

# Blackpool Council

15 September 2017

To: Councillors Humphreys, Hutton, Jackson, O'Hara, Mrs Scott, Stansfield and L Williams

The above members are requested to attend the:

## **PLANNING COMMITTEE**

Tuesday, 26 September 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 30 AUGUST 2017** (Pages 1 - 12)

To agree the minutes of the last meeting held on 30 August 2017 as a true and correct record.

### **3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED** (Pages 13 - 20)

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

### **4 PLANNING ENFORCEMENT UPDATE REPORT** (Pages 21 - 26)

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

**5 PLANNING APPLICATIONS AND APPEALS PERFORMANCE** (Pages 27 - 30)

To update Members of the Planning Committee of the Council's performance in relation to Government targets.

**6 PLANNING APPLICATION 17/0060 - ANCHORSHOLME PARK , ANCHORSHOLME LANE WEST** (Pages 31 - 62)

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

**7 PLANNING APPLICATION 17/0239 - LAND TO THE REAR OF 46 HARCOURT ROAD** (Pages 63 - 74)

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

**8 PLANNING APPLICATION 17/0374 - 243 FLEETWOOD ROAD** (Pages 75 - 82)

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

**9 PLANNING APPLICATION 17/0453 - LAND BOUNDED BY CORONATION STREET, ADELAIDE STREET AND TOWER STREET** (Pages 83 - 108)

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

**10 PLANNING APPLICATION 17/0456 - 102 QUEENS PROMENADE** (Pages 109 - 116)

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

**11 PLANNING APPLICATION 17/0501 - LAND TO REAR OF 14-20 OLIVE GROVE** (Pages 117 - 128)

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](mailto:bernadette.jarvis@blackpool.gov.uk)

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### **Present:**

Councillor L Williams (in the Chair)

Councillors

Humphreys	Jackson	Stansfield
Hunter	O'Hara	

### **In Attendance:**

Mr Lennox Beattie, Executive and Regulatory Support Manager

Mr Carl Carrington, Head of Planning, Quality and Control

Mr Ian Curtis, Legal Officer

Mr Nick Gerrard, Growth and Prosperity Programme Director

Mr Gary Johnston, Head of Development Management

Mr Latif Patel, Group Engineer, Traffic Management

Mr Mark Shaw, Principal Planning Officer

### **1 DECLARATIONS OF INTEREST**

There were no declarations of interest on this occasion.

### **2 MINUTES OF THE MEETING HELD ON 1 AUGUST 2017**

The Committee considered the minutes of the meeting held on 1 August 2017.

### **Resolved:**

That the minutes of the meeting held on 1 August 2017 be approved and signed by the Chairman as a correct record.

### **3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED**

The Planning Committee considered the planning and enforcement appeals lodged since the last meeting. It noted that three appeals had been lodged against the refusal of planning permission in respect of 23 Colwyn Avenue, Land to the rear of 17-23 Carleton Avenue and Unit 1, 71 Moor Avenue.

### **Resolved:**

To note the report on planning appeals lodged and determined.

Background papers: None

#### 4 PLANNING ENFORCEMENT UPDATE REPORT

The Committee considered a report detailing the planning enforcement activity undertaken within Blackpool during July 2017.

The report stated that 71 new cases had been registered for investigation, six cases had been resolved by negotiation without recourse to formal action and 49 cases were 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 Community Protection Notice had been issued during the same period.

The report also provided comparative information for the same period last year.

**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.

Background papers: None

#### 5 PLANNING APPLICATIONS AND APPEALS PERFORMANCE

Mr Johnston, Head of Development Management reported on the Council's performance in relation to the determination of planning applications and planning appeals for the month of July and the quarter period from April to June 2017. He advised Members that performance remained above the target thresholds set by Government.

**Resolved:** To note the report on planning applications and appeals performance.

Background papers: None

#### 6 CONSERVATION AREA GUIDANCE

The Committee considered a report on draft Conservation Area Guidance presented by Mr Carl Carrington, Head of Planning Quality and Control. Mr Carrington advised that with the growth in the number of Conservation Areas and the Council's Channel Shift Initiative it had been considered useful to develop a clear guide which homeowners could use to inform themselves in making decisions as regards changes or developments within the Conservation Area. The document did not by itself create guidance but instead presented the relevant information in an easy to use format for applicants and interested parties. Members of the Planning Committee endorsed the creation of the guidance as a positive way to assist members of the public in making informed decisions.

**Resolved:**

To approve the Conservation Area Guidance.

## MINUTES OF PLANNING COMMITTEE MEETING – 30 AUGUST 2017

Background Papers: None

### **7 PLANNING APPLICATION 17/0060 - ANCHORSHOLME PARK , ANCHORSHOLME LANE WEST, BLACKPOOL**

The Committee noted information from Mr Johnston, Head of Development Management that a number of objectors had not been correctly notified of the Committee date.

#### **Resolved:**

That the application be deferred to the next meeting of the Committee.

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

### **8 PLANNING APPLICATION 17/0301 - LAND ADJACENT TO 27 STOCKYDALE ROAD, BLACKPOOL**

The Planning Committee considered planning application 17/0301 for the erection of four detached dwellinghouses, two with integral garages and two with detached garages, with associated landscaping and access from Stockydale Road at Land adjacent to 27 Stockydale Road.

Mrs C Baron spoke in objection to the application and highlighted local residents' concerns regarding access to the properties and road safety.

Mr K Gleeson, Applicant's Agent, spoke in support of application, he highlighted that the applicant had been unable to develop the site with access from Midgeland Road, as previously approved, and proposed this application as a solution to allow a phased development of the site. Mr Gleeson explained that the applicant had sought to ameliorate the access to the site following discussions

In response to questions from the Committee Mr Patel, Group Engineer Highways, explained while for highways purposes a development of site from Midgeland Road would always be preferable that the applicant had taken steps to improve access to the site as far as was practicable.

The Planning Committee considered on balance that the access to the development site would be inadequate and would exacerbate existing issues of pedestrian and vehicular conflict, it would be detrimental to highway safety. It therefore concluded that the granting planning permission would unacceptably undermine road safety and highways amenity in the locality and this could not be dealt with by adding conditions and only by refusing the application.

#### **Resolved:**

That the application be refused for the reasons set out in the Appendix to the minutes.

## MINUTES OF PLANNING COMMITTEE MEETING – 30 AUGUST 2017

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

### **9 PLANNING APPLICATION 17/0340 - 44 STONY HILL AVENUE, BLACKPOOL**

The Planning Committee considered Planning Application 17/0340 for the erection of part single / part two storey side/rear extension following demolition of existing conservatory at 44 Stonyhill Avenue.

The Committee expressed serious reservations as to the size and overintensity of the proposed extension and concluded that on balance that the proposed extension would be out of keeping with the streetscene and would significantly overshadow the property and its neighbour at 42 Stony Hill Avenue by reason of its height and proximity to the boundary of the property. The Committee further expressed concern as to the loss of parking spaces on the site and access to the garage.

#### **Resolved:**

That the application be refused for the reasons set out in Appendix to the minutes.

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

### **10 PLANNING APPLICATION 17/0439 - 50 BISPHAM ROAD, BLACKPOOL**

The Planning Committee considered application 17/0349 for the erection of part three storey, part four storey building to form 12 self-contained permanent flats, with associated parking for eight cars, access from Bispham Road, bin and cycle stores, landscaping and boundary treatment at 50 Bispham Road

Mr Mark Shaw, Principal Planning Officer, highlighted that planning permission had been granted to a number of occasions for similar developments on the site which was accessible and linked well to public transport in the area. In response to questions from the Committee Mr Shaw explained that it was his belief from discussions with the applicant that the applicant was in a position to start quickly on site if permission was granted.

#### **Resolved:**

That the application be granted subject to the conditions outlined in the Appendix to the minutes.

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

### **11 PLANNING APPLICATION 17/0443 - 340 WATERLOO ROAD, BLACKPOOL**

The Planning Committee considered Planning Application 17/0443 for the use of first floor as a beauty therapy centre at 340 Waterloo Road.



## MINUTES OF PLANNING COMMITTEE MEETING – 30 AUGUST 2017

Mr J Shaw and Mrs P Ferguson, public objectors, both spoke in objection to the application and highlighted local concerns regarding parking in the area.

Mr Johnston, Head of Development Management, highlighted that the applicant had explained that they were willing to enter into an agreement with the owner of the former Methodist Church to lease car parking which would reduce the demand for on-street car parking created by the change of use.

The Committee considered that without the completion of a suitable agreement to ensure that parking was available off site for staff and customers that the change of use would add unacceptably to the parking issues being experienced already in the area. It therefore concluded that the application should be granted but only subject to the signing of a suitable legal agreement regarding the provision of off street car parking for at least 8 cars.

### **Resolved:**

That the committee are minded to approve the application subject to suitable resolution of the concerns about parking and that approval be delegated to the Head of Development Management subject to the completion of a suitable Section 106 agreement mandating that the use not commence until the provision of suitable off-street car parking had been secured .

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

### **Chairman**

(The meeting ended at 7.25 pm)

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

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**Application Number 17/0301 – Land adjacent to 27 Stockydale Road, Blackpool**

Erection of four detached dwellinghouses, two with integral garages and two with detached garages, with associated landscaping and access from Stockydale Road.

**Decision:** Refuse

**Reasons:**

1. The proposed development would involve access onto a narrow country lane with limited lengths of footpaths and sharp bends where visibility is obscured by hedgerows. As such the proposed development would exacerbate existing issues of pedestrian and vehicular conflict, it would be detrimental to highway safety and it would conflict with paragraphs 17 and 32 of the National Planning Policy Framework and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy AS1 of the Blackpool Local Plan 2001-2016.

2. 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.

**Application Number 17/0340 – 44 Stony Hill Avenue, Blackpool**

Erection of part single / part two storey side/rear extension following demolition of existing conservatory.

**Decision:** Refuse

**Reasons:**

1. The proposed two storey extension would have an adverse impact on the amenities of the occupiers of no 42 Stony Hill Avenue by reason of its height, its proximity to the common boundary and the extent of its projection beyond the rear elevation of the property. As such it would be contrary to paragraphs 17 and 56-65 of the National Planning Policy Framework, Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, Policies LQ14 and BH3 of the Blackpool Local Plan 2001-2016 and the Extending Your Home Supplementary Planning Document.

2. The proposed two storey extension would represent overintensive development in that it would prevent access to the garage in the rear garden of the property and would reduce the availability of parking spaces at the side of the property. As such it

would be contrary to paragraphs 17 and 56-65 of the National Planning Policy Framework, Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, Policies LQ14 and AS1 of the Blackpool Local Plan 2001-2016 and the Extending Your Home Supplementary Planning Document

3. ARTICLE 35 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK paragraph 187)

The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors which conflict with the National Planning Policy Framework, policies of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and the Blackpool Local Plan 2001-2016 and the Extending Your Home Supplementary Planning Document which justify refusal.

**Application Number 17/0439 – 50 Bispham Road, Blackpool**

Erection of part three storey, part four storey building to form 12 self-contained permanent flats, with associated parking for eight cars, access from Bispham Road, bin and cycle stores, landscaping and boundary treatment.

**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 23rd June 2017.

Drawings numbered

16-2237-PN001

16-2237-PN101

16-2237-PN102

16-2237-PN201

16-2237-PN301

7162/02

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 Policy LQ4 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

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

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5.
  - 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 Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. 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 offsite 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 £8256 towards the provision of or improvement to offsite 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.

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

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. 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.

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

be retained.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants and neighbours, in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. Before the building is first occupied, a separate foul and surface water drainage scheme shall be submitted to and agreed in writing by the Local Planning Authority and implemented as agreed. The scheme shall thereafter be retained.

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.

11. No development shall take place until an assessment of noise levels received on the site has been undertaken and a report submitted to the Local Planning Authority. None of the flats shall be occupied until any mitigation measures recommended in the report have been carried out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Any such measures shall be retained thereafter.

Reason To protect the residential amenity of future residents of the accommodation in accordance with Policies BH3 and BH4 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

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<b>Report to:</b>	<b>PLANNING COMMITTEE</b>
<b>Relevant Officer:</b>	Gary Johnston, Head of Development Management
<b>Date of Meeting:</b>	26 September 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 23 Colwyn Avenue, Blackpool FY4 4ET (17/0152)**

5.2.1 An appeal by Mr Michael Allen against the decision of the Council to refuse planning permission to replace garage with new garage for general storage and vehicles.

5.2.2 The appeal was allowed subject to conditions including the following:

No development shall take place until details of the external facing materials have been submitted to and approved by the local planning authority in writing.

The garage hereby permitted shall be kept available at all times for the parking of motor vehicles by the occupants of 23 Colwyn Avenue and their visitors and for no other purpose.

No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme which shall include indications of all existing trees with the potential to be affected by the development, and set out measures for their protection.

5.2.3 The main issues in this case are the effect of the proposed development on the character and appearance of the surrounding area; the effect of the development as a result of noise and disturbance to those living and working nearby and the effect on highway safety.

5.2.4 The Inspector concluded that whilst the proposed garage would be bigger than the existing, and that which has been approved, it would not appear overly dominant or out of character with the surrounding area.

5.2.5 The impact of the larger garage on the enjoyment of the gardens at 78a and 80 Vicarage Lane would be minimal because the mature trees and the large summerhouse at the rear of no 78a's garden would substantially screen the development. Consequently, the marginal increase in height, proximity and depth would have a limited impact on the ability of residents to enjoy their garden. Given the distance to the other nearby properties the development would have no adverse impact.

5.2.6 The appeal proposal is larger than traditional domestic garages nonetheless, subject to an appropriate condition restricting its use to domestic purposes, the potential for noise and disturbance to nearby residents and pupils and staff at the day nursery would be no different.

5.2.7 No changes are proposed to the access from Vicarage Lane which already serves the existing garage. In the absence of compelling evidence setting out how the appeal proposal would have an impact on highway safety the Inspector concluded that the appeal proposal would not be contrary to Policy AS1 of the Local Plan.

5.2.8 A copy of the Inspector's decision dated 4 September 2017 is attached as Appendix 3a.

### **5.3 Planning/Enforcement Appeals Lodged**

5.3.1 None

**5.4 List of Appendices:**

5.4.1 Appendix 3a - A copy of the Inspector's decision dated 4 September 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 21 August 2017

**by Louise Nurser BA (Hons) Dip UP MRTPI**

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

**Decision date: 4 September 2017**

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### **Appeal Ref: APP/J2373/D/17/3179109**

### **23 Colwyn Avenue, Blackpool FY4 4ET**

- 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 Michael Allen against the decision of Blackpool Borough Council.
  - The application Ref 17/0152, dated 8 February 2017, was refused by notice dated 25 April 2017.
  - The development proposed is to replace garage with new garage for general storage and vehicles.
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### **Decision**

1. The appeal is allowed and planning permission is granted for erection of detached garage to rear of house at 23 Colwyn Avenue, Blackpool FY4 4ET in accordance with the terms of the application, Ref 17/0152, dated 8 February 2017, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the approved plans that accompanied the application.
  - 3) No development shall take place until details of the external facing materials have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved materials.
  - 4) The garage hereby permitted shall be kept available at all times for the parking of motor vehicles by the occupants of 23 Colwyn Avenue, Blackpool FY4 4ET and their visitors and for no other purpose, except for storage, ancillary to the domestic use of the property.
  - 5) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme which shall include indications of all existing trees with the potential to be affected by the development, and set out measures for their protection, where appropriate, throughout the course of development.

## **Preliminary matters**

2. Since the refusal of the application, the subject of the appeal before me, a further application for a revised scheme<sup>1</sup> has been approved by the Council. I have been provided with details of this approved scheme.

## **Procedural matter**

3. The original description of the development is unclear. Therefore, I have used the Council's description in my decision as it more accurately describes the nature of the development.

## **Main Issues**

4. The main issues in this case are the effect of the proposed development on the character and appearance of the surrounding area; the effect of the development as a result of noise and disturbance to those living and working nearby and the effect on highway safety.

## **Reasons**

### *Background*

5. The appeal site is set within an area of land which appears to have historically fallen outside of the rear garden of no 23 Colwyn Avenue, although it now is directly accessed from the rear of the host property. The proposed garage would replace a smaller, existing garage, of a utilitarian appearance, which lies on an area of land to the rear of numbers 17 to 23 Colwyn Avenue. The New Westmere Day Nursery faces onto the site, together with the rear garden of 78a Vicarage Lane. The eastern boundary of 80 Vicarage Lane also abuts the site.
6. The land is accessed via a narrow, relatively long, gated drive which leads to Vicarage Lane. At the time of my site visit the host property was being renovated and the boundaries to the site were not clearly demarcated by fencing.
7. The replacement garage which was recently approved would measure 4 m high, and 8 m in length and 6.5 m wide. In comparison, the appeal proposal would be approximately 4.5 m high, 9.5 m long and 6.5 m wide. There is nothing to suggest that this proposed development could not be implemented.
8. Nonetheless, I have determined the appeal on the basis of the merits of the case before me.

### *Character and appearance*

9. The appeal site lies to the rear of a number of properties along St Edmund's Road, Colwyn Avenue and Vicarage Lane. The area is predominantly residential in nature. However, there is a children's day nursery which partly faces onto the site.
10. The proposed development would be over 2.5 m wider than the existing garage, over a metre higher and approximately 3.3 m longer. The proposed garage would be in a similar position and would be no closer to the boundary with no 78a Vicarage Lane, although it would be marginally closer to the

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<sup>1</sup> 17/0372

boundary with no 80 Vicarage Lane and closer to the day nursery and properties which back onto the site. The area of land in which the garage would sit is relatively large. Consequently, whilst the proposed garage would be bigger than the existing, and that which has been approved, it would not appear overly dominant or out of character with the surrounding area. Therefore, it would be consistent with the design principles contained within Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 (CS) and Policies BH3 and LQ4 of the Blackpool Local Plan 2001- 2016 (LP) and those of the Framework.

### *Living Conditions*

11. From what I observed on site, the impact of the larger garage on the enjoyment of the gardens of nos 78a and 80 Vicarage Lane would be minimal. This is because the mature trees and the large summerhouse at the rear of no 78a's garden would substantially screen the development. Number 80 Vicarage Lane benefits from a long garden. Consequently, the marginal increase in height, proximity and depth would have a limited impact on the ability of residents to enjoy their garden. Given the distance to the other nearby properties the development would have no adverse impact.
12. The appeal proposal is larger than traditional domestic garages normally found within a residential area. Nonetheless, subject to an appropriate condition restricting its use to domestic purposes, the potential for noise and disturbance to nearby residents and pupils and staff at the day nursery would be no different and the proposal would therefore not be contrary to Policies LQ4 and BH3 of the LP and CS7 of the CS.

### *Access*

13. No changes are proposed to the access from Vicarage Lane which already serves the existing garage. In the absence of compelling evidence setting out how the appeal proposal would have an impact on highway safety I conclude that the appeal proposal would not be contrary to Policy AS1 of the LP.

### **Conditions**

14. In the interests of certainty and proper planning I have imposed a condition requiring that the development be carried out in accordance with the relevant plans. In order to control the appearance of the garage, and to protect the predominantly residential character and appearance of the wider area, I have imposed a condition to control the materials to be used in the development.
15. Existing trees close to the proposed garage have a significant positive impact on the appearance of the area and a role in screening and softening the impact of the development. I have provided both the appellant and the Council the opportunity to comment as I have imposed a condition requiring that the trees potentially affected, be protected, where appropriate, throughout the construction of the development. In so doing, I am aware that the planning permission for the smaller, recently approved, scheme 17/0372 does not include such a condition. Nonetheless, I must consider the merits of the appeal before me, and whilst impact on trees was not an issue that was raised by the Council, from what I observed on my site visit I am sympathetic to the concerns raised by the occupant of no 78a Vicarage Lane. Therefore, I conclude that the condition is consistent with paragraph 206 of the Framework and required to protect the health of the trees.

16. In order to ensure that the use of the garage and associated storage remains of a domestic nature, and directly related to the occupation of the host property, I have imposed a condition restricting the use of the garage for domestic purposes by the occupants of no 23 Colwyn Avenue. I note the appellant's wish that this be extended to include the owner where he or she does not necessarily occupy the host property.
17. Clearly, the use of the garage by the owner whilst renovating the property would be reasonable and domestic in nature, as would its use for storage purposes solely and directly related to the maintenance of the property. However, a loosening of the wording of the condition to allow it to be used other than for the sole use of the occupants of, and visitors to, no 23 Colwyn Avenue would be inappropriate within a predominantly residential area.

