given that servicing takes place from Leopold Grove and involves large articulated vehicles. The removal of the extension on the rear of the Empress Ballroom will enable an attractive terraced seating area to be created.

Access, Parking and Servicing Arrangements - Servicing, access and back of house facilities are shown on the submitted plans within the building itself and to the rear of Amaro

restaurant and retail premises fronting Church Street. No off street car park facilities are included with the proposal and the proposal will rely on existing town centre parking facilities and public transport facilities. The implementation of a travel plan, cycle parking and a condition relating to the agreement of servicing arrangements will be imposed on any approval for the proposal. However final comments of the Head of Highways and Traffic Management Transportation are still awaited and will be reported via the Update Note together with any further conditions/ recommendations.

The proposal is important is seeking to integrate the Conference and Exhibition Centre in with the existing complex which will help the viability and connectivity of the development between the different areas and will help secure the future of the Winter Gardens, help maximise its potential and make it fit for 21st century requirements.

Economy/ Employment - The construction of a purpose built conference and exhibition facility for a maximum of 1500 conference delegates will add significantly to the economy of the town centre and help make Blackpool a stronger and more vibrant all year round visitor destination. As well as providing employment opportunities at the new Conference Centre the proposal will help strengthen employment opportunities and business in local hotels, bars, shops and restaurants and the contribution to the Blackpool economy and the employment opportunities offered are to be welcomed.

Impact on Residential Amenity - the proposed Conference and Exhibition Centre will undoubtedly introduce increased activity and noise in and around Leopold Grove, as will the new hotel development across the road. Although this is a busy town centre location the activities are not anything over and above what one would expect from a busy town centre location and the existing Winter Gardens complex is already partly serviced from Leopold Grove. Therefore the impact of the proposal on the flat development at the junction of Leopold Grove and Church Street is not considered too significant given the context and the existing situation.

In terms of the physical impact of the proposal on the nearby flats, the existing buildings already form a significant and longstanding backdrop to the application site and the proposal is not expected to increase this impact significantly. There may be some shading of the ground floor of the flats on the opposite side of Leopold Grove as the sun moves to its westerly position but this is not considered so significant an impact to warrant refusal of the application on amenity grounds.

Other Issues

Contaminated land and archaeological matters have already been investigated and it is understood there are no particular issues. Should this subsequently change then the relevant specialist advisors will be further involved to resolve any matters.

Drainage - Detailed drainage comments from United Utilities are awaited on the technical submissions and these will be reported via the Update Note. The imposition of conditions requiring the provision of separate foul and surface water drainage facilities are standard conditions and are included in the list of conditions.

Crime and disorder - The Police Architectural Liaison Officer advises that a number of earlier recommendations have been taken on board. The additional recommendations have been forwarded to the architect for comment and any response will be reported via the Update Note.

CONCLUSION

For the reasons outlined above the proposal is considered to be in accordance with the relevant local and national planning policy and guidance and should therefore be supported.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

None

FINANCIAL BENEFITS

See report

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

BACKGROUND PAPERS

Outline planning application File(s) reference: 16/0363 and planning permission for the hotel on Leopold Grove reference: 16/0553 which can be accessed via the link below:

<http://idoxpa.blackpool.gov.uk/online-applications/search.do?action=simple>

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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority including the following plans:

Location Plan stamped as received by the Council on 28th November 2016.

Drawings numbered;

BP003-BA-Z0-B1-PL-A-1202 Rev P1.3

BP003-BA-Z0-00-PL-A-1203 Rev P1.3

BP003-BA-Z0-01-PL-A-1204 Rev P1.3

BP003-BA-Z0-02-PL-A-1205 Rev P1.3

BP003-BA-Z0-04-PL-A-1207 Rev P1.3

BP003-BA-Z0-10-PL-A-1213 Rev P1.3

BP003-BA-Z1-ZZ-EL-A-2100 Rev P1.1

BP003-BA-Z0-ZZ-EL-A-2201 Rev P1.2

BP003-MF-Z1-RF-DR-M-1205 Rev P3

Reason: For the avoidance of doubt and so the Local Planning Authority can be satisfied as to the details of the permission.

3. The building/use hereby approved shall not be occupied/first commenced until the servicing arrangements, including manoeuvring areas and delivery times, have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority; the servicing shall thereafter carried out in accordance with the approved details and 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.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ4 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. Prior to the development hereby approved being first brought into use the secure cycle storage and refuse storage provision shall be provided in accordance with details to be submitted and approved in writing with the Local Planning Authority and shall thereafter be retained.

