

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 20 MARCH 2018

### Present:

Councillor L Williams (in the Chair)

Councillors

|           |         |               |
|-----------|---------|---------------|
| Humphreys | Jackson | Robertson BEM |
| Hunter    | O'Hara  | Stansfield    |

### In Attendance:

Mr Lennox Beattie, Executive and Regulatory Support Manager

Mr Ian Curtis, Legal Officer

Mr Gary Johnston, Head of Development Management

Mr Latif Patel, Network Planning and Projects Manager

### 1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

### 2 MINUTES OF THE MEETING HELD ON 23 JANUARY 2018

The Planning Committee considered the minutes of the last meeting held on 23 January 2018.

### Resolved:

That the minutes of the meeting held on 23 January 2018 be approved and signed by the Chairman.

### 3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

The Committee received the report of the Head of Development Management to provide an update on planning and enforcement appeals lodged and determined.

The decisions of the Planning Inspectorate to allow appeals in respect of 29 Cocker Street and 30 Douglas Avenue were presented to the Committee. Mr Gary Johnston, Head of Development Management highlighted his view that one of the decisions turned on a disagreement on a technical interpretation of legislation and the other does not set a precedent in terms of our approach to the conversion of former guesthouses to houses. There were therefore no learning requirements for the Committee.

The decisions of the Planning Inspectorate to dismiss appeals in respect of 336 Queens Promenade, 4 Bloomfield Road and Harry Feeney, 251 Vicarage Road were also noted by the Committee.

It was also presented that an appeal had been lodged against the decision made by the Planning Committee at its last meeting to refuse planning permission for the erection of a single storey side extension to form a sports bar at 44-48 Queens Promenade.

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### **Resolved:**

To note the report on planning and enforcement appeals lodged and determined.

### **4 PLANNING ENFORCEMENT UPDATE REPORT- JANUARY 2018**

The Committee considered the report of the Service Manager (Public Protection) which summarised the planning enforcement activity during January 2018.

The report outlined that in January 2018, 33 new enforcement cases had been registered for investigation compared with 89 in January 2017. A total of 14 cases had been resolved by negotiation without recourse to formal action and 37 cases closed. One enforcement notice had been authorised during the period and one enforcement notice served.

### **Resolved:**

To note the outcomes of the cases and support the actions of the Service Manager (Public Protection) as outlined in the report on planning enforcement activity during January 2018.

### **5 PLANNING ENFORCEMENT UPDATE REPORT- FEBRUARY 2018**

The Committee considered the report of the Service Manager (Public Protection) which summarised the planning enforcement activity during February 2018.

The report outlined that in February 2018, 49 new enforcement cases had been registered for investigation compared with 66 in January 2017. A total of 16 cases had been resolved by negotiation without recourse to formal action and 54 cases closed. No enforcement notice had been authorised or served during the period and two Section 215 notices authorised regarding the poor condition of property.

### **Resolved:**

To note the outcomes of the cases and support the actions of the Service Manager (Public Protection) as outlined in the report on planning enforcement activity during February 2018.

### **6 PLANNING APPLICATIONS AND APPEALS PERFORMANCE**

The Committee received a report of the Head of Development Management on the Council's performance in relation to Government targets on planning applications and appeals. The report outlined performance in the 3<sup>rd</sup> quarter of the year (October to December 2017), and January and February 2018.

Mr Gary Johnston, Head of Development Management, briefly presented the figures and emphasised that in terms of the timeliness of decisions performance had dipped slightly from previous months but remained above the targets. The quality of decision making had been affected by the two lost appeal decisions reported in Agenda Item 3 but remained on track for the year.

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### **Resolved:**

To note the report.

### **7 PLANNING APPLICATION 17/0406- 502 DEVONSHIRE ROAD**

The Committee considered application 17/0406 for the erection of single storey rear extensions to form orangery and 6 bedrooms and internal alterations to increase overall number of bedrooms from 17 to 25 at 502 Devonshire Road.

Mr Gary Johnston, Head of Development Management, presented the report to the Committee. He reminded members that the application had been deferred at the meeting of the Committee held on 21 November 2017 due to concerns due to the positioning, length of the proposed extension and its proximity to the neighbouring property particularly as a result of the objections raised by the resident of 504 Devonshire Road. Mr Johnston explained that since the November Committee meeting, the applicant had discussed various options with his neighbour and submitted an amended application reflecting the outcome of those discussions. The Planning Department had notified local residents of the amended application on 26 February 2018 and it now appeared that the neighbour at 504 Devonshire Road had no objection to the revised application.

Mr James McLoughney, applicant, spoke in support of the application. He emphasised to the Committee that since the last meeting he had engaged in discussions with his neighbour so that the amendments to the application met the needs of the rest home but also balanced his neighbour's concerns.

### **Resolved:**

That the application be approved subject to the condition as set out in the Appendix.

### **8 PLANNING APPLICATION 17/0443- 340 WATERLOO ROAD**

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

Mr Gary Johnston, Head of Development Management, presented the application. Mr Johnston reminded members that application had been deferred at the meeting of the Committee held on 30 August 2017 to enable the completion of a Section 106 agreement requiring that the use should not commence until the provision of suitable off street car parking at the former Waterloo Methodist Church site had been made. The applicant had previously had the intention to sign an agreement for car parking with the owner of the former Waterloo Methodist Church but had indicated that he had been notified that this would no longer be available. Mr Johnston explained that the officers' view had been that notwithstanding the issue of additional parking demand that the amount of floorspace would require the impact of the change of use would not be sufficient to justify refusal. As part of this Mr Johnston also mentioned the proposed staffing levels. Mr Johnston also highlighted the further representation received from Mr Shaw and circulated in the update note.

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Mr John Shaw, public objector, spoke in opposition to the change of use. Mr Shaw highlighted local residents' concerns regarding car parking in the area and that in his view the applicant had not acted to address the concerns.

The Committee expressed concern about the issues of car parking in the area and that the applicant had not been able to reach an agreement for the provision of off-site car parking. They weighed this harm against the employment benefits of the proposal

The Committee considered that without suitable provision of additional car parking off street for customers and staff that the change would add unacceptably to the parking/amenity issues already experienced by local residents. It therefore resolved to refuse the application.

### **Resolved:**

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

### **Chairman**

(The meeting ended 6.35 pm)

Any queries regarding these minutes, please contact:  
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