**Conclusion**

18. For the reasons given above I conclude the appeal should be allowed.

*L. Nurser*

INSPECTOR



<b>Report to:</b>	<b>PLANNING COMMITTEE</b>
<b>Relevant Officer:</b>	Tim Coglan (Service Manager, Public Protection)
<b>Date of Meeting</b>	26 September 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 August 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, 153 new cases were registered for investigation, compared to 68 received in August 2016.

#### **5.1.2 Resolved cases**

In August 2017, five cases were resolved by negotiation without recourse to formal action, compared with four in August 2016.

#### **5.1.3 Closed cases**

In total, 94 cases were closed during the month (31 in August 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**

- No enforcement notices authorised in August 2017 (none in August 2016);
- Five s215 notices authorised in August 2017 (none in August 2016);
- No Breach of Condition notices authorised in August 2017 (none in August 2016);
  
- Three enforcement notices served in August 2017 (one in August 2016);
- No s215 notices served in August 2017 (one in August 2016);
- One Breach of Condition notice served in August 2017 (none in August 2016)
- One Community Protection Notice served in August 2017.

relating to those cases set out in the tables below:

5.1.6 **Section 215 notices authorised in August 2017**

Reference	Address	Case	Dates
16/8600	84-86 Caunce Street	Poor condition	S215 notice authorised 22/08/2017.
16/8601	112 Caunce Street	Poor condition	S215 notice authorised 22/08/2017.
16/8602	114 Caunce Street	Poor condition	S215 notice authorised 22/08/2017.
16/8603	125 Caunce Street	Poor condition	S215 notice authorised 22/08/2017.
16/8604	140 Caunce Street	Poor condition	S215 notice authorised 22/08/2017.

5.1.7 **Enforcement notices / BCNs / CPNs served in August 2017**

Reference	Address	Case	Dates
16/8473	6-8 Greystoke Place	Failure to comply with conditions 3, 4, 5 or 7 on planning permission 13/0502 (use as six self-contained permanent flats) re: dwarf wall, hard/soft landscaping, external bin and secure cycle storage facilities, and lack of obscure glazed privacy screen at second floor.	Breach of Condition notice issued 07/08/2017.  Compliance due by 18/11/2017 (no right of appeal).
16/8507	563 New South Promenade	Unauthorised rendering of original brown brickwork at first and second floors of the front elevation.	Enforcement notice issued 07/08/2017.  Compliance due by 18/11/2017 unless an appeal is made to the Planning Inspectorate by 18/09/2017.

17/8219	238 Queens Promenade	Unauthorised change of use of the property from a hotel to a mixed use as a hotel, hot food take away and associated delivery services.	Enforcement notice issued 14/08/2017.  Compliance due by 23/10/2017 unless an appeal is made to the Planning Inspectorate by 25/09/2017.
17/8219	238 Queens Promenade	Unauthorised erection of an extraction flue to rear.	Enforcement notice issued 14/08/2017.  Compliance due by 23/10/2017 unless an appeal is made to the Planning Inspectorate by 25/09/2017.
17/8406	377-379 Promenade	Poor condition of property.	Community Protection Notice issued 16/08/2017.  Compliance due by 16/09/2017.

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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<b>Report to:</b>	<b>PLANNING COMMITTEE</b>
<b>Relevant Officer :</b>	Gary Johnston - Head of Development Management
<b>Date of Meeting:</b>	26 September 2017

## PLANNING APPLICATIONS AND APPEALS PERFORMANCE

### 1.0 Purpose of the report:

1.1 To update members of Planning Committee of the Council's performance in relation to Government targets.

### 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 current performance.

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

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

3.3 Other alternative options to be considered:

None the report is for information only.

### 4.0 Council Priority:

4.1 The relevant Council Priority is both

- "The economy: Maximising growth and opportunity across Blackpool"
- "Communities: Creating stronger communities and increasing resilience"

## 5.0 Background Information

5.1 Members of the Planning Committee will be aware that the Government has set targets for the determination of major and minor category planning applications and major and minor category appeals. These are speed and quality of decision targets and are currently –

**Speed of major development decisions** – 60% within 13 weeks or an agreed Extension of Time – for the period October 2015 to September 2017.

**Speed of minor development decisions** – 70% within 8 weeks or an agreed Extension of Time – for the period October 2015 to September 2017.

**Quality of major development decisions** – Loss of more than 10% of appeals – for the period April 2015 – March 2017.

**Quality of non major development decisions** – Loss of more than 10% of appeals – for the period April 2015 – March 2017.

5.2 Figures are submitted quarterly to the Department of Communities and Local Government.

5.3 Performance is shown below for August 2017 and the previous available quarter (April –June 2017)

	<b>Government Target</b>	<b>Performance August 2017</b>	<b>Performance April- June 2017</b>
<b>Major development decisions</b>	>60%	100%	83%
<b>Minor development decisions</b>	>70%	93%	93%
<b>Quality of major development decisions</b>	>10%	n/a	n/a
<b>Quality of non major development decisions</b>	> 10%	No appeals allowed	No appeals allowed

Does the information submitted include any exempt information? No



5.4 **List of Appendices**

5.4.1 None

6.0 **Legal considerations:**

6.1 None

7.0 **Human Resources considerations:**

7.1 Performance is influenced by staffing numbers, sickness and leave.

8.0 **Equalities considerations:**

8.1 None

9.0 **Financial considerations:**

9.1 Poor performance puts the Council at risk of designation and the potential for loss of fee income.

10.0 **Risk management considerations:**

10.1 Under resourcing the service could lead to inability to respond to peaks in workload.

11.0 **Ethical considerations:**

11.1 None

12.0 **Internal/ External Consultation undertaken:**

12.1 Not applicable

13.0 **Background Papers**

13.1 None

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COMMITTEE DATE: [26/09/2017](#)

**Application Reference:** 17/0060

WARD: Anchorsholme  
DATE REGISTERED: 02/02/17  
LOCAL PLAN ALLOCATION: Protection of Public Open Space  
Other site of nature conservation value  
Coast and foreshore

APPLICATION TYPE: Full Planning Permission  
APPLICANT: United Utilities Water PLC

**PROPOSAL:** Re-development of Anchorsholme Park to include new pumping station and associated buildings, storage tank control building, six vent stacks, erection of cafe and bowling club/ maintenance building, re-contouring and landscaping of Park, new amphitheatre feature, new footpaths, provision of MUGA (multi-use games area), trim trail, and children's playground, new access from Princes Way, new walls and fencing. (Re-submission of 15/0820).

**LOCATION:** ANCHORSHOLME PARK , ANCHORSHOLME LANE WEST, FY5 1ND

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**Summary of Recommendation:** Grant Permission

## CASE OFFICER

Mr M Shaw

## BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority two of the Plan** - Communities: Creating stronger communities and increasing resilience.

## SUMMARY OF RECOMMENDATION

The application is a revision of the previously approved scheme reference: 15/0820 and has generated significant local concern regarding the proposed changes and suggested additional impact including the water pumps now being proposed partially above ground rather being positioned totally underground.

However, the proposal, as amended, is recommended for approval. The proposal will store water from the combined surface and foul water drainage system at times of heavy rainfall beneath the Park, water that would otherwise be pumped into the Irish Sea adversely affecting bathing water quality and the cleanliness of the beaches. Following the completion

of the subject works the Park will be re-developed into a much improved public open space. The new Park will also have direct and level access onto the new Promenade.

## **INTRODUCTION**

Members will recall that this application was deferred at the Planning Committee meeting on 11 April 2017 due to concerns expressed at the meeting including the lack of some of the boundary treatment and landscaping details, the extent of the changes from the previously approved scheme, potential noise issues and lighting and CCTV provision. The application was subsequently deferred from the 30 August 2017 meeting due to a number of residents not being notified of the meeting.

The application involves revisions to planning permission 15/0820. As part of this work the existing 1.5km outfall pipe is being replaced with a new 3.7km outfall pipe projecting out into the Irish Sea. This matter has been the subject of a separate application to the Marine Management Organisation. At present a 1.5km outfall pipe is licensed to pump water into the Irish Sea up to three times a season and thus these discharges affect the quality of the bathing water and the local beaches. It is expected that the new storage tank will reduce the amount water discharging into the sea and water that has to be pumped out to sea will in future be further out to sea reducing the possibility of it being washed back in with the tide. Following the completion of these works a new Anchorsholme Park will be provided.

## **SITE DESCRIPTION**

Anchorsholme Park provides approximately 10 hectares of public open space and is protected under Policy BH5 of the Local Plan. The Park is adjacent to Cleveleys and next to Princes Way and the Promenade. The adjacent Promenade has now been renewed upgrading the sea defences forming a continuation of the recent sea defence and Promenade works in Cleveleys. The land level of the Park was previously 2 metres higher than Princes Way with a stone retaining wall forming the boundary between the two and thus preventing direct access between the two. The recently re-opened Princes Way has however now been built up to be level with the Park so that the new Park will open out onto the Promenade. A strip of land at the southern end of the Park adjacent to Princes Way is designated as a Biological Heritage Site being the remnants of a former sand dune system.

## **DETAILS OF PROPOSAL**

The revised proposal involves the erection of a new pumping station building and screening facility, and six sculptured vent stacks at the northern end of the Park close to Anchorsholme Lane West to replace the existing pumping station located on the headland. The works will be accompanied by associated hardsurfacing, landscaping and boundary treatment. A new pedestrian and maintenance vehicular access would be provided from Princes Way into the Park which will be re-profiled and a number of new features and facilities. One of the two existing bowling greens will be replaced by a bowling clubhouse/maintenance building and landscaping. Within the centre of the Park, a cafe and water tank control building and new children's playground will be provided, at the southern end of the Park a Multi- Use Games Area will be constructed. One of the aims of the scheme is to

provide three hubs spread across the Park rather than all the facilities concentrated close to Anchorsholme Lane West.

The application is accompanied by an Environment Statement including a section on noise, a Flood Risk Assessment, a Statement of Community Involvement, a Planning Statement, a Ground Investigation Report, a Land Quality Risk Assessment and a Groundwater report.

The main revisions to the scheme previously approved by Planning Committee on 5 April 2016 under ref: 15/0820 are summarised as follows:

- a) Pumping equipment to now be positioned partially i.e. 2 metres above ground level and housed within a larger building but within a smaller compound area
- b) Café building has more simplified design
- c) 1.5 metre high timber boundary fencing to pumping station to be replaced with 1.5 metre steel railings
- d) Gabion wall boundary features replaced
- e) Overall height of the Park raised by 500mm
- f) Specialist road and path finishes removed and replaced with finish to match the new Promenade
- g) a footpath link across the Biological Heritage Site onto Princes Way.

The main revisions to the scheme deferred by Planning Committee on 11 April 2017 are summarised as follows:

- a) additional hardsurfaced areas to match the new Promenade which will include path areas and a large area adjacent the pump station compound
- b) the retaining walls adjacent to the pump station will be patterned to match the Promenade and enclosed with 1.8m high fencing (see Police comments)
- c) additional landscaping to the Anchorsholme Lane West boundary to screen the pump station
- d) further boundary treatment and hardsurfacing details provided including rubble effect boundary wall to Anchorsholme Lane West and use of Promenade topping and rubble effect wall on the Amphitheatre seating
- e) clarification on the layout of the MUGA

***United Utilities has provided the following comments in response to a number of the objections raised:***

***Need for Alterations to Pumping Station***

*The change in size and shape of the pumping station building from that originally approved is due to the change in pump design from the original canister style pump to an alternative which requires the motors to be located at ground level, within an extended building but with the majority of the pump itself remaining below ground.*

*A review of recent experiences with canister pumps across the industry identified that in situations where they are used infrequently, there have been problems with pump bearings seizing, leading to water ingress into the below ground motor, and thus not starting. Any*

*such failure would lead to flooding of properties which is clearly unacceptable. In order to provide a resilient solution that protects people and businesses from stormwater flooding, we require the most reliable and robust pumps available.*

*As a result we have been able to reduce the size of our operational compound by over 2000 sq metres returning more of the Park back to open space and to public use.*

### **Noise**

*The pumping station is expected to run approximately 12 times a year and only in periods of extremely heavy rainfall. The level of potential noise from the development has been assessed in accordance with the methodology in the relevant British Standard and the results are no different to those from the previously approved scheme. Blackpool's Service Manager for Public Protection has reviewed the proposals and raises no concerns.*

### **Odour**

*It is recognised that the existing station is a source of odour, its arrangements which have been modified many times since 1930 allow the build-up of odorous materials, which can cause the ventilated air to smell. It does not have any odour control equipment. The new station will have odour control equipment through which all the expelled air will pass. This is unchanged from the previously approved scheme.*

## **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- Need for the Proposed Development
- Differences of the Amended Proposal from the Approved Scheme and Deferred Scheme
- Design of Buildings
- Impact on Residential and Visual Amenity
- Improvements to Anchorsholme Park
- Other Matters

## **CONSULTATIONS**

**Environment Agency:** Land Quality- agree with the following statement from the submitted Environmental Statement (ES):

For Water Quality, and Hydrology the significance of the environmental effects remains consistent with the ES from November 2015. The updated Land Quality assessment identified impacts to human health during construction and operation of the scheme resulting from the presence of isolated areas of made ground on site. In addition, the potential for deterioration of soil quality could occur during the construction. The overall residual significance of these remains as 'slight' and 'neutral or slight' as originally assessed in the November 2015 ES. Overall, no change would occur to landscape effects, as the alterations to the design are in keeping with the original design and the change in effect is not considered significant.

We have no further comment other than to refer the developer to the CL:AIRE Definition of Waste Code of Practice for the re-use of materials on site, and to refer to our previous comments in respect of the infill materials to the original chamber. The latter comments were made as part of our service to United Utilities and are reproduced below:

The chemical assessment of the materials within the shaft previously constructed on the site shows that there has been decomposition of materials resulting in the generation of Methane and Carbon Dioxide within the shaft. The construction of the shaft has isolated materials from within so that the water quality has not impacted outside of the shaft, in the Blown Sand near surface aquifer, although the report suggests that the compromise of the base of this shaft may have generated a poor hydraulic connectivity between the two. The development of the site suggests that the shaft will be accessed to connect to the main Fylde Coast Tunnel from the discharge pipes of the works to be developed on site. As such if the materials within the shaft are to be reused on the site we would ask that a more detailed chemical analysis of these soils is undertaken to ensure that they appropriately risk assessed for their final end use.

**Head of Highways and Traffic Management:** Some points below which may require discussion.

1. The footpath within the Park which leads to the southern edge of the site (towards Bispham Tram Loop) to tie-in with the existing path. This is required to maintain pedestrian connectivity to Princess Way/Parade/Beach.
2. The scope of works for the vehicle access point onto Princes Way to be discussed and agreed with Traffic and Highways.
3. The footpath into the Park from Anchorsholme Lane West is shown to be wider than existing. The existing vehicle crossing must be modified to take this change into account.
4. The vehicle access into the main facility building is remaining in-situ. Currently visibility is good and this should remain as existing.
5. A Construction Management Plan was conditioned as part of planning permission reference 15/0280. This condition has been discharged and the work is being managed effectively. Any change or variation during construction to how the work is being delivered (which may affect the operation of the highway network) to be discussed and agreed with Traffic and Highways.

**Service Manager Public Protection:** No comments or objections regarding the initial consultation. Further comments have been provided following concerns expressed regarding the pumps now being proposed partially above ground level.

United Utilities submitted a further noise assessment once they knew the exact noise levels of equipment to be installed. Environmental acousticians measured the existing average background noise levels at the site during the day and at night. They then compared this against expected noise from the pumps. They have used the correct methodology (BS4142) and results have indicated the site will have low impact in terms of noise. I therefore am satisfied that things have been done properly, regardless of where the pumps are positioned. There are also enforcement powers in the unlikely event of a miscalculation.

**Further comments-** I would re-iterate however that United Utilities has engaged a firm of Acoustic Consultants to carry out noise monitoring and assessment in accordance with correct standard (British Standard 4142). It did an assessment in 2015 and has done a further assessment now they have the full specification of the machinery being used. The report concludes that noise will be within the recommended limits. Any changes to the design /placement of the pumps has been accounted for in the calculations and noise limits set. The results in the newer assessment still show noise will be of no or low impact. It has done everything it is supposed to do. Plus there is the fact that these machines are only expected to operate occasionally.

Same for odour – the report says significant improvements from what is existing.

**Head of Parks and Greens:** With regard to this planning application we have no objections and fully support the proposals.

**Contaminated Land Officer:** No comments

**Sustainability Manager:** I think the access from the road would be better a little further north closer to the centre of the roadside car parking area and the facilities in the Park itself. The rough tarmac path currently existing and to be upgraded should be removed at the red lines and left to revegetate naturally. If any spoil is needed to cover it and bring up levels then this could be had from any material from the replacement path. Would it be possible for United Utilities to mark the perimeter of the Biological Heritage Site (BHS) with boundary posts – it does not need fencing – and provide some interpretive signs explaining that it is a BHS, what BHS's are, and what the species are that are present on this one?

**County Archaeology:** The Environmental Statement that accompanies this application outlines changes that: "It is considered that the proposed revisions to the scheme will not result in any additional impacts to Cultural Heritage assets and therefore is not likely to result in any changes to impact significance in relation to Cultural Heritage. As such, the assessment remains valid". On the basis that the mitigation proposed in the November 2015 Environmental Statement remains valid, Lancashire Archaeological Advisory Service (LAAS) would suggest that the recommendations are implemented. This accords with National Planning Policy Framework paragraph 141: "Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible".

**Sport England:** The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises local planning authorities to consult Sport England on a wide range of applications. This application falls within the scope of the above guidance as it relates to development which creates opportunities for sport.

Sport England assesses this type of application in line with its planning objectives and with the National Planning Policy Framework (NPPF). Sport England's planning objectives are to protect existing facilities, enhance the quality, accessibility and management of existing facilities, and to provide new facilities to meet demand. The proposal includes the provision



of a Multi-Use Games Area, trim trail and pavilion for the bowling club. Each of these facilities will help increase physical activity in the area by providing well located and accessible facilities. This being the case, Sport England offers its support for this application, as it is considered to meet Sport England's policy objectives to enhance and provide sports facilities.

**Lancashire Wildlife Trust:** Notes that the documents submitted express the view that the proposed revisions will not impact on the ecological findings for the original application. I am advised that the Extended Phase 1 Habitat Survey Report from that original application includes recommendations aimed at protecting extant biodiversity; but that there is no apparent mention of enhancement of biodiversity recommended in the National Planning Policy Framework (paragraph 117).

That said, there is a commitment in the current application to create habitat adjacent to the adjoining Local Wildlife Site ('Lancashire Biological Heritage Site') 34SW01: Queen's Promenade Coastal Grassland - Blackpool North Shore Boating Pool to Little Bispham. However, I cannot locate any detail on that proposal beyond the following statement. "An area of wildflower planting is proposed to the north of the Park, adjacent parallel to Princes Way. By putting the wildflower planting in this location it is intended to create a relationship with the adjacent Biological Heritage Site that will enhance biodiversity interest, whilst at the same time leaving the large majority of the restored Park as amenity grassland for recreational use"

It would be essential that the composition and provenance of any introduced flora as propagules or whole plants would complement and not compete with the native coastal grassland vegetation community for which the Local Wildlife Site has been identified, and that subsequent management would be effective, and monitored to assess it for that effectiveness.

The Local Wildlife Site description states that: 'The relict dune habitat to the north of the site is one of only three known localities in the county for sea bindweed, a species included under the category of 'Endangered' in the Provisional Lancashire Red Data List of Vascular Plants. The striped snail *Ceruella virgata*, a species of restricted distribution in the county, occurs on the site.' Delivery of any effective proposal to expand and sustain the expansion of the local populations of one or both of these species would be welcome.

The documents mention the need for a management plan to prevent harm during construction and, in the Extended Phase 1 Habitat Survey Report, there are several references to 'Precautionary Methods of Working' being required to protect specific species and habitats. You should consult with your ecological adviser as to whether those are adequate. The assessment of impacts on Natura 2000 sites appears adequate however, you should also consult Natural England as the Government's statutory adviser on such international designations. We also recommend that, before further work takes place, any planning permission should require that full details of how biodiversity and local ecological networks will be enhanced by the proposed development be submitted to and approved by the local planning authority.