Reason: To enable access to and from the property by sustainable transport mode and to ensure safe and adequate refuse storage provision, in accordance with Policies AS1, LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policies CS5 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. Notwithstanding the submitted plans details of external materials to be used, including brick, tiles, 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, LQ9, and LQ10 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS8 and CS18 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. The development shall not be occupied until a travel plan has been submitted to and approved in writing by the Local Planning Authority. Such travel plans 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 and Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

7. 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 the works above ground level.

Reason: In the interests of the appearance of the locality, in accordance with Policies LQ1, LQ3, LQ9 and LQ10 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS8 and CS18 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. Notwithstanding the submitted plans details of the appearance, technical specification and siting of any external ventilation ducting and plant shall be submitted to and agreed in writing by the Local Planning Authority before development commences. The agreed ducting and shall then be provided prior to first use and shall thereafter be retained.

Reason: To safeguard the living conditions of the occupants of nearby premises, in accordance with Policies BH3, BH4 and LQ1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

9. 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 routeing 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 Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. 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.

11. 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 & pollution and to improve bathing water quality standards on the Fylde Coast in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016.

12. 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 and Policies CS7, CS8 and CS18 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

13. Prior to the development hereby approved being first occupied a scheme of off-site highway works shall be carried out in accordance with details to be submitted to and agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and free flow of traffic in accordance with Policies AS1 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS8 and CS18 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

14. Detailed treatment of the exposed Empress Ballroom elevation to Leopold Grove and the link of the approved building into the Empress Ballroom shall be carried out in accordance with details to be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development works above ground level.

Reason: In the interests of the appearance of the Empress Ballroom, Winter Gardens and wider locality, in accordance with Policies LQ1, LQ2, LQ4, LQ9, and LQ10 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS8 and CS18 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

15. a) No development shall take place above ground level 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.

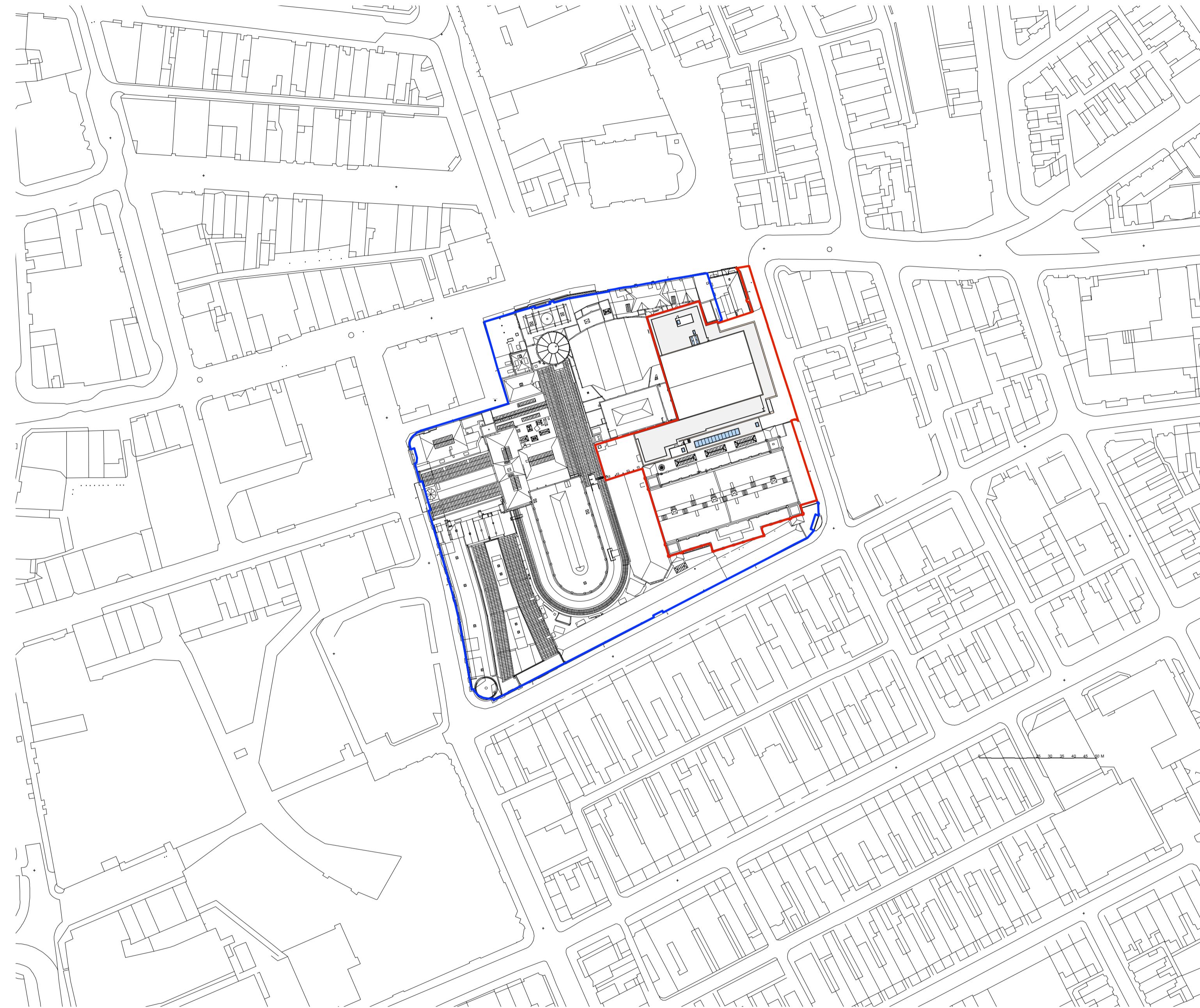
b) The landscaping works shall be carried out in accordance with the approved details within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner.)