**Natural England:** Natural England has previously commented on this proposal. The advice provided in our previous response applies equally to this resubmission although we made no objection to the original proposal. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

**Lancashire Constabulary:** The Crime Impact Statement is formed based on local crime figures and trends, incidents reported and community knowledge gathered from local policing teams. It is with this policing knowledge that recommendations are made which are site specific, appropriate and realistic to the potential threat posed from crime and anti-social behaviour in the immediate area of the development.

Crime Risks In the last 12 month period there have been very few incidents/crimes reported in the Park. It is clear from the design and layout that the reduction of crime and disorder risks has been considered and implemented. In order to keep the crime figures low and avoid costly repairs after the redevelopment, I ask that the following advice is considered within the design:

Natural surveillance is considered within the landscaping plan to ensure that no areas are concealed from view as planting gets established, to deter crime and anti-social behaviour. Rainwater pipes should be flush to the wall so that they cannot be used to aid climbing onto the roof of the buildings. The glazing in the sunpipes located on the roof of the café must be toughened or laminated to reduce the risk of damage.

The proposed 1.5m high railings and gates securing the access to the main building are an insufficient height to keep intruders out, this includes youths looking for somewhere to hang out even if there is no criminal intent - if the purpose of the railings is to deter intruders then it should be a sufficient height to do this effectively otherwise it is not adequate or cost effective. A minimum height of 1.8m is advised. Where the railings are located on top of the existing wall, the railings should sit on the outer edge of the wall to reduce the foothold provided by the wall. If the main building houses valuable/desirable equipment I would advise that this building has a remotely monitored intruder alarm linked to an alarm receiving centre in order to ensure a police deployment on a confirmed activation.

Blackpool Local Plan Part 1: Core Strategy (2012-2027) Policy CS7: Quality of Design New development in Blackpool is required to be:

- a. well designed, and enhance the character and appearance of the local area and should:
- b. Ensure that amenities of nearby residents and potential occupiers are not adversely affected
- c. Provide public and private spaces that are well-designed, safe, attractive, and complement the built form
- e. Maximise natural surveillance and active frontages, minimising opportunities for anti-social and criminal behaviour.

It is important that new development is well designed in order to prevent crime and

antisocial behaviour. The Council will therefore promote 'Secured by Design' principles in new developments in order to create safer and secure environments. National Planning Policy Framework, Paragraph 58 "Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Section 17 Crime and Disorder Act 1998- Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

**Wyre Borough Council:** No comments received

### **PUBLICITY AND REPRESENTATIONS**

Press notice published: 16 February 2017

Five site notices displayed: 16 February 2017

Neighbours notified: 3 February 2017 and 20 July 2017

38 letters of objection in total have been received to the initial submission and the amended details.

Where reference is made after the address to two letters, residents have objected to both the initial and revised submission. One objection is anonymous and raises concerns of noise, smells and the pumps being above ground.

**9 College Avenue-** a lack of CCTV around the amphitheatre will result in anti-social behaviour. The pumps are not completely underground as originally intended which will create noise and if there are more vents there be more obnoxious smells. During stage one the noise was horrendous which was to an extent unavoidable and vibrations affected their property. Dust means it is difficult to keep windows clean.

Any approval should be accompanied by conditions relating to adequate lighting, CCTV, pumps being underground, the original number of vent stacks, re-instatement of the drainage swales. Insufficient drainage may result in flooding. The cafe will not be used much unless there is an attraction such as crazy golf.

**4 Huntingdon Road-** their property is over 120 metres from the site and we have suffered over two years of disruption, noise, vibration and property damage. The main objection relates to the pumps being above ground which will cause massive problems of landscape blight, excessive noise and smell. The original approval involved an underground pumping station.

**19 Cherrywood Avenue-** concerned about noise and smells. The pumps were supposed to be underground and it is an eyesore to the area.

**2 Gresham Road-** I should like to raise an objection and receive your comments in relation to the following.

Chapter 13 of the Environmental Statement "air quality and odour" states that the existing louvred pumping station building is to be "decommissioned" and that the two existing vent stacks on the promenade will be "disused." However, I can find no undertaking to remove these structures and I believe that a planning condition should be imposed to ensure their removal. Without such a condition, the "industrial" views from Anchorsholme Lane West will comprise eight vent stacks, the large "main facility" building, compound and the redundant louvred building.

Moreover, submitted plans show the site of the decommissioned louvred building and surrounding concrete apron to be held by United Utilities. If this building is to be decommissioned this site should be landscaped (following demolition) and transferred to the Council as "exchange land" , thereby mitigating the loss of public open space ( following the significant loss of existing open space through United Utilities enclosing its "main facility" building and service areas). The Council should be resisting the loss of public open space where possible and this would be one way of achieving it. Funds could also be provided by United Utilities to bring the unkempt and disused area of land to the south and west of the tram turning circle into managed, formally designated public open space. I understand that land to the north is to be given over to car parking and this could clearly not form "exchange land" for the Park.

Frankly, the less "private" land held by United Utilities in Anchorsholme Park the better. I perceive United Utilities to be unsatisfactory estate managers. Correspondence demonstrates that it took over a year to achieve the removal and the clean-up of an eyesore at the existing pumping station building, namely rusting sheet metal, other rubbish and graffiti. Unbelievably, this was only achieved after the intervention by the Consumer Council for Water. I cannot help but see history repeating itself given the number of structures, enclosures, fences, walls and vent stacks proposed by United Utilities. I realise that the scheme needs to be accommodated but I would ask that any loss of open space be resisted where possible and real measures taken to reduce the risk of part of the Park simply becoming an operational eyesore.

In summary, I am objecting to this application on the grounds of the loss of public open space (in the absence of exchange land) and the failure of United Utilities to give undertakings as regards the removal of decommissioned building.

**11 Blandford Avenue (two letters) -** Cost should not be the reason for the change. We have put up with the disruption for months and we deserve the best.

I wish to make representations against United Utilities proposals for aspects of the work currently being carried out in Anchorsholme Park.

1 The proposal that the pump is to be housed partly above ground is unacceptable. The size of the housing, pipeline etc. dictate that this will be a very large pump used to pump vast amounts of liquid some considerable distance. I am astonished that United Utilities should even contemplate housing such a pump partly above ground. I believe there would be

discernible noise and vibration and have no confidence in United Utilities to soundproof it. If the pump cannot be housed in the current proposed location I suggest they dig another hole! Whatever their difficulties they were foreseeable. Residents in this area have shown remarkable forbearance over a long period of time, with more to come, and I, and many others in the area, have no stomach for a proposal that will adversely impact our lives on a permanent basis.

From a personal perspective I suffer from tinnitus and noise and vibration can be very distressing for me.

2 United Utilities promised to make the Park a better place but it is now proposing to leave us with an eyesore. Unacceptable. It should honour their earlier commitments which after all are a drop in the ocean (no pun intended) when looked at against their overall budget.

**11 College Avenue** As a resident I am unhappy with the plans! I do not think the plans have been thought about it's just the cheapest and easiest option!

**4 Melton Place (two letters)** - I am concerned that the re-landscaping of the Park is an excuse to raise the level of the current Park blocking the beautiful views of the sea and the Lake District residents overlooking the Park have enjoyed for decades. I consider it is a cheap way not to remove the spoil they have created. In my own case I am concerned about the height of the proposed amphitheatre blocking the views which I have enjoyed for over 30 years.

I also consider that the amphitheatre will be a focus for anti-social behaviour similar to what occurred at the old 'blue shelter' now demolished. This led to one local resident who tried to intervene being beaten up. I have raised these concerns with United Utilities at every public meeting possible but I do not consider I have been taken seriously.

**305 Fleetwood Road** - Re contouring is an excuse for not removing subsoil to cut costs. This was not in original plans. It will facilitate anti-social behaviour by reducing visibility from surrounding roads etc. Original plans stated pumps were to be underground (as they are now and have been for 30+ years). Plan to have them above ground is again a cost-cutting exercise and should be rejected - the reason stated is negated by the fact that they have not suffered from flooding in the past.

Most of what United Utilities have proposed latterly is contrary to the originally agreed plans and I suspect was always their true intention. The Park has been out of action for years and will be for some time yet. We want it to be a Park again, not a spoil heap topped with grass. You prosecute fly-tippers, do not allow unauthorised tipping of waste subsoil just because it is a big company.

**25 College Avenue (two letters)** Though I understand that United Utilities has to carry out the work improving their systems I consider that the following proposed changes to existing approved plans will be detrimental to the appearance of the Park.

A. Fencing and Walls previously approved-Bespoke 1.5m timber fencing and decorative

gabion walls - with materials chosen to soften the transition between hard and soft landscaping and to allow views into the area to reduce the likelihood of anti - social behaviour and to create attractive route to centre of the Park. The design character of decorative gabions would be implemented across the Park for continuity. The new application will replace Bespoke Timber Fencing replaced with Steel railings and handrails - detrimental to the appearance of the Park.

I also note the Police Comments "The proposed 1.5m high railings and gates securing the access to the main building are an insufficient height to keep intruders out. A minimum height of 1.8m is advised. Will United Utilities be submitting a further application to raise the height of the steel fencing? 1.8m steel fencing will not be an attractive feature. This is meant to be a Park to attract locals and tourists - this change from bespoke timber to steel will have a negative impact on the physical environment of the Park. This contrasts to the claim in the approved proposal that "master planning and redevelopment of the Park would lead to a positive impact".

Decorative Gabion walls replaced with crib walls - gravity retaining walls, constructed from interlocking, precast, concrete components. The reason given for this change is "in recognition of the potential for gabion walls to be vandalised resulting in increased maintenance requirements" - but surely if this was a problem it would be known before the submission of the original plans. Crib walls appear more prone to vandalism as they will provide footholds for climbing. I also note with interest that crib walls are advertised as low cost retaining walls - Is this the underlying reason for the change?

B. Footpaths and Standing area previously approved exposed aggregate concrete and decorative exposed aggregate concrete to be replaced with all in tarmac finished to identified widths. Again the approved footpaths and standing areas were an attractive feature - tarmac is not

In respect of the above two objections Local Plan Policy LQ1 states the quality of design in the built environment requires that "All new developments will be expected to be of a high standard of design and to make a positive contribution to the quality of its surrounding environment" I hope that the Planning Committee takes note of this Policy as the proposed changes to the plans will result in a lower standard of design than the plans originally approved. United Utilities has made many statements about improving the appearance of the Park, producing a Landscape Masterplan with the original features included. Their original planning application gave sound reasons for these features. They should not now be given planning approval to substitute these with alternatives of an inferior design and quality.

Further objections:

C. Landscaping in new application. Overall height raised by up to 500mm - This will leave the Park less secure for the landscaping will create too many places for youths to gather unobserved, leading to the possibility of vandalism and anti-social behaviour. Also the landscaping could lead to future problems in maintaining the appearance of the Park.

D. Park maintenance and bowling buildings. I am disappointed that with the reduction in the size of the United Utilities compound there has been no consideration given to moving the above buildings further away from Parkland Close thus resulting in less disturbance and loss of privacy for residents. Thus I object to the proposals for the above reasons.

The Park is a leisure amenity to be enjoyed by both residents and holiday makers. I hope that when United Utilities has finished they leave a Park fit for purpose. However I continue to have the following concerns:

Smell from ventilation stacks. United Utilities years to control the smell from the Manchester Square Pumping station - why should we now believe that the proposed ventilation system will work.

Landscaping and Anti-social behaviour. The proposed increase in the height of the landscaping will create hidden areas for people to gather unobserved, leading to the possibility of vandalism and anti-social behaviour. Activities cannot be monitored, or reported as residents will not be able to see what is going on. Raising the height of the landscaping is an excuse for not removing subsoil to cut costs.

The United Utilities Building. We will be left with an unsightly industrial building on the sea front unless care is taken over the finish: for example the south elevation will consist of a huge roller shutter door.

Decommissioning of Existing Buildings. A planning condition should be imposed to ensure their 'speedy' removal. Without such a condition, the "industrial" view from Anchorsholme Lane West will comprise six vent stacks, the large "main facility" building, the compound and the redundant louvred building.

Blackpool Council Core Strategy. I hope the finished Park fulfils the criteria you have set in your core strategy: Core Strategy (2012-2027) Policy CS7: Quality of Design New development in Blackpool is required to be well designed, and enhance the character and appearance of the local area and should ensure that amenities of nearby residents and potential occupiers are not adversely affected; provide public and private spaces that are well-designed, safe, attractive, and complement the built form and maximise natural surveillance and active frontages, minimising opportunities for anti-social and criminal behaviour. It is important that new development is well designed in order to prevent crime and anti-social behaviour.

**1 Parkland Close (three letters)** we all know these works need to be done for good reason, my objections are the aftermath when completed, could be so much improved, and not carried out at minimum costs. The Park maintenance building and bowling club building should be reconstructed on existing footprints, the initial approved application showed the land was needed for the development, this is no longer the case. The siting of these buildings will increase nuisance and disturbance to local residents. The new compound is to be permanently closed, for anti-vandalism reasons, fully understandable unfortunately United Utilities have reduced the compound, and feel it could be further reduced, leaving as

much open Park space as possible. Also noted enclosed for potential vandalism and misbehaviour, what protection is there for the rest of the Park?

Pumps above ground- reasons given risk of flooding. The existing have been underground since 1930. This is another cost cutting exercise that will increase noise levels.

Mounding and build up of ground level- suggested reduction in traffic with the removal of earth from site, reducing disturbance to residents. Not the case this reduces costs, creates hidden areas to the Park, where anti-social behaviour cannot be monitored, or reported as residents will not be able to see what is going on. There will be no protection to the Café or Park area due to earth build up.

Pathways- reduction of pattern pathways for tarmac. Cost cutting, reducing the attraction of the Park

Walling to Anchorsholme Lane West and proposed Works enclosure. Pre cast pattern concrete, cheap alternative to gabion walling, unsightly and not in keeping with surrounding walling area. such walling is available, at greater cost!

New raised path levels, are not disabled or elderly friendly, and questions part M of the building regulations leaving the Council possibly liable, if anyone should fall.

Pumps above ground level, will create more noise and nuisance, along with increased building size. This is cost cutting. Pumps should be kept below ground, reducing the size of the unsightly building. The building should be put back on original footprint, not closer to residential properties, causing nuisance and raised noise levels.

Raised ground levels, creating amphitheatre area, will attract unsocial behaviour. Again United Utilities are cost cutting by not having to remove the excavated earth.

Swale drainage (dykes) to various areas will flood. These areas need piped drainage to remove surface water, again cost cutting. Suggested CCTV and lighting to pathways needs to include play areas, as these areas will be unseen from residents, and be subject to anti-social behaviour and vandalism

**12 Cherrywood Avenue (two letters)** -At no time did United Utilities indicate the facility would be anything other than underground. If this proposal is approved the residents will be faced with an ugly industrial building on the Promenade that can only be described as a sewage works. Do they have the legal right to confiscate this area of parkland without compensation and to erect a building of this size and nature? If it cannot be rejected at least it should be an iconic structure to enhance its prime location on the sea front. The negative impact on nearby residents must be considered. United Utilities should produce a building which is acceptable to the residents whatever the cost. I note that work is progressing without approval.

The development can be compared in size and style to the nearby Lidl supermarket. The Lidl supermarket is 13250 sq feet and the pumping station is 10,480 sq feet and 1 metre higher and is designed as a cheap industrial building on the sea front.



**Flat 1, 13 Anchorsholme Lane West (on behalf of Flats 1, 3, 4, 5, 6) (two letters)** -strongly object to this scheme. These plans bear little or no resemblance to the original plans. Pumps above ground, no bespoke timber fencing, mounds of earth blocking the view and encouraging anti-social behaviour. These are merely a few of the modifications. After years of discomfort and lack of leisure facilities we deserve a first class Park not a cheap scaled down version.

Disappointed United Utilities has gone back on its word regarding the pumps, surely there will be noise and smells. The amphitheatre and bowling club seem excessively large blocking out sunlight and sea views and will be a magnet for anti-social behaviour. CCTV is a must. The Park must remain a leisure facility not an industrial site.

**7 Cherrywood Avenue (two letters)** - local residents have had to endure months of noise disruption and loss of amenities. It is disturbing to find that United Utilities has submitted plans that show little regard for the residents they promised to engage with. Originally the pumping system was to be sited underground having minimal visual impact and also allowing the Park to revert to full public use. The proposal involves a large potentially unsightly industrial building surrounding by industrial fencing.

We assume the raising of the land levels is due to the amount of soil so far dumped around the Park as a result of excavations. There also appears to be no provision for lighting or CCTV. This is likely to attract vandalism and anti-social behaviour. What is the purpose of the amphitheatre? If it is for concerts have the noise impacts been considered? There are numerous other reasons why these plans should be rejected and the whole matter re-visited by the Council. Trust in United Utilities fulfilling their obligations have been severely diminished as cost cutting seems far more important than delivering the wider community.

**2 Parkland Close (two letters)** -once again a change of plans. I honestly believe United Utilities has made false promises and misled residents and have hoodwinked the Council.

There are two main objections:-

- 1) The siting of the bowling club. Last year I objected to the siting of the clubhouse positioned directly in front of our house and that other alternative sites were not available as land was needed for new pipes. This is now not the case so the clubhouse can be put on its original footprint.
- 2) It is stated that the new pump building needs to be above ground to avoid flooding. But surely a more suitable solution can be found than a huge 35 metre long x
- 3) 7 metre high construction which is not in keeping with the Park. The builders of the original pump had the vision, willpower and social conscience to construct a structure which is more pleasing on the eye. Do not let profit come before people. Jubilee Park Gardens was once a vibrant, family orientated Park full of facilities. Now after United Utilities involvement it is a drab, soulless wasteland.

**1 Chatteris Close-** My concerns regarding the re-development of Anchorsholme Park are in relation to the amended plans and design of the pumping station which shows the pumps to be above ground and will likely emit noise and air pollution. This is of real concern due to

the close proximity to my house on Chatteris Place, my house being closest property to the building. I have already endured serious disruption to my standard of living due to noise and 8 feet high fencing directly in front of my property and months of pile driving which has shaken the foundations over this period of time. I now am informed that where there was not going to be any building above ground that there will be a significant structure which not only emits noise and air pollution but will also block my views of both the Park and the sea. This not only impacts on my standard of living but will most definitely affect the future value of my property.

**574 Queens Promenade** - each and every concern raised has its own merits and should be addressed. Agree CCTV should be a priority given the expenditure.

**3 Cherrywood Avenue** - with the exception of the pumping station, vent stacks and associated buildings no issues but who will pay the bill for maintenance? As this is the Council tax payer then ease of maintenance should be a priority so why include an amphitheatre? This could also encourage vandalism and require costly CCTV. Princes Way and the Promenade will be spoilt with the highly visible sewage facility.

**4 Elvaston Road, Poulton le Fylde** - The plans differ too greatly from those originally submitted.

### **21 Anchorsholme Lane West**

- 1) Walling to Anchorsholme Lane West and proposed works enclosure. Pre cast pattern concrete, cheap alternative to gabion walling, unsightly and not in keeping with surrounding walling area. Such walling is available, at greater cost!
- 2) New raised path levels, are not disabled or elderly friendly, and questions part M of the building regulations leaving the Council possibly liable, if anyone should fall.
- 3) Pumps above ground level, will create more noise and nuisance, along with increased building size. This is cost cutting and pumps should be kept below ground reducing the size of the unsightly building.
- 4) The approved plan 15/0820 showed the ground the park maintenance building and bowling club was sited on, was needed, this new plan shows the ground they were on is no longer required. The building should be put back on original footprint, not closer to residential properties, causing nuisance and raised noise levels
- 5) Raised ground levels, creating amphitheatre area, will attract unsocial behaviour. Again United Utilities are cost cutting by not having to remove the excavated earth.
- 6) Swale drainage (dykes) to various areas will flood. These areas need piped drainage to remove surface water.
- 7) Suggested CCTV and lighting to pathways, needs to include play areas, as these areas will be unseen from residents, and be subject to anti-social behaviour and vandalism. United Utilities, to date has conned both the Council and residents, they are cutting costs where ever possible, and certainly not providing what was promised, at all the meeting prior, to the start of works.

## **22 Brookdale Avenue –**

- 1) Walling to Anchorsholme Lane West and proposed Works enclosure. Pre cast pattern concrete, cheap alternative to gabion walling, unsightly and not in keeping with surrounding walling area. such walling is available, at greater cost!
- 2) New raised path levels, are not disabled or elderly friendly, and questions part M of the building regulations leaving the Council possibly liable, if anyone should fall.
- 3) Pumps above ground level, will create more noise and nuisance, along with increased building size. This is cost cutting. Pumps should be kept below ground reducing the size of the unsightly building.
- 4) The approved plan 15/0820 showed the ground the park maintenance building and bowling club was sited on, was needed, this new plan shows the ground they were on is no longer required. The building should be put back on original footprint, not closer to residential properties, causing nuisance and raised noise levels.
- 5) Raised ground levels, creating amphitheatre area, will attract unsocial behaviour. Again United Utilities is cost cutting by not having to remove the excavated earth.
- 6) Swale drainage (dykes) to various areas will flood. These areas need piped drainage to remove surface water. Again cost cutting.
- 7) Suggested CCTV and lighting to pathways, needs to include play areas, as these areas will be unseen from residents, and be subject to anti-social behaviour and vandalism. United Utilities are cutting costs where ever possible, and certainly not providing what was promised, at all the meeting prior, to the start of works.

**4 Buckden Close** - object strongly to the pumps being partly above ground and not underground as originally promised. We want the Park as documented and promised in United Utilities' first application. After all the years of disruption - traffic wise, noise, earth tremors - the residents deserve the original promises made by United Utilities.

**19 College Avenue-** Pumps above ground level will create more noise and nuisance, along with increased building size. The pumps should be kept below ground, reducing the noise and the size of the unsightly building. Why have United Utilities continued their development putting in infrastructure to house these pump units above ground when they do not have planning permission to do so? They have shown a total disregard to the Planning Committee by already committing to this as yet unapproved revised plan.

Smell already bad from existing pumping station is bad enough, more vents, more smells!

Raised ground levels, creating amphitheatre area, will attract unsocial behaviour. Who is going to police this area in the evening and night time?

Swale drainage (dykes) to various areas will flood, these areas need to have piped drainage to remove surface water.

**11 Chatteris Place** - I have strong concerns regarding the re development of Anchorsholme Park in relation to the amended plans and design of the pumping station which shows the pumps to be above ground and will likely emit noise and air pollution. This is of real concern due to the close proximity to my house on Chatteris Place, which is very close to the building in question. I have already endured serious disruption to my standard of living due to daily

noise, and months of pile driving which has shaken the foundations of my home over a period of time.

Previous plans showed there was not going to be any building above ground. The new plans now show that there will be a part of the structure above ground level, this will I am sure will cause considerable constant noise. I feel that United Utilities should be made to abide by their original plans put forward for the pumping station. This not only impacts on my standard of living but will most definitely affect the future value of my property.

#### **7 Blandford Avenue-**

1. The proposal that the pump is to be housed partly above ground is unacceptable. The size of the housing, pipeline etc. dictate that this will be a very large pump used to pump vast amounts of liquid some considerable distance. I am astonished that United Utilities should even contemplate housing such a pump partly above ground. I believe there would be discernible noise and vibration and have no confidence in United Utilities' to soundproof it. If the pump cannot be housed in the current proposed location I suggest they dig another hole! Whatever their difficulties they were foreseeable. Residents in this area have shown remarkable forbearance over a long period of time, with more to come, and I, and many others in the area, have no stomach for a proposal that will adversely impact our lives on a permanent basis. From a personal perspective I suffer from tinnitus and noise and vibration can be very distressing for me.
2. United Utilities promised to make the Park a better place but they are now proposing to leave us with an eyesore. Unacceptable. They should honour their earlier commitments which after all are a drop in the ocean (no pun intended) when looked at against their overall budget.

**Cllr Tony Williams (two letters)-** As one of the Ward Councillors for Anchorsholme I respectfully submit a list of concerns and objections to the amended scheme in Anchorsholme Park proposed by United Utilities:

- 1) The United Utilities Pumping Station area should have the same specialist coloured topping area as the road feeding it that runs from the Promenade to the Park, black tarmac will make this area look very industrial and not fitting for a park setting.
- 2) The crib walls which have replaced the gabion fencing in the first application must be an eco-crib wall to include some greenery otherwise it will look too concrete in appearance and again look too industrial.
- 3) The steel railings and handrails including in this application instead of the proposed timber boundary must be of an ornate nature and colour otherwise it will look again too industrial and not in keeping with a park.
- 4) With the pump motors being relocated from the deep basement location to above ground level, we have major concerns about noise pollution from the pumps with residents living so close to the pumps.

- 5) With both of the clusters of three vent stacks to be operational emission points, what mitigation is in place to reduce odours from these increased numbers of stacks?
- 6) The cafe and MUGA areas should include CCTV, it is noted by United Utilities' own report on gabion fencing that they are at risk of vandalism. CCTV has been installed in the neighbouring Eastpines Park and has greatly reduced anti-social behaviour in the area.
- 7) I ask the Planning Committee to seek assurance that the new slopes in the Park will drain properly and if so how will this assurance be guaranteed.
- 8) I ask the Planning Committee to confirm the MUGA area proposed contains four actual MUGAs to include spaces for tennis, football, basketball / netball etc.
- 9) I ask the Planning Committee to confirm the Trim Trail area contains the Zip Wire that Ward Councillor and Forum money paid for.
- 10) I ask the Planning Committee to seek qualification on what the sandstone coloured corner areas will look like, will they contain noticeboards etc.
- 11) The amphitheatre area should have electricity points for performer's sound equipment.
- 12) The existing noticeboard that was paid for by Councillor Ward budget at Anchorsholme Lane West entrance which contains a map of Anchorsholme Park should be updated to include a new map of the Park.
- 13) The short access road from the Promenade to the cafe should contain lighting, so that the cafe can be used at night by the Scouts and Guides, without lighting it will undermine a key social role for the cafe and the Park.
- 14) I ask the Planning Committee to seek assurance as to make sure what is promised is delivered and what guarantees are in place to make sure that is what happens as we have already seen a number of changes to the scheme?

Whilst United Utilities will no doubt protest at the addition of costs to pay for the installation of CCTV in the Park and lighting on the road leading to the cafe, the costs saved by not removing the soil from the Park and increasing the slopes by 500 mm will pay for the cost and ensure the Park is not only safe but guaranteed to be used all year round.

As one of the Ward Councillors I submit a list of concerns and objections to the amended scheme in Anchorsholme Park as proposed by United Utilities.

- 1) It is noted that there are no plans to include any drainage in the area south of the MUGA, as it is anticipated by United Utilities that water in this area will drain naturally. The area of the Park has always suffered with flooding and original plans had a swale in this area. There was even a bridge in the original scheme and no reason has been given as to why the swale in this section including the bridge has been removed. This is a flood risk area and water does not drain naturally.
- 2) Concerning the United Utilities' control building and the pumps, we are told the pumps will operate 12 times a year, that is once a month, the likelihood is the times of operation will be in the middle of the night. However there is no guarantee that these times and frequency will not be exceeded.

The BS 4142: 2014 methodology that has been used to determine that the noise levels from the pumps indicates a Low Impact”, as part of this assessment the methodology requires the distance be measured from the source of the noise to the nearest property, what distance was used in the tests used by United Utilities and were strong south westerly winds taken into account as the methodology requires that all tests are representative? What was the decibel level produced during the BS 4142 audit of these proposed pumps?

We have no information on what sound resisting measures will be used on the control building, until that information exists and has been examined by all interested parties, no planning permission should be granted on this proposed building for there is no guarantee it will ensure there is zero impact on residents and not the disputed “low impact.” If there was no noise risk or possibility of disruption to residents then why did United Utilities plan to have these pumps underground in the first place? Their own consultation document approves having them underground.

- 4) Why has United Utilities continued their development putting in infrastructure to house these pump units above ground when they do not have planning permission to do so. They have shown a total disregard to the town’s planners and the Planning Committee by already committing to this as yet unapproved revised plan.
- 5) On more than one occasion United Utilities has informed the residents that the pumps would be underground. This fact was confirmed by United Utilities spokesperson Mr. Steve Wong. Yet in a recent feature in The Blackpool Gazette Mr. Wong stated *“But the pumping station was always going to be above ground to make sure it is more accessible for maintenance. All we have done is change it to an L-shaped building and there will be more green areas for the Park”* This is not what he said in previous meetings or what United Utilities told residents

**Cllr Paul Galley (two letters)** - As one of the Ward Councillors for Anchorsholme I respectfully submit a list of concerns and objections to the amended scheme in Anchorsholme Park proposed by United Utilities:

- 1) The United Utilities Pumping Station area should have the same specialist coloured topping area as the road feeding it that runs from the Promenade to the Park, black tarmac will make this area look very industrial and not fitting for a Park setting.
- 2) The crib walls which have replaced the gabion fencing in the first application must be an eco-crib wall to include some greenery otherwise it will look too concrete in appearance and again look too industrial.
- 3) The steel railings and handrails including in this application instead of the proposed timber boundary must be of an ornate nature and colour otherwise it will look again too industrial and not in keeping with a park.
- 4) With the pump motors being relocated from the deep basement location to above ground level, we have major concerns about noise pollution from the pumps with residents living so close to the pumps.
- 5) With both of the clusters of three vent stacks to be operational emission points, what mitigation is in place to reduce odours from these increased numbers of stacks?

- 6) The cafe and MUGA areas should include CCTV, it is noted by United Utilities' own report on gabion fencing that they are at risk of vandalism. CCTV has been installed in the neighbouring Eastpines Park and has greatly reduced anti-social behaviour in the area.
- 7) I ask the Planning Committee to seek assurance that the new slopes in the Park will drain properly and if so how will this assurance be guaranteed.
- 8) I ask the Planning Committee to confirm the MUGA area proposed contains four actual MUGA's to include spaces for tennis, football, basketball / netball etc.
- 9) I ask the Planning Committee to confirm the Trim Trail area contains the Zip Wire that Ward Councillor and Forum money paid for.
- 10) I ask the Planning Committee to seek qualification on what the sandstone coloured corner areas will look like, will they contain noticeboards etc.
- 11) The amphitheatre area should have electricity points for performer's sound equipment.
- 12) The existing noticeboard that was paid for by Councillor Ward budget at Anchorsholme Lane West entrance which contains a map of Anchorsholme Park should be updated to include a new map of the Park.
- 13) The short access road from the Promenade to the cafe should contain lighting, so that the cafe can be used at night by the Scouts and Guides, without lighting it will undermine a key social role for the cafe and the Park.
- 14) I ask the Planning Committee to seek assurance as to make sure what is promised is delivered and what guarantees are in place to make sure that is what happens as we have already seen a number of changes to the scheme?

Whilst United Utilities will no doubt protest at the addition of costs to pay for the installation of CCTV in the Park and lighting on the road leading to the cafe, the costs saved by not removing the soil from the Park and increasing the slopes by 500 mm will pay for the cost and ensure the Park is not only safe but guaranteed to be used all year round.

As one of the Ward Councillors I submit a list of concerns and objections to the amended scheme in Anchorsholme Park as proposed by United Utilities.

- 1) It is noted that there are no plans to include any drainage in the area south of the MUGA, as it is anticipated that water in this area will drain naturally. The area of the Park has always suffered with flooding and original plans had a swale in this area. There was even a bridge in the original planning application, no reason has ever been stated as to why the swale in this section including the bridge has been removed and we are not convinced that the water will "drain naturally" as it has done previously rather it pooled badly in this area and that was when it was a flat area with no hills.
- 2) Who will maintain the swale and how will it be maintained, if they are not maintained they will not work?
- 3) Concerning the United Utilities control building and the pumps, we are told the pumps will operate 12 times a year, that's once a month, the likelihood is the times of operation will be in the middle of the night and will disturb local residents who live right next to the building and beyond. The BS 4142: 2014 methodology that has been used to determine that the noise levels from the pumps indicates a "Low

Impact", as part of this assessment the methodology requires the distance be measured from the source of the noise to the nearest property, what distance was used in the tests used by United Utilities and were strong south westerly winds taken into account as the methodology requires that all tests are representative? What was the decibel level produced during the tests undertaken during the BS 4142 audit of these proposed pumps? No information currently exists on what sound resisting measures will be used on the control building, until that information exists and has been examined by all interested parties, no planning permission should be granted on this proposed building for there is no guarantee it will ensure there is zero impact on residents and not the disputed "low impact" assured by United Utilities.

- 4) In our previous objection, we asked what mitigation is in place to reduce odours by the number of increased number of stacks, this question has not been answered.
- 5) Whilst it is noted that CCTV and lighting ducting is now included in the plan, we urge the Planning Committee to ensure through planning condition that CCTV and lighting are actually installed on the path linking the promenade to the cafe, without the CCTV the Park with all the new hills and slopes will not be a safe place in the evenings and without the lighting it will undermine a key social role for the cafe as no group would be able to safely reach the cafe facility as it will be too dark and the cafe would only ever be used during day light hours with no evening use.

## **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 NPPF 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.

Paragraph 14 makes clear that at the heart of the NPPF there is a presumption in favour of sustainable development, which is the 'golden thread' running through both plan-making and decision-taking. This means:

- (i) local planning authorities (LPAs) should positively seek opportunities to meet the development needs of their area;
- (ii) Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change;
- (iii) approving development proposals that accord with the development plan without delay; and
- (iv) where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.



Paragraph 17 of the NPPF sets out 12 core planning principles, stating that amongst other things planning should:

- proactively drive and support sustainable economic development to deliver the infrastructure and thriving local places that the country needs;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- promoting healthy communities;
- encourage the effective use of land by reusing land that has been previously developed;
- meeting the challenge of climate change, flooding and coastal change.

The NPPF also aims to ensure that development seeks to achieve good design (paragraph 60). Decisions should address the connections between people and places and the integration into the natural and built environment. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change taking full account of flood risk, coastal change and water supply and demand considerations. With regard to the environmental strand, pursuing sustainable development involves seeking positive improvements in the quality of the natural environment. Paragraph 61 states that planning decisions should address the integration of new development into the natural environment; paragraph 109 requires the planning system to contribute to and enhance the natural environment by minimising impacts on biodiversity and providing net gains in biodiversity; and encourages opportunities to incorporate biodiversity in and around developments.

### **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  
CS5- Connectivity  
CS6- Green Infrastructure  
CS7- Quality of Design  
CS9- Water Management  
CS10- Sustainable Design and Low Carbon and Renewable Energy  
CS12- Sustainable Neighbourhoods  
CS15 - Health Facilities & School Places

### **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.

BH3- Residential and Visitor Amenity  
BH4- Public Health and Safety  
BH5- Protection of Public Open Space  
BH21- Protection of Community Facilities  
LQ1- Lifting the Quality of Design  
LQ2- Site Context  
LQ3- Layout of Streets and Spaces  
LQ4- Building Design  
LQ5- Public Realm Design  
LQ6- Landscape Design and Biodiversity  
NE5- Other Sites of Nature Conservation Value  
NE9- The Coast and Foreshore  
RR12- Other Promenade Areas  
AS1- General Development Requirements

## **ASSESSMENT**

**Need for the proposed development** - In 2015 new water bathing quality standards were introduced and under these new higher standard seven out of eight of the Fylde Coast bathing waters and beaches are classified as 'poor'. Consequently, the existing pumping station and outfall pipe is not considered fit for purpose to meet current standards and is in need of replacement. The lack of water storage facilities to accommodate storm water peaks is also an issue meaning that more polluted water is being pumped into the Irish Sea than is allowed under the new standards.

The position of the new pumping station and associated maintenance buildings within the Park are largely fixed due to their connection to the new outfall pipe which is currently being laid. Therefore, the need for the development previously approved under application reference 15/0820 in April 2016 is still accepted as this work is essential and has a much wider benefit in reducing flood risk and providing cleaner sea water and beaches as a result of fewer and smaller discharges of the combined surface and foul water into the Irish Sea when the combined drainage system becomes overloaded. What is in question are some of the details included within this revised application including the partial location of the water pumps above ground instead of underground, any consequent noise issues, proposed changes to some of the details of the scheme approved under 15/0820 including boundary treatment, surfacing materials and the further raising of land levels. This project is one of a number of on-going schemes on the Fylde Coast in order to address the issue of the required higher water bathing quality standards.

**Differences of the Amended Proposal from the Approved Scheme and Deferred Scheme-** whilst the previously approved scheme also raised a number of concerns and representations, this current revised proposal has been the subject of numerous objections from local residents and the two Ward Councillors. Concerns have been raised that these revisions are simply a cost saving exercise that reduces some of the quality of the existing

approval and will as a result unacceptably increase the visual and residential amenity impact on local residents and within the wider area. The main change to the previously approved scheme is the larger pump station building which is now 950 sqm and includes a small portion of the pumps within the building (2m of a total height of 14m) above ground level. By way of comparison the previously approved pump station building was 806 sqm. This increased size of the building is compensated with a smaller hardstanding area around the pump station building, 5235 sqm as opposed to 7390 sqm, which allows more of the Park to be retained. A number of the other differences relate to design and appearance of buildings, landscaping, the swales (natural drainage feature), boundary treatments, retaining walls and surfacing materials.

It was considered that the deferred scheme lacked some of the necessary detail, which in order to prevent a delay to the application, was to be dealt with by conditions. Some of the details also reduced some of the previously approved quality of planning permission 15/0820. Negotiations and discussions have been on-going with the applicants, Parks colleagues and the two Ward Councillors regarding further revisions and providing further details which are set out in the **Details of Proposal Section** above and include introducing the surfacing material on the Promenade into the Park and reducing the amount of tarmac. The retaining walls and the amphitheatre will also include the patterned concrete used on the new Promenade. Additional landscaping will also be included to screen the pump station from Anchorsholme Lane West and the height of the fencing around the pump station compound has been increased to 1.8m as requested by the Police. The amended and additional details are considered to be of the quality expected and warranted for the new Park and in a number of respects e.g. less hardsurfacing, is an improvement on planning permission reference 15/0820.

**Design of Buildings-** the main building within the Park is the pumping station and the proposal seeks approval for the installation of the replacement pump partially above ground rather than underground. This proposed building is now 'L' shaped measuring a maximum of 36.5 metres x 35 metres and a height of 7.3 metres to the ridge height of the roof. The previously approved pumping station building measured a maximum of 41.8 metres x 21 metres with a similar height. Whilst the pump station building is larger (see above figures) it will sit on a significantly smaller area of hardsurfacing. The applicants have confirmed that previously approved slate type facing materials will still be used in construction giving the pump station, cafe and maintenance building a quality, distinctive, contemporary and uniform appearance which is considered acceptable in design terms.

**Impact on Residential and Visual Amenity-** a number and variety of amenity issues have been raised by local residents and local Councillors. With regards to noise, the proposal has been examined and re-examined by Public Protection colleagues and there are not expected to be any noise issues arising from the pump station even with a small section of the pumps now 2m above ground level. The pump station will only operate when the combined 2m diameter sewage pipe taking water up to Treatment Works in Fleetwood and the new large water storage tank are full and water needs pumping out to sea to prevent flooding. At present the pump operates around 12 times a year so its use is fairly infrequent and this is the expected future useage level. Odours arising from the ventilation of the development should not exceed existing levels given that the proposal merely replaces an existing

pumping station and the ventilation is required for safety reasons. A Construction Management Plan has been previously approved and it is expected that the existing working arrangements will be continued.

Visual amenity issues have largely been dealt with earlier in this report however the improvements now included are of good quality and will integrate the new Park well into the Promenade. The raising of the level of the Park by 500mm is not considered significant given the distances to nearby houses and the size of the Park. The revised proposal will provide additional screening of the pump station compound providing a greener, less harsh appearance when viewed from Anchorsholme Lane West.

**Improvements to Anchorsholme Park** - the new Park will include new indoor and outdoor facilities and will have an open aspect onto the Promenade and beach making it unique on the Fylde Coast. All new facilities are purpose built and include a multi sport MUGA, trim trail, much up-graded formal children's play area adjacent the cafe, an amphitheatre with opportunities for outside performance, a bowling green and associated social/ park maintenance building, improved access points, a wildflower area and improvements to landscaping and boundary treatment which will make the new Park a valuable and considerable facility for the local area and for the town as a whole. It is hoped and expected that the new Park will be better used and the layout makes much better use of the space available.