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 and Policies CS7, CS8 and CS18 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

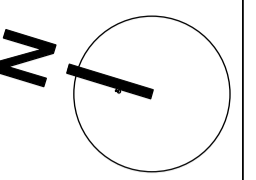
Advice Notes to Developer

Not applicable

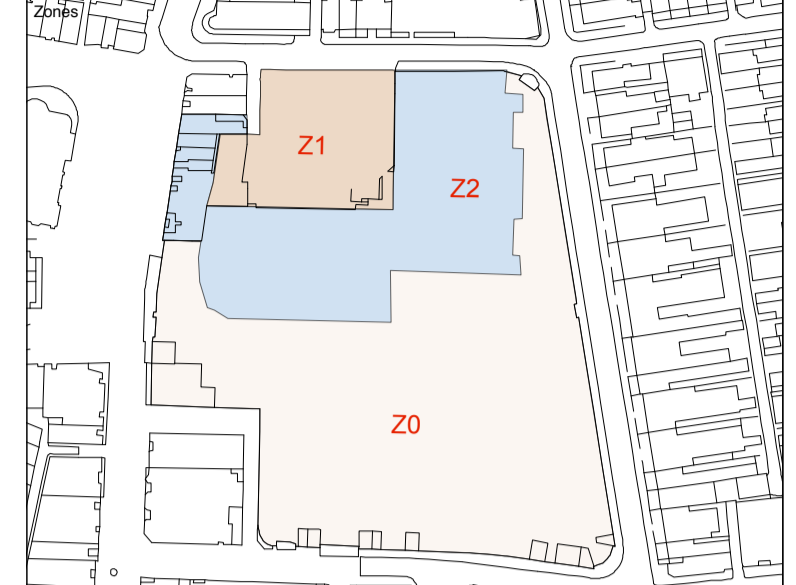


This drawing should be read in conjunction with the Project Numbering System
 Key drawing BP003-BA-Z0-00-DR-A-0001

Drawing Origin Co-Ordinates X: 330900 Y: 436150
 Rotation R: 16.95 degrees



This Drawing Origin Co-Ordinates must be applied when importing data to user origin. Rotation angle to true North



Key

Extent of Planning Application



Land owned by the applicant



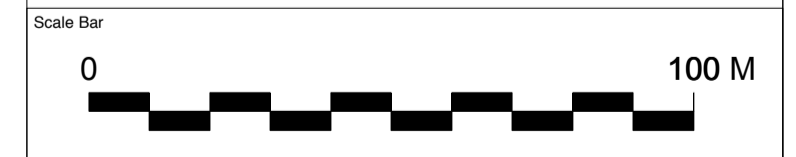
Z0 - Site excluding detail of buildings



Z2 - Entrance Ballroom - Existing building



Z1 - Conference Centre - New building



Revision	Date	Comments
S0 P1	01.09.2016	General Issue
S0 P1.2	07.10.2016	General Update
S2 P1.3	18.11.2016	General Update
S2 P1.4	24.11.2016	Planning Application

A1

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Project
Blackpool Conference & Exhibition Centre

Address
**Blackpool Winter Gardens
 97 Church Street
 FY1 1HW
 Blackpool Council**




Logo
Blackpool Council
 BUILDING A BETTER COMMUNITY FOR ALL

Information Title
Location Plan

Date	18.11.16	Drawn	AS	Checked	JB	Scale	1:1250
Project No.	BP003-BA-Z0-ZZ-PL-A-0002					Suitability	Revision
						S2-P1.4	

The Cube Building, 17-21 Wenlock Road, London N1 7GT, United Kingdom
 T +44 (0)20 7250 0440 | E info@bissetadams.com | www.bissetadams.com



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