**Other Issues-** The Police has expressed satisfaction with the submitted scheme and the height of the fencing has been adjusted to meet the Police comments.

In terms of ecological matter, the comments made by the relevant consultees are noted and the Park Service Manager has confirmed they are content with the submitted details.

United Utilities has also offered to pay for some explanatory signs relating to the Biological Heritage Site. In terms of the impact on the adjacent Biological Heritage Site there are not thought to be any additional impacts and the previously approved scheme was considered satisfactory in this respect.

Archaeology- County Archaeology has confirmed they are satisfied with the submitted details. The proposal includes a swale albeit smaller than shown under 15/0820. The swale will act as a natural drainage feature so that surface water drains away naturally rather than adding to pressure on the combined drainage system with an occasional pond forming at the north end of the Park close to the Fleetwood Road entrance. The applicants have agreed to lay ducting which could be used at some future date to provide lighting and CCTV to the paths and area around the cafe should they be required, although it is understood that lighting and CCTV are not a feature of Blackpool's parks.

## **CONCLUSION**

As well as delivering a new Park the proposal will improve water bathing quality and the cleanliness of the beaches as a result of less foul and surface water being discharged into the Irish Sea as water will be stored and only discharged into the sea as a last resort. As

amended the proposal is considered acceptable and constitutes sustainable development which is in accordance with relevant local and national planning policies. The amended proposal is also considered to be an improvement on the approved scheme granted under planning permission 15/0820 in that it reduces the land take in the Park.

#### **LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION**

None

#### **FINANCIAL BENEFITS**

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) 15/0820 and 17/0060 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 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 30/01/2017

Drawings numbered:-

- B2707017/01/000/004 Proposed Site Plan
- B2707017/01/000/005 Proposed Site Elevations
- B2707017/01/100/001 Proposed Main Facility Building – Floor Layout
- B2707017/01/100/002 Proposed Main Facility Building – East and West Elevations
- B2707017/01/100/003 Proposed Main Facility Building – North and South Elevations
- B2707017/01/100/004 Proposed Main Facility Building – Sections
- B2707017/01/100/005 Proposed Main Facility Building – Roof Plan
- B2707017/01/200/001 Proposed Bowling Club and BBC Maintenance Building – Floor Layout
- B2707017/01/200/002 Proposed Bowling Club and BBC Maintenance Building – North and South Elevations
- B2707017/01/200/003 Proposed Bowling Club and BBC Maintenance Building – East and West Elevations
- B2707017/01/200/004 Proposed Bowling Club and BBC Maintenance Building Sections
- B2707017/01/200/005 Proposed Bowling Club and BBC Maintenance Building Roof Plan
- B2707017/01/300/001 Proposed Café – Floor Layout
- B2707017/01/300/002 Proposed Café – North and South Elevations
- B2707017/01/300/003 Proposed Café – West and East Elevations
- B2707017/01/300/004 Proposed Café – Sections
- B2707017/01/300/005 Proposed Café – Roof Plan
- B2707017/01/400/001 Proposed Storage Tank Control Building – Floor Layout
- B2707017/01/400/002 Proposed Storage Tank Control Building – East and South Elevations
- B2707017/01/400/003 Proposed Storage Tank Control Building – West and North Elevations
- B2707017/01/400/004 Proposed Storage Tank Control Building – Sections
- B2707017/01/400/005 Proposed Storage Tank Control Building – Roof Plan
- M315/80040279/00/96/9408 Rev. F Landscape Masterplan Proposals
- M315/80040279/00/96/9414 Rev. D Landscape Masterplan Proposals – Sections (Page 1 of 2)
- M315/80040279/00/96/9415 Rev. D Landscape Masterplan Proposals – Sections (Page 2 of 2)

Reason: For the avoidance of doubt and so the Local Planning Authority can be

satisfied as to the details of the permission.

2. A Construction Management Plan shall be submitted to the Local Planning Authority within one month of the date of this approval. The Construction Management Plan shall include and specify the provision to be made for the following:
  - dust mitigation measures during the construction period
  - control of noise emanating from the site during the construction period
  - hours and days of construction work for the development
  - contractors' compounds and other storage arrangements
  - provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
  - arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways
  - the routing of construction traffic.

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

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

3. a) Notwithstanding the submitted plans full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority within one month of the date of this approval. 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 Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

**Advice Notes to Developer**

Not applicable





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COMMITTEE DATE: [26/09/2017](#)

**Application Reference:** 17/0239

WARD: Hawes Side

DATE REGISTERED: 26/05/17

LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission

APPLICANT: Mr K Barratt

**PROPOSAL:** Erection of a detached dwellinghouse and detached garage, with access from Harcourt Road.

**LOCATION:** LAND AT THE REAR OF 46 HARCOURT ROAD, BLACKPOOL, FY4 3HW

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**Summary of Recommendation:** Grant Permission

## **CASE OFFICER**

Mr M Shaw

## **BLACKPOOL COUNCIL PLAN 2015 -2020**

This application accords with **Priority two of the Plan** - Communities: Creating stronger communities and increasing resilience.

## **SUMMARY OF RECOMMENDATION**

The application site is considered to be large enough to satisfactorily accommodate a detached dormer bungalow with detached garage and has its own access onto Harcourt Road and the application is therefore recommended for a conditional approval.

## **SITE DESCRIPTION**

The application site measures 24 metres x 21 metres bounded by residential property fronting Harcourt Road, Powell Avenue and Marton Drive with a 2.9 metres wide access from Harcourt Road located close to its junction with Marton Drive. The site is currently undeveloped and is being used partly for storage purposes. There is an electricity sub-station to the west of the site utilising the same access and a power cable is understood to cross the site acting as a constraint as to where any proposed dwelling can be positioned.

## **DETAILS OF PROPOSAL**

Detailed application for the erection of a detached three bedroom dormer bungalow, a detached garage and associated turning area. The bungalow measures 12.5 metres x 6.8

metres and has a maximum height of 5.5 metres with dormer windows on the front and rear elevations. The elevations will be rendered with a tiled pitched roof. Due to the relatively close proximity of the proposed dwelling to the rear boundary closest to dwellings on Powell Avenue it is considered that the rear first floor dormer windows should be obscure glazed and fixed shut in order to protect privacy and prevent overlooking.

### **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- Principle of Development
- Design and Scale of the Development
- Impact on Residential Amenity
- Highway Safety, Access and Car Parking

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

### **CONSULTATIONS**

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.

### **PUBLICITY AND REPRESENTATIONS**

Site notice posted: 2 June 17

Neighbours notified on 31 May 2017- Two letters of objection have been received from 52 and 54 Harcourt Road on the following grounds:-

- There must have been a reason why this land has not previously been developed
- It is difficult to assess from the plans what the house looks like
- Concern regarding impact of the building works
- The wall surrounding the site is unstable
- The site is an eyesore and a dumping ground
- There are several large trees bounding the site which are a local habitat for birds and wildlife
- The proposal may affect the structural stability of adjoining property
- The land does not seem large enough for a three bed property
- There will overlooking problems and the proposal will also affect property values

### **NATIONAL PLANNING POLICY FRAMEWORK**

There is a presumption in favour of sustainable development; which has three strands - economic, social and environmental, which are mutually dependent. Paragraph 6 of the National Planning Policy Framework (NPPF) 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 NPPF there is a presumption in favour of sustainable development, which is the 'golden thread' running through both plan-making and decision-taking. This means:

- (i) local planning authorities (LPAs) should positively seek opportunities to meet the development needs of their area;
- (ii) Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change;
- (iii) approving development proposals that accord with the development plan without delay; and
- (iv) where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Paragraph 17 of the NPPF sets out 12 core planning principles, stating that amongst other things planning should:

- proactively drive and support sustainable economic development to deliver the homes...and thriving local places that the country needs;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and
- encourage the effective use of land by reusing land that has been previously developed.

Paragraph 49 of the NPPF makes clear that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 50 goes on to state that LPAs should deliver a wide choice of high quality homes, widen opportunities for home ownership, and create sustainable, inclusive and mixed communities.

### **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
- CS2: Housing Provision
- CS7: Quality of Design
- CS10: Sustainable Design and Renewable and Low Carbon Energy
- CS12: Sustainable Neighbourhoods
- CS13: Housing Mix, Density and Standards

### **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

LQ4-Building Design

LQ6-Landscape Design & Biodiversity

AS1-General Development Requirements

BH3-Residential and Visitor Amenity

BH4-Public Health and Safety

HN4- Windfall sites

also relevant are the National Technical Housing Standards

## **ASSESSMENT**

**Principle of Development-** the application site is unallocated on the Local Plan Proposals Map which generally means there is not a presumption against a development in principle and the acceptability of any proposal will be assessed against the details provided. The relevant details here include adequacy of site access, car parking/ turning area, the siting, design and appearance of the dwelling and its impact on the amenities of the occupiers of adjoining property. The impact on property values is not a matter for consideration here and trees adjoining the southern site boundary have recently been lopped to allow more natural light onto the site and are outside the site.

**Design and Scale of the Development** - with the proposed dwelling being detached and set within its own grounds the proposal does not have to particularly relate surrounding properties and there is scope therefore for it to be an individual design. However, the design is fairly functional and typical of many dormer bungalows built throughout Blackpool over the past 30-40 years. It will have rendered external walls and a pitched tiled roof with three pitched roof dormer windows on the front elevation and a large flat roof dormer window on the rear elevation. The bungalow has effectively been designed to be single aspect i.e.: all main windows are on the front elevation given the relatively close proximity to the rear boundary.

**Impact on Residential Amenity** - without the constraint of the power cable running across the site which has a one metre exclusion zone the proposed dwelling would have been positioned more centrally within the site rather than being 2.8 metres from the rear boundary. However, notwithstanding this matter, the proposed dwelling is still considered to be an acceptable development of the site and will not adversely affect adjoining residential amenity subject to the rear dormer windows being obscurely glazed and the glazing fixed shut. Dwellings to the south on Powell Avenue are 15 metres from the rear boundary which is considered reasonable separation distance from the application site. The proposal is therefore considered to be in accordance with Policy BH3 of the Local Plan. A number of other matters including a construction management plan, drainage and a desktop study to ensure the safe and satisfactory development of the site will be dealt with by condition.

The existing site is something of an eyesore and has also been the subject of a complaint regarding its current use. The proposal represents an opportunity to bring the site into a beneficial use and tidy up the site and will provide a spacious family home set within its own grounds.

**Highway Safety, Access and Car Parking** - the site access is 2.9 metres wide and 20 metres in length and will serve solely the proposed dwelling although there is also an electricity sub-station requiring maintenance access. Given that the access will serve only the one dwelling and there is ample space for car parking and turning within the site the proposal is considered acceptable on the issues of highway safety, access and car parking and in accordance with Policy AS1 of the Local Plan. The length of the access road also means that putting the refuse bins out for emptying will not be a problem. The treatment of the access and its lighting to facilitate the additional and more regular use of the access will be dealt with via condition.

### **CONCLUSION**

The proposal as amended and with the appropriate conditions and restrictions attached is considered to accord with relevant local and national policy and guidance and the proposal is therefore recommended for approval.

### **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**

<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 26th May 2017  
Drawings numbered C17-419/1B, C17-419/2B, C17-419/3

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 Policy LQ14 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. 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.



5. 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 dwelling/s 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.

6. All glazing to the rear dormer window shall be at all times obscure glazed and fixed permanently closed.

Reason: To safeguard the living conditions of the occupants of the neighbouring premises, in accordance with Policies BH3 and LQ14 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

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

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

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

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

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

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

9. Prior to the development hereby approved being first occupied a scheme of works to the site access from Harcourt Road, including provision of lighting and re-surfacing, 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 Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. Prior to the commencement of any development, details of the surface and 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 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 CS9 of the Core Strategy.

### **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.

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COMMITTEE DATE: [26/09/2017](#)

**Application Reference:** 17/0374

WARD: Norbreck  
DATE REGISTERED: 13/06/17  
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission  
APPLICANT: Mr C Calland

**PROPOSAL:** External alterations to form new window to side elevation, and use of rear ground floor of premises as altered as a beauty salon and therapy room.

**LOCATION:** 243 FLEETWOOD ROAD, BLACKPOOL, FY5 1RA

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**Summary of Recommendation:** Refuse

## **CASE OFFICER**

Mr M Davies

## **BLACKPOOL COUNCIL PLAN 2015 -2020**

This application accords with **Priority one of the Plan** - The economy: Maximising growth and opportunity across Blackpool in terms of employment but the policy, amenity, highway and parking issues associated with the proposal outweigh the employment benefits.

## **SUMMARY OF RECOMMENDATION**

The introduction of a commercial use onto Derwent Place is considered contrary to planning policy and is likely to prove detrimental to the amenities of nearby residents by reason of increased vehicular movements and on street parking demand resulting in more noise and disturbance.

## **INTRODUCTION**

Planning Permission was granted for a single storey rear extension in 1985 and it is this element that is the subject of this proposal. Work commenced on the conversion of the rear extension which appears to have been used as an office in the recent past. The proposal would involve the installation of a large window into the side elevation of the extension and as a result of work commencing, a Planning Enforcement officer visited the premises and advised that planning permission was required. As a result of this work on site stopped and a hoarding was placed over the opening in the wall where the window was to be fitted. Subsequently, the current planning application was submitted for consideration.

## **SITE DESCRIPTION**

The site is unallocated on the Blackpool Local Plan Proposals map.

The property fronts onto Fleetwood Road (a Primary Distributor route) and the front of the ground floor premises is used as a sandwich shop with the upper floor being in use as a self-contained flat. The property has been extended with a single storey rear extension and this is now the subject of this application.

## **DETAILS OF PROPOSAL**

The application involves external alterations to form new window to side elevation of the single storey rear extension, and use of rear single storey extension as altered as a beauty salon and therapy room.

## **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- Principle
- Design
- Residential Amenity
- Highway Safety
- Parking and Servicing Arrangements
- Other Issues

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

## **CONSULTATIONS**

**Head of Highways and Traffic Management:** The application site can be accessed from Derwent Place which is effectively a cul-de-sac with no direct access from Fleetwood Road, however vehicles could meander between the existing guardrail and plot a route through. The front of the building is used as a sandwich shop and parking demand could be high, at certain times due to customers of the sandwich shop stopping for short periods to purchase food and drinks. This in isolation is less of an issue, largely due to the fact that the sandwich shop has been established for some time and officers in the Highways and Traffic department are not aware of any traffic and highway related issues for this use.

The proposal to convert the rear of the building to a beauty salon and therapy room, which will have its own need in terms of customers and staff having the need to park in close proximity, placing further demand in the short cul-de-sac, not forgetting that not all of the neighbours have access to off-street parking and may rely on space on-street. Intensifying the use of the cul-de-sac for additional vehicle trips/movements will hinder access and manoeuvrability to the nuisance and inconvenience of the residents on the street, and on this basis, I wish to object to this proposal.



## **PUBLICITY AND REPRESENTATIONS**

Neighbours notified 4 August 2017

Two letters of objection have been received from neighbours at 1 and 2 Derwent Place in relation to the proposal and the objections can be summarised as follows:

- Loss of Privacy
- Increased noise and disturbance
- Longer opening hours than sandwich shop
- Introduction of a commercial use/frontage on a residential cul-de-sac
- Increased traffic generation
- Increased demand for limited on street parking
- Highway and pedestrian safety issues
- Concern over use and storage of potentially harmful chemicals on site
- Outstanding enforcement issues
- Boarded up elevation is an eyesore

## **NATIONAL PLANNING POLICY FRAMEWORK**

The National Planning Policy Framework (NPPF) states that there is presumption in favour of sustainable development where approving development proposals that accord with the development plan and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

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

Of particular relevance to this proposal are Core principle 1 “Building a Strong, Competitive Economy” (Paragraphs 18- 21) and Core Principle 7 “Requiring good design” of the NPPF (Paragraph 56 - 66).

## **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 -

**Policy CS3: Economic Development and Employment** - Sustainable economic development will be promoted to strengthen the local economy and meet the employment needs of Blackpool and the Fylde Coast Sub-Region to 2027, with the focus on promoting land in South Blackpool as a strategic priority, to help strengthen the Fylde Coast economy and make an important contribution towards meeting the future employment needs of Blackpool residents.

To improve employment opportunities for Blackpool residents the focus will be to nurture and support responsible entrepreneurship by facilitating a culture of enterprise and promoting Blackpool as a great place for start-up businesses.

**CS4: Retail and other town centre uses** - seeks to locate retail/town centre uses within existing centres.

**Policy CS7: Quality of Design** - New development should ensure that the amenities of nearby neighbours and potential occupiers are not adversely affected. Development will not be permitted that causes unacceptable effects by reason of noise or any other adverse local impact on local character or amenity.

### **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 Design Quality

LQ14 - Extensions and Alterations

BH3 - Residential and Visitor Amenity

BH15 - Change of Use of Premises Outside Defined Centres

AS1 - General Development Requirements

### **ASSESSMENT**

**Principle** - The introduction of a commercial presence onto this residential cul-de-sac has the potential to increase traffic on this residential cul-de-sac and thus place additional pressure on the limited on-street parking in the locality. It is therefore considered that the proposal fails to satisfy the requirements of Policies AS1, BH3 and BH15 of the Local Plan.

**Design** - The proposal involves inserting a new window into the side elevation of the single storey rear extension so that it faces out onto Derwent Place. The element of the building to which this proposal relates is a single storey flat roofed addition and it is proposed to render it to match the existing building. There are no strong concerns on design grounds.

**Residential Amenity** - The main issue in terms of amenity is likely to be the increase in vehicular traffic coming and going to the site. Currently, the sandwich shop closes at 15.00 and the proposed use would operate between the hours of 09.00 and 18.00 Mondays to Saturdays. There are no restrictions on the current business hours of the sandwich shop so potentially it could open later.

**Highway Safety** - There is a footway on one side of Derwent Place which runs in front of the residential properties which face the green between Derwent Place and Fleetwood Road. The road, whilst narrow, has vehicles parking on both sides of it and with the turning head being adjacent the sandwich shop this is often parked up as well which means that there is often only room for a single vehicle to pass along the road. The entrance to Derwent Place is also situated close to the traffic lights at the junction of Fleetwood Road and Warren Drive with traffic waiting at the lights often backing up past Derwent Place which can make manoeuvring in and out of the cul-de-sac difficult at certain times of the day.

**Parking and Servicing Arrangements** - The proposal would introduce a commercial frontage to Derwent Place and visitors to the premises. Customers using the premises would naturally be drawn to parking on Derwent Place thus increasing on-street parking on this short residential cul-de-sac. There is a forecourt in front of the existing sandwich shop which is accessed directly off Fleetwood Road, but customers of the sandwich shop also choose to park on Derwent Place at times as the forecourt parking can only accommodate two vehicles parked side by side. Therefore in view of the fact that no off street parking is proposed it is likely that the proposal will result in an increased demand for on street parking on Derwent Place which has limited capacity.

**Other Issues** - There is no evidence to suggest that any hazardous chemicals will either be stored on the site or used in treatments at the premises. This is therefore not considered to be a material planning consideration in the context of this planning application.

There is an outstanding enforcement issue in relation to the planning permission (12/0098) granted in 2012 which required the removal of a garage unit within three months of planning permission being granted. The matter is in the hands of the Enforcement Service and is being actioned to ensure compliance with the condition.

## **CONCLUSION**

The introduction of a commercial use at the end of this short residential cul-de-sac is likely to exacerbate the existing issues that residents experience in terms of vehicles parking on the street to visit the sandwich shop at the front of the subject property.

## **LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION**

Not Applicable

## **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) 17/0374, 12/0098, 85/0247 which can be accessed via the link below:

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

**Recommended Decision:** Refuse

## **Conditions and Reasons**

1. The proposed development provides insufficient car parking facilities and would therefore result in on-street parking and additional congestion in the surrounding area to the detriment of pedestrian and highway safety and the residential amenities of adjoining residents. As such it would be contrary to Policies AS1, BH3 and BH15 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.
2. The means of access to the proposed development would be significantly detrimental to highway safety by virtue of the turning head being used as for car parking which would result in vehicles having to turn on the short carriageway of Derwent Place to the detriment of highway safety and would therefore be contrary to Policy AS1 of the Blackpool Local Plan 2001 - 2016.

3. **ARTICLE 35 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK paragraph 187)**

The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors 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



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COMMITTEE DATE: [26/09/2017](#)

**Application Reference:** 17/0453

WARD: Talbot  
DATE REGISTERED: 17/07/17  
LOCAL PLAN ALLOCATION: Houndshill  
Town Centre Boundary  
Principal Retail Core  
Defined Inner Area

APPLICATION TYPE: Full Planning Permission  
APPLICANT: BCC Eiffel Ltd

**PROPOSAL:** Erection of a three storey extension to the Houndshill Shopping Centre with restaurant on the ground floor, a retail unit on the ground and part first floor and a cinema complex and associated facilities on the upper floors.

**LOCATION:** LAND BOUNDED BY CORONATION STREET, ADELAIDE STREET AND TOWER STREET, BLACKPOOL, FY1 4LA

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**Summary of Recommendation:** Grant Permission

## **CASE OFFICER**

Ms C Johnson

## **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**

The proposal is considered to be sustainable development in the context of local and national planning policies and makes the best use of the existing infrastructure of the Houndshill Shopping Centre, including its car parking and servicing arrangements.

The principle of a mixed retail, food and leisure use is acceptable and in accordance with paragraphs 17, 19 and 187 of the National Planning Policy Framework, Core Strategy Policies CS1, CS4 and CS17 and Local Plan Policies SR1 and SR5, which seek new investment to revitalise and improve the Town Centre as an attractive shopping and leisure destination.

The development is also considered to be acceptable in terms of the setting of the Winter Gardens and the Town Centre Conservation Area with regards to paragraphs 129,131, 132

and 137 of the National Planning Policy Framework, Core Strategy Policy CS8 and Local Plan Policies LQ9 and LQ10.

The recommendation is to grant planning permission for the proposal.

## **INTRODUCTION**

On this site in 2006, the Council's Development Control Committee approved a part four/part five-storey building to form 4,127sqm of retail floorspace over two levels with a 63 bedroom hotel on upper levels and 32 car parking spaces and a drop off zone on level 2, accessed from the existing Houndshill Shopping Centre car park (reference 05/0777). This permission has now lapsed.

Prior to the site clearance in 2011, there was a mix of two, three and four-storey buildings on the site. Following the demolition of those buildings, the Council's Planning Committee approved the use of the land as a temporary car park for a period of three years in July 2011. However, re-development of the site has yet to move forward and the site remains in use as a car park.

In 2015, the Planning Committee granted outline planning permission for the erection of a four storey mixed use (retail, food and leisure) development on the site (reference 15/0859).

In 2016, a full planning application for the erection of a four storey building with a retail unit to ground and mezzanine floor levels and a 102 bedroomed hotel to first, second and third floors with associated landscaping, accesses, plant and servicing facilities was submitted but was not presented to the Planning Committee and the application was not determined due to un-resolved design issues. This application will be finally disposed of in October 2017 as the agent for that application has been unwilling to withdraw the application.

## **SITE DESCRIPTION**

The 3162 square metre (0.31 hectare) site is bounded by a vehicle ramp to the north which provides access to the multi-storey car park above the Houndshill Shopping Centre, Coronation Street to the east and the Houndshill Shopping Centre to the south and west. The site incorporates all of Tower Street and the most westerly part of Adelaide Street which links Coronation Street to the Houndshill Shopping Centre and the Coronation Street footpath in front of the site.

Currently hard surfaced and used as a temporary car park with 82 spaces, the lack of built form on the site reveals a 'back of house' elevation of the Houndshill Shopping Centre, which is a three -four stories tall red brick wall to the west of the site and an adjacent modern six storey (in scale), tiled lift shaft. At the southern end of the site is a secondary entrance to Houndshill Shopping Centre and the Houndshill extension, which is three-four storeys high in scale.



There is access to a substation/ underground storage/ utilities to the north of the site on Tower Street, under the ramp to the Houndshill Shopping Centre car park.

The land levels of the application site are uneven and the land slopes down from the north east corner to the south with an approximate difference in levels of approximately 1.2 metres. Coronation Street (including pedestrian footpaths) is between 13 and 14 metres wide (the road widens to the south).

The site is opposite the Coronation Street elevation of the Grade II\* listed Winter Gardens (between three and six stories in scale) and abuts the Town Centre Conservation Area. The site is within the Town Centre Boundary and the Principal Retail Core on the Proposals Map to the Local Plan and is also identified as a proposed Houndshill extension site.

### **DETAILS OF PROPOSAL**

This is a major application for full planning permission involving the erection of a three storey extension to the Houndshill Shopping Centre with restaurant (467sqm) and a retail unit on the ground floor (2090sqm) (and part first floor) and a cinema complex and associated facilities on the upper floors (3968sqm).

On the ground floor, the retail unit's primary access would be from within the Houndshill Shopping Centre but it would also have access from Adelaide Street. The restaurant would be accessed from Coronation Street at the north east corner of the site and the cinema would be accessed from the south east corner of the site. At first floor there would be storage for the ground floor retail unit, three cinemas plus an IMAX cinema, a bar and seating area. A mezzanine level would also provide a seating area and the projector room for the IMAX cinema and on the second floor, there would be a further five cinemas, the IMAX void and more seating areas.

The cinema and retail unit would be serviced from the first floor of the Houndshill Shopping Centre car park, in an existing servicing area and the restaurant would be serviced from Coronation Street out of opening hours.

At its tallest point, the building would be 22.5m tall adjacent to the existing Houndshill Shopping Centre. The height of the projecting fins fronting Coronation Street, closest to the Winter Gardens would be between 18 and 21m tall.

The application is accompanied by a Design and Access Statement, a Heritage Statement and a Transport Assessment.

### **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- The principle of a four-storey (in scale) building with mixed retail, food and leisure use in this location.
- Economy and employment.

- Design and the impact on the Town Centre Conservation Area and the Grade II\* Winter Gardens.
- Car parking, servicing and highway safety.
- Other issues.

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

## **CONSULTATIONS**

### **Historic England:**

Historic England was approached in June 2017 to provide pre-application advice on the proposal to construct a new cinema and restaurant complex, opposite the grade II\* listed Blackpool Winter Gardens complex. Our advice letter is attached in the Design and Access Statement, submitted in support of the planning application, and our conclusions state the following:-

‘The proposals are felt to be an appropriate scale and mass to form part of the setting of the Blackpool Winter Gardens and would not cause any harm to its significance in line with paragraph 131, 132 and 58 of the National Planning Policy Framework.’

The submitted scheme reflects the proposals considered at pre-application, and our above conclusions remain unaltered. As a result we have no objection to the application.

Historic England has no objection to the application on heritage grounds. We consider that the application meets the requirements of the National Planning Policy Framework (NPPF), in particular paragraphs 131,132 and 58.

### **United Utilities:**

United Utilities will have no objection to the proposed development provided certain conditions relating to surface water, foul water, management and maintenance are attached to any approval. (*See proposed conditions*).

### **Built Heritage Manager:**

The proposed building is appropriate in design, scale and materials for this site adjacent to the Winter Gardens and I'm happy to support the application.

### **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.

### **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:**

The proposed development will generate additional trips to the store/cinema, over and above the trips to the temporary car park. Problems already exist on certain days and times

and this development will only add to the issue. Houndshill often complain about the issues, so they need to understand that things may get worse. We could review and amend the signal junction configuration and timings at Coronation Street/Albert Road but this would need to be funded by this development.

Key concerns listed below:

- Servicing for all uses within the new proposal should now be integrated with the existing shopping complex and this would remove the need for service vehicles to stop, undertake unsafe manoeuvres in conflict with other road users. I would ask that a condition be included with any permission granted that a Service Management Plan is provided detailing how servicing will be undertaken – existing and additional.
1. Visitors to the proposed Store and Cinema complex will travel by different modes, by foot, car or public transport. Additional parking is not being provided and due to this people may arrive at the complex to find parking is not available resulting in issues within the car park possibly extending onto the public highway. The Council is currently undertaking a scheme where the Variable Message Signs are being installed which will display Car Park Occupancy, The Houndshill car park is being integrated into this scheme. I consider it necessary that this scheme pays for two additional signs that can be sited within close proximity of the complex. This would assist visitors to the application site in identifying available space within the complex, if space is not available then visitors can look for spaces within public and private car parks nearby – hopefully this may reduce unnecessary vehicle trips in this area.
  1. The over sail on Coronation Street is shown to be at the edge of the carriageway on the CGI (computer generated images), I am unable to determine the clearance from footway level. As the over sail is next to the carriageway, the clearance must be a minimum of 5.3m, anything less will not be accepted. If the clearance is less than 5.3m, which I suspect it is, the over sail to be set back by a minimum of 450mm from the carriageway edge.
  2. Should the layout and height of the over sail be acceptable, this will be subject to an over sail licence with the developer having to pay the necessary fees.
  3. The building appears to be set back with the footway being widened, with a new area of highway being created, the developer would need to dedicate this to Blackpool Council as Highway Authority.
  4. Tower Street must be stopped-up, effectively removing highway rights prior to commencement of any works on site. The Council, as Highway Authority, has no objections to highway rights being removed and this being incorporated within the new proposal. Also, we would consider the same for the footway linking Coronation Street into the existing complex (Adelaide Street), meaning that the complex owners would become responsible for these areas.
  5. A pick-up/drop-off area/bay to be considered.
  6. A Construction Management Plan to be conditioned.
  7. Considerable amount of off-site highway work is required, above and beyond the construction of the building (service diversions possibly – gas/water/sewerage/telecoms, new service connections etc.) and this is being

concentrated within a very short works programme, this in itself will be a difficult task to manage by the Highway Authority due to pressures on the highway network. The Contractor should be made aware that discussions must take place in a timely fashion to ensure the works are managed and delivered in a safe manner.

8. The development should ensure that adequate cycle parking/changing facilities are provided for staff and visitors.
8. I would raise slight concerns with the loss of Tower Street car park with no additional provision. Houndshill car park will potentially have a significant amount of extra vehicles during busy cinema showings etc.
9. There is also the issue of late night cinema showings and the existing Houndshill car park closing times.
10. I would expect the provision of a Travel Plan to further encourage sustainable travel to the site, especially for staff.

### **PUBLICITY AND REPRESENTATIONS**

Press notice published: 27th July 2017

Site notice displayed: 24th July 2017

Neighbours notified: 18th July 2017

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 2 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Paragraph 7 explains that the three dimensions to sustainable development including economic, social and environmental roles.

Paragraph 11 reiterates the requirement of paragraph 2.

Paragraph 12 states that the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless material considerations indicated otherwise. It is highly desirable that Local Planning Authorities have an up to date plan in place

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

- approving development proposals that accord with the development plan without delay; and

- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as whole; or
  - specific policies in this Framework indicate development should be restricted.

Paragraph 17 sets out the 12 core land-use planning principles which should underpin both plan-making and decision-taking which include to proactively drive sustainable economic development and encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value; and to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Paragraph 19 states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 23 recognises town centres as the heart of communities and policies should support their viability and vitality. Local authorities should define the extent of town centres and primary shopping areas and set policies that make clear which uses will be permitted in such locations.

Paragraph 32 states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 35 confirms that plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to:

11. accommodate the efficient delivery of goods and supplies;
12. give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
  - create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
  - incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
  - consider the needs of people with disabilities by all modes of transport.

Paragraph 36 states that a key tool to facilitate this will be a Travel Plan. All developments which generate significant amounts of movement should be required to provide a Travel Plan.

Paragraph 56 confirms that 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.

Paragraph 57 states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Paragraph 103 confirms that when considering applications for new development, local planning authorities should ensure flood risk is not increased elsewhere.

Paragraph 109 confirms that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.

Paragraph 128 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 129 confirms that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets' conservation and any aspect of the proposal.

Paragraph 131 state that 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 use consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets' 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. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 137 confirms that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Paragraph 150 emphasises the importance of Local Plans in delivering sustainable development. It reiterates the point that planning decisions should be made in accordance with the 'Local Plan' unless material considerations indicate otherwise.

Paragraph 187 states that Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

Paragraph 196 states that the planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This Framework is a material consideration in planning decisions.

### **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 -

#### **Policy CS1: Strategic Location of Development**

1. To deliver the Core Strategy vision the overarching spatial focus for Blackpool is regeneration and supporting growth.
2. Blackpool's future growth, development and investment will be focused on inner area regeneration, comprising:
  - a. Blackpool Town Centre, including the three strategic sites of Central Business District, Winter Gardens and Leisure Quarter.

#### **Policy CS4: Retail and Other Town Centre Uses**

1. In order to strengthen Blackpool Town Centres role as the sub-regional centre for retail

on the Fylde Coast, its vitality and viability will be safeguarded and improved by:

- a. Focusing new major retail development in the town centre to strengthen the offer and improve the quality of the shopping experience.
2. For Town, District and Local Centres within the Borough, retail and other town centre uses will be supported where they are appropriate to the scale, role and function of the centre.

#### **Policy CS6: Green Infrastructure**

1. High quality and well connected networks of green infrastructure in Blackpool will be achieved by:

- c. Creating new accessible green infrastructure as part of new development and supporting urban greening measures within the built environment.

2. All development should incorporate new or enhance existing green infrastructure of an appropriate size, type and standard. Where on-site provision is not possible, financial contributions will be sought to make appropriate provision for open space and green infrastructure.

#### **Policy CS7: Quality of Design**

1. New development in Blackpool is required to be well designed, and enhance the character and appearance of the local area and should:

- a. Be appropriate in terms of scale, mass, height, layout, density, appearance, materials and relationship to adjoining buildings
- b. Ensure that amenities of nearby residents and potential occupiers are not adversely affected
- c. Provide public and private spaces that are well-designed, safe, attractive, and complement the built form
- d. Be accessible to special groups in the community such as those with disabilities and the elderly
- e. Maximise natural surveillance and active frontages, minimising opportunities for anti-social and criminal behaviour
- f. Incorporate well integrated car parking, pedestrian routes and cycle routes and facilities
- g. Provide appropriate green infrastructure including green spaces, landscaping and quality public realm as an integral part of the development
- h. Be flexible to respond to future social, technological and economic needs.

2. Development will not be permitted that causes unacceptable effects by reason of visual intrusion, overlooking, shading, noise and light pollution or any other adverse local impact on local character or amenity.

3. Contemporary and innovative expressions of design will be supported, where appropriate.



### **Policy CS8: Heritage**

1. Development proposals will be supported which respect and draw inspiration from Blackpool's built, social and cultural heritage, complementing its rich history with new development to widen its appeal to residents and visitors.
2. Proposals will be supported that:
  - c. Enhance the setting and views of heritage buildings through appropriate layout of new development and design of public realm.
  - d. Strengthen the existing character created by historic buildings.
3. Developers must demonstrate how the development will complement and enhance existing features of heritage significance including their wider setting, particularly for those developments affecting conservation areas, listed buildings and other identified heritage assets.
4. The Council will seek to safeguard heritage assets from inappropriate development.

### **Policy CS9: Water Management**

1. To reduce flood risk, manage the impacts of flooding and mitigate the effects of climate change, all new development must:
  - incorporate appropriate mitigation and resilience measures to minimise the risk and impact of flooding from all sources;
  - ensure that there is no increase in the rate of surface water run-off from the site as a result of development;
  - reduce the volume of surface water run-off discharging from the existing site in to the combined sewer system by as much as is reasonably practicable;
  - make efficient use of water resources; and
  - not cause a deterioration of water quality.
2. Where appropriate, the retro-fitting of SuDS (sustainable urban drainage systems) will be supported in locations that generate surface water run-off.

### **Policy CS10: Sustainable Design and Renewable and Low Carbon Energy**

All new non-residential development over 1000sqm will be required to achieve BREEAM 'very good' (or any future national equivalent).

### **Policy CS17: Blackpool Town Centre**

1. To re-establish the town centre as the first choice shopping destination for Fylde Coast residents and to strengthen it as a cultural, leisure and business destination for residents and visitors, new development, investment and enhancement will be supported which helps to re-brand the town centre by:
  - a. Strengthening the retail offer with new retail development, with the principal retail core being the main focus for major retail development.

- b. Introducing quality cafes and restaurants to develop a cafe culture.
- c. Exploiting key heritage and entertainment assets within the town centre and complementing these with new innovative development.

2. Assistance will be provided to assemble sites and properties where required to facilitate major redevelopment.

### **Policy CS18: Winter Gardens**

2. Proposals must be presented in the context of a comprehensive approach, respect the character and heritage of the Grade 2\* Listed Building and conform to the Winter Gardens Conservation Statement.

None of these policies conflict with or outweigh the provisions of the saved Local Plan policies listed below.

### **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 SR1: Houndshill**

The Houndshill site is proposed as an extension to the Principal Retail Core. The redevelopment of this site for non-food retailing including multi storey public car parking will be permitted. Other supporting development could integrate appropriate leisure and hotel accommodation uses at upper floor level.

Rather than looking inward, any proposals for redevelopment should look outwards and create high street frontages that fully integrate with the surrounding shopping streets and the adjacent Grade II listed Winter Gardens.

### **Policy SR5: Principal Retail Core**

Proposals for uses other than the following will not be permitted within the Principal Retail Core:

- (a) retail uses; financial and professional services; restaurants and cafes
- (b) appropriate leisure, residential, hotel or office uses at upper floor level
- (c) civic space/open space

Proposals, which would be detrimental to the retail function/character of these main shopping streets, will not be permitted. Public realm improvements in the area will be promoted and where appropriate contributions secured from development.

### **Policy BH3: Residential and Visitor Amenity**

(A) Developments will not be permitted which would adversely affect the amenity of those occupying residential and visitor accommodation by:

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

### **Policy BH4 Public Health and Safety**

Developments which are considered likely to be detrimental to public health and safety will not be permitted. Developers must demonstrate that development will not cause or increase pollution of water or groundwater resources.

### **Policy LQ1: Lifting the Quality of Design**

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.

All planning applications for large-scale developments or smaller developments occupying prominent and/or sensitive locations, such as gateways and activity nodes must be accompanied by an 'Urban Design Statement'. This statement will need to set out the design principles of the development covering the following:

- (a) site appraisal and context
- (b) layout of street and spaces
- (c) activity and movement patterns
- (d) building design
- (e) public realm design
- (f) landscape design, including wildlife and biodiversity issues
- (g) energy and resource conservation
- (h) other relevant design issues.

For the purposes of this policy, large-scale developments are defined as non-residential proposals in excess of 500 sqms. Sensitive and prominent locations are considered to be those within or adjacent to Conservation Areas, those directly affecting the fabric or setting of a Listed Building, those sites occupying landmark or nodal locations with the Town Centre, and any site within the Resort Core or Resort Neighbourhoods with any elevation fronting onto the Promenade.

### **Policy LQ2: Site Context**

The design of new development proposals will be considered in relation to the character and setting of the surrounding area. New developments in streets, spaces or areas with consistent townscape character should respond to and enhance the existing character when affecting the setting of a listed building or a Conservation Area.

### **Policy LQ4: Building Design**

In order to lift the quality of new building design and ensure that it provides positive reference points for future proposals, new development should satisfy the following criteria: Scale - The scale, massing and height of new buildings should be appropriate for their use and location and be related to the width and importance of the street or space and the scale, massing and height of neighbouring buildings. Buildings of a larger scale and height will be encouraged in the Town Centre. New buildings less than four storeys or equivalent in height will not be permitted within the Town Centre.

### **Policy LQ5: Public Realm**

New developments creating outdoor areas that will be used by the public will be expected to provide or enhance a co-ordinated, uncluttered and visually interesting public realm that is convenient for all its users. The design of the public realm must enhance the setting of surrounding buildings and will be expected to:

- a) use materials, such as paving, which are robust, attractive and appropriate to the location
- b) provide adequate lighting designed for the needs of pedestrians
- c) include clear and distinct signage
- d) provide a variety of places for people to sit
- e) include other appropriate landscaping and street furniture.

In major developments, the provision of public art will be encouraged.

### **Policy LQ9: Listed Buildings**

Development which adversely affects the character or appearance of a listed building, or its setting will not be permitted.

### **Policy LQ10: Conservation Areas**

Applications for development in Conservation Areas will be considered against the following criteria:

- i. the development must preserve or enhance the character and appearance of the Conservation Area.
- ii. the development will need to respect the scale, massing, proportions, materials and detailing of similar building forms within the Conservation Area.

### **Policy AS1: General Development Requirements**

New development will only be permitted where the access, travel and safety needs of all affected by the development are met as follows:

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

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

(Policies BH11 Shopping and Supporting Uses and BH12 Retail Development and Supporting Town Centre Uses have been superseded by Core Strategy Policy CS4)

### **ASSESSMENT**

#### **The principle of a four-storey scale building with mixed retail, food and leisure use in this location.**

The site is a brownfield site which is currently being used as a car park, until the site can be comprehensively re-developed. The site is within the Town Centre boundary and the Principal Retail Core and has been identified in the Local Plan for expansion of the Houndshill Shopping Centre. The principle of the mix of uses (retail, food and leisure) has been previously approved in the grant of outline planning permission (reference 15/0859).

The Council, as Local Planning Authority, consistently seeks to work proactively with developers to deliver sustainable development which brings positive environmental benefits and underpins wider regeneration strategies. The undetermined 2016 application for this site was for a standalone building which was a missed opportunity to integrate the development with the Houndshill Shopping Centre. The architects for this development have engaged in pre-application discussions which have led to improvements in the design of the building and its integration with the Houndshill Shopping Centre.

### **The economy and employment.**

The proposed mix of uses would have numerous economic benefits for the town as well as bringing a prime Town Centre site back into a long term sustainable use. The retail store would be primarily accessed from within the Houndshill Shopping Centre, from an area where there has been a high turnover of smaller scale businesses and there are some cash points, near to one of the lesser used entrances to the complex. It is understood that all of the new retail space would be taken up by a single operator, Wilko's, which is a well know brand and its presence should help revitalise a less well used part of the Houndshill Shopping Centre.

The cinema proposals for the upper floors would include bringing an IMAX cinema into the Town Centre (IMAX is a film system which has the capacity to record and display images of far greater size and resolution than conventional film systems). The nearest IMAX cinemas are at Liverpool One, The Trafford Centre and Manchester Printworks so having one in Blackpool will be a big attraction for cinema goer's and a valuable leisure asset in the Town Centre.

The development would provide 30 full time and 60 part time jobs (equivalent of 60 full time jobs) within a walking catchment area as well as temporary jobs during the construction process. The restaurant proposed on the ground floor would complement the cinema use and the surrounding mix of retail, restaurant and leisure uses.

### **Design and the impact on the Town Centre Conservation Area and the Grade II\* Winter Gardens.**

The current car park, the mass of black tarmac and the rear, 'back of house' elevations of the Houndshill Shopping Centre and the car park ramp significantly detract from the setting and character of the Town Centre Conservation Area and the Winter Gardens and the area would benefit considerably from a good quality development on the site.

The design of the building has been developed to complement the Houndshill Shopping Centre, masking the 'back of house' elevations and in full awareness of the sensitivity of the Winter Gardens and Town Centre Conservation Area setting.

The development would maintain views of the south west corner of the Winter Gardens from the eastern Houndshill Shopping Centre entrance/exist and provides an opportunity for an improved public realm in front of the entrance to the Houndshill Shopping Centre and the Cinema and opportunities to incorporate green infrastructure into the development. This improved public realm would also provide future opportunities to link through to the recently approved Conference Centre to the east of the Winter Gardens in terms of improved and unified footpath and road surfaces. Details of public realm improvements including and hard and soft landscaping, street furniture and/or public art around the development will be agreed by condition.

The building itself would have one primary frontage on Coronation Street and this is where the design emphasis has been placed. The ground floor elevations would consist of

lightweight glazed curtain walling with dark grey aluminium door frames. This would provide a very active ground floor frontage which is important in the streetscene, to create a welcoming and pleasant environment. The upper floor facade on Coronation Street would consist of three cantilevered projecting planes which would overhang part of the footpath below which add visual interest and break up the mass of the building. These planes would be clad in an off-white reflective ceramic tiles and which would wrap around the north east and south east corner.

The cinema entrance would be a full height glazed void with ceramic vertical fins which would emphasise the entrance in a modest way which would not compete against the rotunda on the Winter Gardens. The height of the corner entrance to the cinema would also be lower than the Winter Gardens rotunda opposite.

Abutting the Houndshill Shopping Centre, the materials change to a darker, solid cladding and there are concerns around the use of such a dark, contrasting material. Negotiations are on-going and the final details should be agreed by condition to ensure the best possible outcome for the site.

It is considered that the building does not compete with the Coronation Street facade of the Winter Gardens in terms of design, scale and materials and is considered to accord with the NPPF, Policy LQ2 of the Local Plan and Policy CS8 of the Core Strategy in terms of responding to and enhancing the Town Centre Conservation Area and the setting of the Winter Gardens and there would be substantial benefits resulting from the proposal in terms of the quality of the built environment in the area.

#### **Car parking, servicing and highway safety.**

The development would result in the loss of 82 car parking spaces in the Town Centre which would be unfortunate. However, the site has been an allocated re-development site since the adoption of the Local Plan in June 2006. Furthermore, work is ongoing to develop a car parking strategy as a priority for the Council, following reports and recommendations from AECOM in the Blackpool Strategic Parking Review, Final Strategy Report (March 2016).

The new retail unit, restaurant and leisure development would utilise the 500 car parking spaces available in the Houndshill Shopping Centre and the car park would be open for 1 hour before and after the daily trading hours of the leisure use.

Paragraph 17 of the NPPF confirms that in decision taking, local authorities should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling. As such, a condition requiring the submission and implementation of a Travel Plan is considered necessary along with details of cycle storage and changing facilities for staff.

Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Whilst the site is in a highly accessible area, a Travel Plan condition is considered necessary given the size of the development and the level of jobs created. A condition requiring the

approval and implementation of a Construction Management Plan would help minimise disruption during the construction works from delivery vehicles etc. This is particularly important given that there may be other, large scale developments being constructed in the area including the Conference Centre to the east on Leopold Grove.

The developer will need to enter into a s278 Agreement for the following offsite highway works:

- the provision of a drop off/pick up point;
- changing of the traffic light sequencing on the Coronation Street/Albert Road junction.

Tower Street will need to be formally stopped up and an over-sail licence will be required as the upper floors project over parts of Coronation Street.

Consideration should also be given to providing up to two variable message signs in the vicinity of the site which indicate how much car parking is available in the Houndshill Shopping Centre car park and other car parks in the area. This would reduce the amount of traffic in the area where people are driving round trying to find a car parking space. This would be beneficial to the development and to the wider Houndshill Shopping Centre but this is not considered to be an issue critical to the development.

#### **Drainage.**

Conditions requiring the submission of a Surface Water Drainage Strategy and Management Plan are required.

#### **Other issues.**

The agent is confident that the development would achieve BREEAM 'very good' in accordance with the requirements of Core Strategy Policy CS10. Achieving this level would help reduce the environmental impacts arising from the development.

Details of ventilation ducting and roof top plant should be agreed by condition.

Refuse and recycling will be stored and collected utilising the existing facilities in the shopping centre.

#### **CONCLUSION**

The proposed development would meet the economic, environmental and social dimensions of sustainable development as described in the National Planning Policy Framework.

#### **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) 17/0453 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 30th June 2017

Drawings numbered PL-03, PL-12, PL-13, PL-14, PL-15, PL-16, PL-17, PL-18, PL-19

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

3. Foul and surface water shall be drained on separate systems. 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 policies within the National Planning Policy Framework and the National Planning Policy Guidance, Policy BH4 of the Blackpool Local Plan 2001-2016 and Policy CS9 of the Blackpool Local Plan, Part 1 - Core Strategy 2012-2027.

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

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

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

Reason: In the interests of the amenities of surrounding residents and hotels and to safeguard the character and appearance of the Town Centre Conservation Area and the Winter Gardens and in the interests of highway safety in accordance with Policies CS7 and CS8 of the Blackpool Local Plan: Part 1 - Core Strategy and LQ1, LQ9, LQ10, AS1 and BH3 of the Blackpool Local Plan 2001-2016.

5. Prior to occupation of the development a Servicing Management Plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The Servicing Management Plan shall include as a minimum:
  - a. Plans and details of the existing servicing arrangements from the first floor of the car park.
  - b. Plans and details of the proposed servicing arrangements including the retail and leisure use hereby approved.
  - c. Plans and details of the proposed servicing arrangements for the ground floor restaurant use.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the existing servicing provision can support additional servicing and to ensure that the proposed servicing does not conflict with users of the car park 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.

6. Notwithstanding the submitted details, the 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 commencement of works above ground level.

Reason: In the interests of the appearance of the locality and the setting of the Town Centre Conservation Area and a Grade II\* listed building, in accordance with Policies LQ4, LQ9, LQ10 and LQ14 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

7.
  - a) No development above ground level 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, any areas of soft landscaping, hard surfaced areas, street furniture and lighting, planters and materials, planting plans specifications and schedules (including plant size, species and number/densities) and shall show how account has been taken of any underground services.
  - b) The landscaping works shall be carried out in accordance with the approved details within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner.)
  - c) Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously

diseased within 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 opportunities are realised to contribute green infrastructure in to the Town Centre with regards to Policy LQ6 of the Blackpool Local Plan 2001-2016 and Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. The development hereby approved shall be constructed to achieve a minimum Building Research Establishment (BREEAM) standard of 'very good'. A final certificate confirming the achievement of that stipulated BREEAM level shall be presented to the local planning authority within six months of the occupation of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of minimising the environmental impact of the development in accordance with Policy CS10 of the Blackpool Local Plan, Part 1: Core Strategy 2012-2026.

9. Details of the appearance, technical specification and siting of any external ventilation ducting, air conditioning units and any other plant shall be submitted to and agreed in writing by the Local Planning Authority prior to their installation. The agreed equipment and plant shall then be provided and thereafter retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that plant is sensitively sited in order to safeguard the setting of the Town Centre Conservation Area and a Grade II\* listed building and the wider locality in accordance with Policies LQ1, LQ9 and LQ10 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. Within six months of the development first being brought in to use, a detailed travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall include the appointment of a travel co-ordinator and a format that consists of surveying, travel audits, a working group, action plans with time scales and target setting for the implementation of each element.

The approved travel plan shall subsequently be implemented in accordance with the timetable therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: In order to ensure appropriate provision exists for safe and convenient access by public transport, cycle and on foot as well as by car, in accordance with

Policy AS1 of the Blackpool Local Plan 2001 - 2016 and Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

11. Details of an external lighting scheme 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 the agreed scheme shall be implemented prior to the development first being brought into use and shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the locality, in accordance with Policies LQ1, LQ4 and LQ5 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

12. The ground floor of the premises shall be used for A1 retail (non-food) and A3 restaurant/cafe purposes only as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: In the interests maintaining and enhancing the retail function and character of the Town Centre, in accordance with Policies SR1 and SR5 of the Blackpool Local Plan 2001-2016 and Policies CS4 and CS17 of the Blackpool Local Plan, Part 1: Core Strategy 2012-2027.

13. The development hereby approved shall not be brought into use until a detailed scheme for on and off-site highway works have been approved and provided in accordance with a scheme to be submitted to and agreed by the Local Planning Authority. The submitted scheme shall include details of a drop-off and pick-up point on Coronation Street and changes to the traffic light sequencing on the Coronations Street/Albert Road junction.

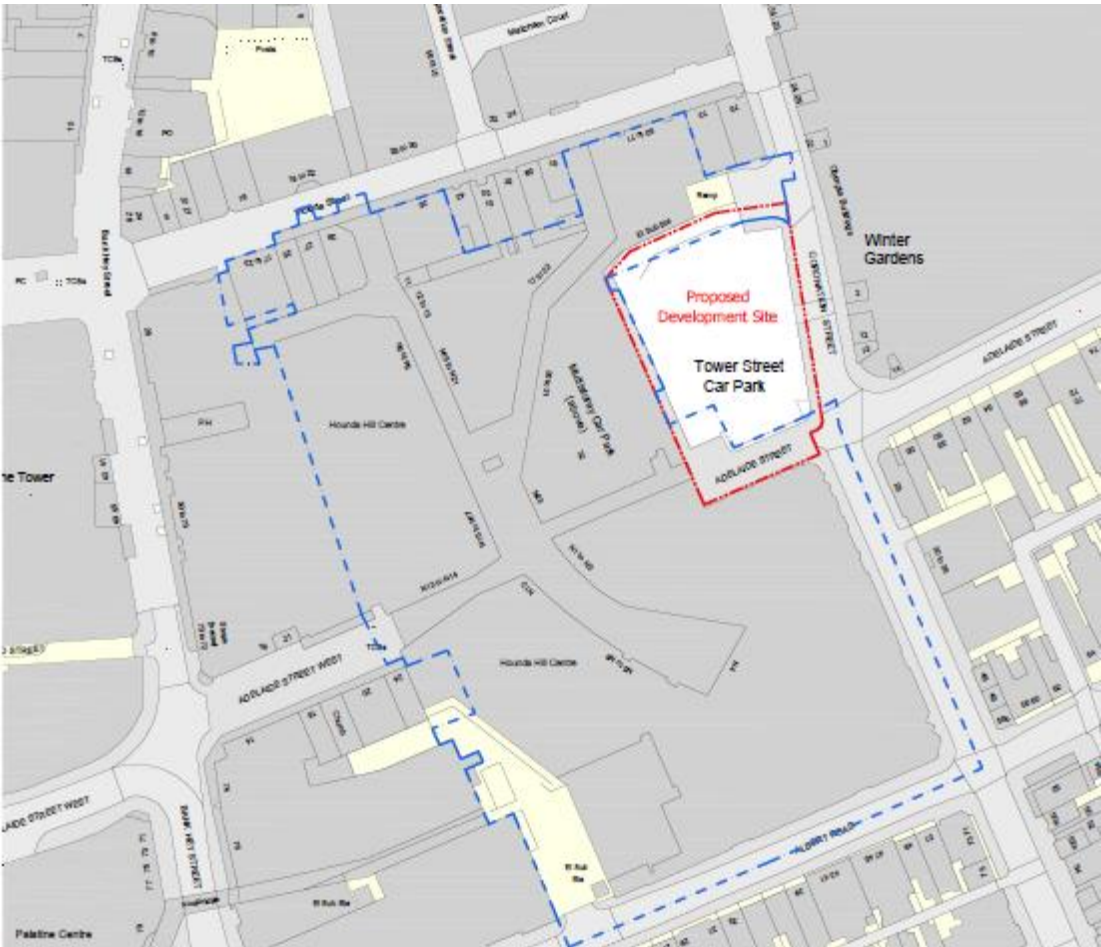
Reason; In the interests of highway safety in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan, Part 1: Core Strategy 2012-2027.

14. Views into the restaurant, cinema and retail unit at ground floor shall not be obscured by the application of vinyls, the display of posters or any other type of screening unless agreed in writing by the Local Planning Authority.

Reason: To ensure that the development has an active frontage in the interests of the appearance of the development and the setting of the Winter Gardens and the Town Centre Conservation Area in accordance with Policies LQ1, LQ9 and LQ10 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS8 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 need to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.
2. The grant of planning permission will require the developer to enter into an appropriate Legal Agreement with Blackpool Borough Council acting as Highway Authority. The Highway Authority may also wish to implement their right to design all works within the highway relating to this proposal and changes to traffic light sequencing. The applicant is advised to contact the Council's Highways Department, Number 1 Bickerstaffe Square, Talbot Road, Blackpool, FY1 3AH (Tel: 01253 477477) in the first instance to ascertain the details of such an agreement and the information provided.
3. An Order for the stopping up of the public highway (Tower Street) will be required. The applicant is advised to contact the Council's Highways Department, Number 1 Bickerstaffe Square, Talbot Road, Blackpool, FY1 3AH (Tel: 01253 477477) in the first instance to ascertain the details of such an agreement and the information provided.
4. Advice about the Building Regulations can be obtained from the Planning Department's Building Control Division, either by writing to the address shown above or by telephoning (01253) 476219.
5. Please note that any address changes or new addresses needed as a result of this development must be agreed by the Council. The applicant is advised to contact the Council's Highways Department, Number 1 Bickerstaffe Square, Talbot Road, Blackpool, FY1 3AH (Tel 01253 477477) in the first instance to ascertain the details of such an agreement and the information provided.



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**COMMITTEE DATE:** [26/09/2017](#)

**Application Reference:** 17/0456

WARD: Bispham  
DATE REGISTERED: 17/07/17  
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission  
APPLICANT: Mrs A Bennett

**PROPOSAL:** Erection of first floor rear extension to form bedroom and bathroom, installation of french doors to ground floor rear elevation and installation of four windows on side elevation.

**LOCATION:** 102 QUEENS PROMENADE, BLACKPOOL, FY2 9NS

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**Summary of Recommendation:** Grant Permission

## **CASE OFFICER**

Mr M Davies

## **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**

The proposal is for a relatively minor infill extension at first floor level which will create an additional bedroom and bathroom. Concern has been expressed about overlooking and loss of privacy by adjoining neighbours and amendments have been sought to address these concerns. The windows in the first floor extension have now been reorientated to face away from the adjoining properties and the proposal is now considered acceptable and accordingly it is recommended that planning permission be granted subject to appropriate conditions.

## **INTRODUCTION**

The property was previously extended in the late 1980s following the granting of planning permission reference 87/0928 for ground and first floor extensions to form additional holiday accommodation.

A sunlounge and a roof lift to the front have also been added at some point but records do not indicate when these alterations and additions took place.

## **DESCRIPTION**

The site is not within a Main Holiday Accommodation Area as defined in the Holiday Accommodation Supplementary Planning Document (SPD).

The property is a semi-detached property in use as a guest house. It has previously been extended with the addition of a ground floor and first floor rear extension to form additional holiday accommodation in the late 1980s.

The other half of the adjoining semi which is a corner plot to Wolverton Avenue has been substantially extended on the boundary with the subject property and the proposed extension will infill the first floor void over the existing ground floor extension and the three/four storey blank elevation of 1 Wolverton Avenue which has a half hipped roof with the higher point being on the boundary with the subject property.

## **DETAILS OF PROPOSAL**

The proposal is for a first floor rear extension to an existing guest house to provide additional holiday accommodation in the form of one additional bedroom and an accessible bathroom. It would also involve internal improvements to the existing accommodation in the property.

## **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- Principle
- Design
- Amenity
- Highways

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

## **PUBLICITY AND REPRESENTATIONS**

Neighbours notified: 25 July 2017

Three letters of objection have been received from 104 Queens Promenade, 104-106 Queens Promenade and 3 Wolverton Avenue in relation to the proposal the reasons for objecting can be summarised as follows:

- Overlooking
- Loss of Privacy
- Overdevelopment

## **NATIONAL PLANNING POLICY FRAMEWORK**

The National Planning Policy Framework (NPPF) states that there is presumption in favour of sustainable development where approving development proposals that accord with the development plan and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

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

Of particular relevance to this proposal are paragraph 17 and Core Principle 7 “Requiring Good Design – Paragraphs 56 - 66”

## **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 -

**CS7 - Design Quality:** New development should ensure that the amenities of nearby neighbours and potential occupiers are not adversely affected. Development will not be permitted that causes unacceptable effects by reason of noise or any other adverse local impact on local character or amenity.

## **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  
LQ14 - Alterations and Extensions  
BH3 - Residential and Visitor Amenity  
AS1- General Highway Requirements

## **ASSESSMENT**

**Principle** - In policy terms the proposal as amended now satisfies the policy requirements of the development plan and accords with the principles of the 'Extending your Home Supplementary Planning Document'. The windows at first floor level have been reorientated to face away from the adjoining properties and as such there is no longer the prospect of overlooking of existing habitable room windows in these properties.

**Design** - The proposal consists of a first floor infill extension to the rear of the property which will only be visible through the alley gate on Lowther Avenue from the street. The extension itself will have a pitched roof and will be constructed in materials to match the existing property. It is considered that design is in keeping with the existing property and has been designed to be sympathetic to its surroundings.

**Amenity** - Concerns have been raised about overlooking and the loss of privacy as a result of the proposed extension. To help address these issues negotiations have taken place to secure some changes to the proposals which results in the windows being reorientated so that they face away from the objectors' properties. This will mean that direct overlooking is avoided and the existing privacy adjoining residents currently enjoy is maintained.

Objectors have also raised concerns regarding overlooking of gardens. In this particular case the windows have been reorientated and this will hopefully assist somewhat in relation to the concern of overlooking gardens, but these windows will be no closer than the windows of the adjoining property at 3 Wolverton Avenue which face directly across the rear gardens. It should also be borne in mind that there are a substantial number of outbuildings/garage to the rear of these properties in the rear garden areas, so it is not particularly open in term of its aspect.

**Highways** - the addition of one bedroom is not considered detrimental to highway safety.

### **CONCLUSION**

The design has been amended at the request of officers so that the bedroom windows are now positioned on an oblique angle facing away from the objectors properties, therefore no overlooking or loss of privacy will occur as a result of the proposal. With this in mind, the proposal is now considered acceptable and it is recommended that planning permission be granted subject to conditions.

### **LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION**

Not Applicable

### **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 17/0456 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 30th June 2017

Drawings numbered 102-02, 102-03, 102-04

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

3. The external brickwork/render and roof tiles to be used on the extension hereby approved shall be the same colour, texture and design as those on the existing dwelling/building, unless otherwise agreed in writing by the Council as Local Planning Authority before the development commences.

Reason: In the interests of appearance of the locality, in accordance with Policies LQ1 and LQ14 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. Advice about the Building Regulations can be obtained from the Planning Department's Building Control Division, either by writing to the address shown above or by telephoning (01253) 476219.



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COMMITTEE DATE: [26/09/2017](#)

**Application Reference:** 17/0501

WARD: Brunswick  
DATE REGISTERED: 27/07/17  
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Outline Planning Permission  
APPLICANT: Mr S Whitaker

**PROPOSAL:** Erection of four semi-detached dwellinghouses, with three detached garages and associated access from Olive Grove (Outline Application)

**LOCATION:** LAND TO REAR OF 14-20 OLIVE GROVE, BLACKPOOL, FY3 9AS

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**Summary of Recommendation:** Refuse

## **CASE OFFICER**

Mr M Davies

## **BLACKPOOL COUNCIL PLAN 2015 -2020**

This application accords with **Priority one of the Plan** - The economy: Maximising growth and opportunity across Blackpool in so far as it would involve construction jobs but does not accord with **Priority two of the Plan** - Communities: Creating stronger communities and increasing resilience for the reasons set out in this report.

## **SUMMARY OF RECOMMENDATION**

Having regard to policy and other material considerations the proposal constitutes overdevelopment of the site and should therefore be resisted in favour of a more appropriate form of development which minimises its impact on the surroundings.

## **INTRODUCTION**

No pre-application advice was sought prior to the submission of the application. Given the lack of pre-application consultation and the number of issues with the proposal, officers have not sought to negotiate an improved scheme.

## **SITE DESCRIPTION**

The site is unallocated on the Blackpool Local Plan Proposals Map, but sits within an established residential area.

The site is currently vacant but was formerly used as a workshop and storage yard in connection with a building and joinery business. There are a number of small single storey structures along the eastern and southern boundaries of the site. The site is enclosed on all four sides by the backs of adjoining houses (fronting Mere Road, Beech Avenue, Olive Grove and Hazel Grove) and is accessed via a single unadopted alley between 12 and 14 Olive Grove, which can only accommodate single file traffic. The site is reasonably well screened by high boundary walls and mature trees, but nonetheless overlooked by residential properties on all sides. The existing structures on site are situated towards the rear boundaries of the properties fronting onto Olive Grove and have fallen into disrepair as a result of not being used for some time.

### **DETAILS OF PROPOSAL**

The application seeks outline planning permission for four dwellings consisting of two pairs of semi-detached dwellings as well as three garages to serve the development.

Approval is sought for the following details as part of this application - access, layout and scale with details of appearance and landscaping being reserved for approval at a later date.

The application is accompanied by a location plan, a site layout plan, a drainage plan, details of house types and a topographical survey. The application form indicates that there are no trees either on the site or adjoining it that will influence the development yet the topographical survey indicates a substantial number of trees around the edge of the site. The application is not accompanied by an arboricultural survey or report.

### **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- Principle
- Design
- Amenity
- Highway Safety
- Parking and Servicing Arrangements
- Trees
- Topography/Levels
- Other Issues

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

### **CONSULTATIONS**

**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.

**Blackpool Services, Contaminated Land** -There has been no indication of previous historical land uses which could have led to a concern of contamination on the land, therefore no further information is required.

**WASTE- Residential** -The applicant has not given consideration in the application for refuse storage and collection. The properties would need to have adequate storage for up to three waste receptacles, 240 litre wheeled bins. The access road would also need to be wide enough for a refuse collection vehicle to safely access or the residents would need to present their bins at the end of the access road for emptying.

### **PUBLICITY AND REPRESENTATIONS**

Site notice displayed: 09 August 2017

Neighbours notified: 01 August 2017

Seven letters of objection have been received from neighbours (26, 30, 32 and 34 Mere Road, 16 Olive Grove and 55 and 57 Beech Avenue) in relation to the proposed development. The reasons for objection can be summarised as follows:

- Overdevelopment
- Inadequate Access
- Off Street Parking Provision
- Residential Amenity
- Noise and Disturbance
- Loss of Trees
- Impact on nature conservation
- No refuse storage provision
- Party wall issues
- Inaccurate plans and application forms

### **NATIONAL PLANNING POLICY FRAMEWORK**

The National Planning Policy Framework (NPPF) states that there is presumption in favour of sustainable development where approving development proposals that accord with the development plan and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

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

Of particular relevance to this proposal are paragraph 17, Core principle 6 “Delivering a Wide Choice of High quality Homes” (Paragraphs 48- 50) and Core Principle 7 “Requiring good design” of the NPPF (Paragraph 56 - 66). Paragraph 49 of the NPPF makes clear that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 50 goes on to state that local planning authorities should deliver a wide choice of high quality homes, widen opportunities for home

ownership, and create sustainable, inclusive and mixed communities. Paragraphs 56 – 66 relate to the need to achieve high quality design.

## **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 -

### **CS2 - Housing Provision**

Provision will be made for the delivery of 4200 (net) new homes in Blackpool between 2012 and 2027. These new homes will be located on: Identified sites within the existing urban area, including major regeneration sites; Identified sites within the South Blackpool Growth area; and Windfall sites.

### **CS7 - Design Quality**

1. New development in Blackpool is required to be well designed, and enhance the character and appearance of the local area and should:
  - a. Be appropriate in terms of scale, mass, height, layout, density, appearance, materials and relationship to adjoining buildings
  - b. Ensure that amenities of nearby residents and potential occupiers are not adversely affected
  - c. Provide public and private spaces that are well-designed, safe, attractive, and complement the built form
  - d. Be accessible to special groups in the community such as those with disabilities and the elderly
  - e. Maximise natural surveillance and active frontages, minimising opportunities for antisocial and criminal behaviour
  - f. Incorporate well integrated car parking, pedestrian routes and cycle routes and facilities
  - g. Provide appropriate green infrastructure including green spaces, landscaping and quality public realm as an integral part of the development
  - h. Be flexible to respond to future social, technological and economic needs.
2. Development will not be permitted that causes unacceptable effects by reason of visual intrusion, overlooking, shading, noise and light pollution or any other adverse local impact on local character or amenity.
3. Contemporary and innovative expressions of design will be supported, where appropriate.

### **Policy CS12 - Sustainable Neighbourhoods**

The Policy states that to secure a better quality of life for residents and to deliver sustainable neighbourhoods, the Council will support development and investment which provides high quality housing with an appropriate mix of types and tenures to meet the needs and aspirations of existing and future residents and assists with rebalancing the housing market, creates a healthy, safe, secure and attractive environment and public realm, which promotes local pride and a sense of place and addresses the need for a balanced provision of resident and visitor parking alongside streetscape enhancement.

### **Policy C13 - Housing Mix, Density and Standards**

New residential development will be required to provide an appropriate mix of quality homes which help to rebalance Blackpool's housing supply and support sustainable communities, by providing quality living accommodation, which meets the relevant standards in place for conversions or new build development.

### **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
- LQ4 - Building Design
- LQ6 - Landscape Design and Biodiversity
- HN4 - Windfall Sites
- BH3 - Residential and Visitor Amenity
- BH10 - Open Space in New Housing Developments
- AS1 - General Development Requirements

### **National Guidance**

**The National Technical Housing Standards** provide guidance on the minimum acceptable standards for new dwellings and is a relevant consideration in relation to this proposal.

### **ASSESSMENT**

**Principle** - The site is located within an established residential area and as such the principle of residential development is acceptable in purely land use terms from a planning policy perspective. However the form this takes will be determined by the confined nature of the site in relation to its surroundings and its other characteristics such as trees and topography.

**Design** - The four proposed dwellings would each have an internal floorspace of 85.75sqm spread across two storeys and three bedrooms. There is a two person bedroom in each dwelling with the others being single person bedrooms. Under the National Housing Technical Standards the minimum size for a four person three bedroom dwelling is 84sqm. Therefore the proposed dwellings meet the minimum size standards.

The design of the properties is utilitarian in approach rather than aesthetically pleasing, but given the location on a backland site they will not be visible in the street scene and it is therefore considered that the design is acceptable in this context.

**Amenity** - The distance between the gable end of the Plot 1 and the rear elevation of 7 and 9 Hazel Grove is a 6.4 metres. Whilst, the gable end of Plot 4 is located 9 metres from the rear elevation of 30 and 32 Mere Road. The rear gardens to the existing properties on Hazel Grove and Beech Avenue are fairly small with the Hazel Grove gardens being approximately 3.2 metres in length along the perimeter backing onto the site and the Beech Avenue gardens being longer at approximately 9.8 metres. It should also be noted that a retaining wall runs around the perimeter of the site on these two sides and that the properties on Hazel Grove and Beech Avenue are elevated above the site on higher ground.

**Highway Safety** - This is likely to be a significant issue. The width of the access road is sub-standard for two way traffic to pass being only 3 metres wide and therefore there is significant potential for vehicles either entering or leaving the site to have to reverse to give way to an oncoming vehicle. Given that on average four dwellings will generate 32 vehicular movements per day this would be a significant drawback with the proposal. It should also be noted that the road network in the vicinity is already congested with high levels of on-street parking and vehicles reversing out into Olive Grove would exacerbate this and create a highway safety issue.

Access to the site was restricted via a gated alley way between 12 and 14 Olive Grove until recently when the gates were removed. The development will undoubtedly result in an increase in vehicular and pedestrian traffic to the site and thus present an increased opportunity for crime by compromising the security of both existing and prospective residents. Residents have already raised the issue of having the gates reinstated due to increased instances of anti-social behaviour at the rear of their properties since the removal of the gates.

Whilst, the application form indicates that the road will be handed over for adoption to the Local Authority, the nature of the access means that it will not meet adoptable standards so will have to remain private. As the road will not be adopted pedestrians will also come into conflict with vehicular traffic entering and leaving the site on an unlit access with no demarcation between the two. It is considered that this will result in further conflicts to the detriment of pedestrian and highway safety. It should also be noted that no lighting is proposed which will further exacerbate the dangers outlined.

The property at 14 Olive Grove is currently sub-divided into two flats and access to the upper flat is via a doorway at the side which opens out onto the access road. There is a step at the foot of the doorway which is not shown on the submitted plans and this further restricts the width of the access. It was also observed that residents of Olive Grove use the proposed access road to store their refuse bins on collection day when they take them out from rear gardens and wheel them round to the side of 14 Olive Grove ready for collection. This is likely to lead to a further impediment to vehicles accessing and egressing the site.

Finally, in relation to highway safety there is no ability to improve the visibility splays for vehicles entering and leaving the site due to the properties 12 and 14 Olive Grove being hard up to the access road. With the carriageway on Olive Grove already being heavily

parked any increase in vehicles entering and leaving this site can only be to the detriment of highway safety.

**Parking and Servicing Arrangements** - The appellant has provided a single car parking space for each of the four proposed dwellings. This is below the level of parking specified in Appendix B of the Blackpool Local Plan 2001 – 2016 which recommends two spaces for a three bed dwelling which would require a provision of eight off-street spaces on site.

With access to the site being via a narrow alley this presents a significant obstacle to emergency vehicles being able to access the site. In addition, delivery vehicles will not be able to get into the site to make deliveries. The distance between the adopted highway and the proposed dwellings is also in excess of the recommended drag distance of 25 metres for refuse bins and the width of the access track would not allow for refuse lorries to enter the site, manoeuvre and leave in a forward gear.

Taking the issues outlined above in relation to the deficiencies in relation to access, parking and servicing of the site, it is considered as such that the development is contrary to Policies CS7 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies AS1 and BH3 of the Blackpool Local Plan 2001-2016.

**Trees** - No tree survey was submitted with the application despite there being a number of mature trees surrounding the edge of the site. The proposals indicate that development would take place under the canopy spread of existing trees and therefore root damage is likely to occur if development takes place. The application forms indicate that no trees, either on the site or adjoining it, will impact on the development, yet the site layout plan submitted indicates that development will take place within the crown spread of mature and semi-mature trees on adjoining land. It is therefore clear that the development as proposed will have an adverse impact on these trees and will likely result in them being removed during development as it is difficult to envisage how they can be retained given their proximity to the development.

In addition, experience suggests that if houses are constructed this close to trees then future occupiers will want to remove the trees to allow more sunlight to their properties and gardens. There is also the added problems associated with leaf litter and residue at various times of the year leading to blocked gutters etc. which will again prompt future residents to seek a solution by removing trees.

**Topography/Levels** - The application was submitted with a topographical survey of the site and sections through it to show the relationship of the site to its surroundings. These plans indicate a fairly flat site, however it is clear that the site and its surrounds are situated on a slope and the submitted plans do not accurately reflect this. The perimeter block which surrounds the site is at its highest point in the north east corner at the junction of Hazel Gove and Beech Avenue and drops away to the south west corner which is the lowest point at the intersection of Olive Grove and Mere Road. The topographical survey submitted does not indicate any heights outside of the site.

**Other Issues** - Party Wall issues are dealt with under the Party Wall Act (1996) and are a civil matter between the landowners rather than a material planning consideration.

The impact on the development on wildlife and nature conservation has been raised as an issue. No ecological survey was required as part of this application as there is no evidence of any protected species being on site. Whilst nature conservation is a material planning consideration it is not considered that in this particular case the site warrants any further investigation.

### **CONCLUSION**

In terms of paragraph 14 of the National Planning Policy Framework it is considered that the adverse impacts of the development would significantly and demonstrably outweigh any benefits. It is not considered that the proposal would have a sufficiently beneficial economic or social role to outweigh the significant detrimental environmental impact as outlined in the report.

Whilst it is recognised that there is some potential to redevelop this site, it is considered that the current proposals when weighed against policy and on-site constraints constitute overdevelopment and as such should be resisted.

### **LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION**

Not Applicable

### **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 17/0501 which can be accessed via the link below:

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

**Recommended Decision:** Refuse



## Conditions and Reasons

1. The means of access to the site is via a narrow alley with low levels of lighting and natural surveillance. The lack of a pedestrian footpath to access the site and inadequate levels of lighting would be potentially detrimental to public safety and pedestrian and highway safety. The proposal is therefore contrary to paragraph 17 of the National Planning Policy Framework, Policies CS7 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, AS1, LQ3, LQ4, BH3 and BH4 of the Blackpool Local Plan 2001 - 2016.
2. The development provides insufficient car parking facilities in an area where there are limited off and on street parking facilities, inadequate access and turning facilities for vehicles, including for servicing and emergency vehicles. The proposal would therefore result in on-street parking, manoeuvring and access difficulties, and additional congestion in and around the site to the detriment of pedestrian and highway safety and the residential amenities of adjoining residents. As such the development is contrary to Policies CS7 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies AS1 and BH3 of the Blackpool Local Plan 2001-2016.
3. The means of access to the proposed development would be significantly detrimental to highway safety by virtue of the inadequate width of the access road and the inadequate visibility (sightlines) and would be therefore be contrary to Policy AS1 of the Blackpool Local Plan 2001 - 2016.
4. The proposal would result in an overdevelopment of the site resulting in a detrimental impact on the amenities of adjoining residents by reason of loss of outlook, overbearing impact and visual intrusion. There will also be increased noise and disturbance from vehicular traffic accessing and egressing the site between 12 and 14 Olive Grove. As such, the proposal would be contrary to paragraph 17 of the National Planning Policy Framework, Policies CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, LQ2 and BH3 of the Blackpool Local Plan 2001 - 2016 (Saved Policies).
5. The proposal will have a detrimental impact on the trees surrounding the site, which will likely result in the loss of mature and semi-mature trees or substantial harm to their health which may necessitate their removal at a future date or during construction works. The proposal is therefore contrary Policies CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ6, NE7 and BH3 of the Blackpool Local Plan 2001 - 2016 (Saved Policies).

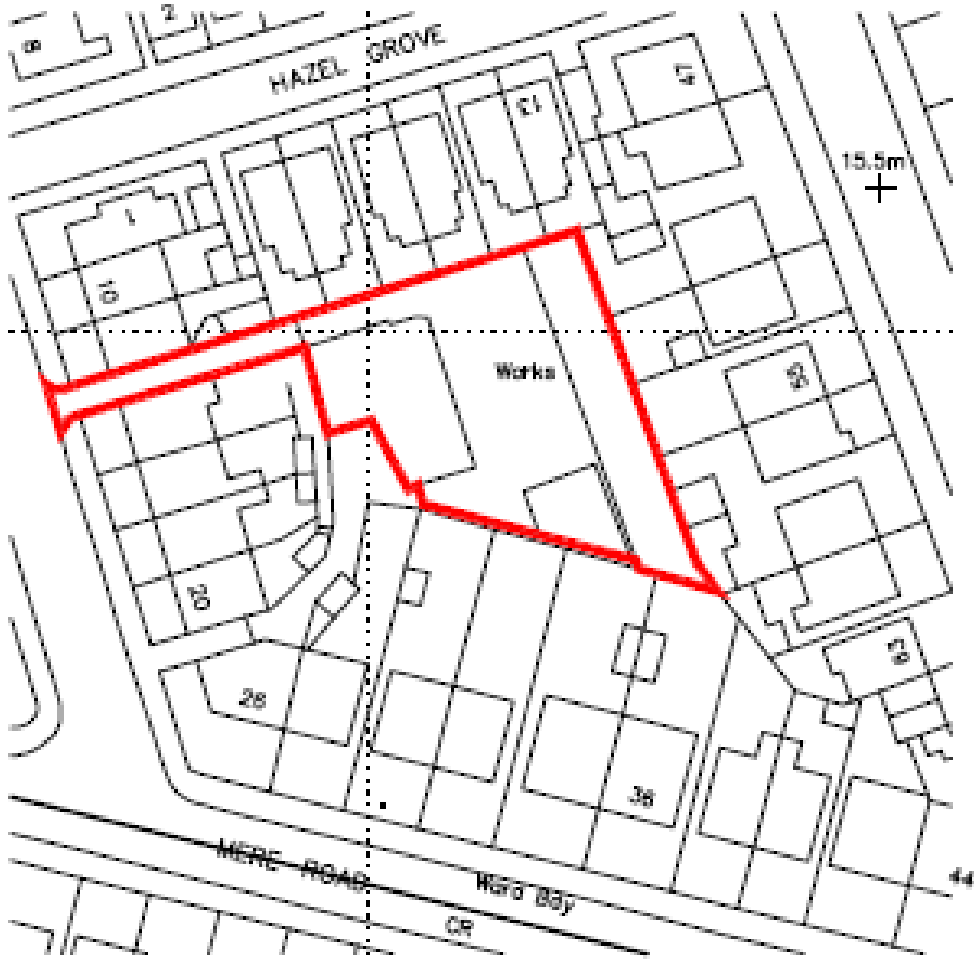
6. The absence of a detailed arboriculture survey and a topographical survey detailing levels of adjoining land outside the site together with accurate sectional drawings indicating the relationship of the proposals to its surroundings means that the applicant has failed to demonstrate that the proposal will have no adverse impacts on the amenities of surrounding residents and the proposal therefore fails to demonstrate that it satisfies the requirements of Policies CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, LQ2, LQ6 and BH3 of the Blackpool Local Plan 2001 - 2016 (Saved Policies).

7. **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



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