

Blackpool Council

6 July 2018

To: Councillors D Coleman, Humphreys, Hutton, Jackson, O'Hara, Robertson BEM, Stansfield and L Williams

The above members are requested to attend the:

PLANNING COMMITTEE

Tuesday, 17 July 2018 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 either

- (a) personal interest
- (b) prejudicial interest
- (c) disclosable pecuniary interest (DPI)

and

(2) the nature of the interest concerned

If any member requires advice on declarations of interests, they are advised to contact the Head of Democratic Governance in advance of the meeting.

2 MINUTES OF THE MEETING HELD ON 20 JUNE 2018 (Pages 1 - 12)

To agree the minutes of the last meeting held on 20 June 2018 as a true and correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED (Pages 13 - 16)

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

4 PLANNING ENFORCEMENT UPDATE REPORT - MAY 2018 (Pages 17 - 20)

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 21 - 24)

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

6 PLANNING APPLICATION 18/0202 LAND AT ODEON CINEMA, RIGBY ROAD, BLACKPOOL (Pages 25 - 58)

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

7 PLANNING APPLICATION 18/0214 - LAND AT 64 PRESTON OLD ROAD, BLACKPOOL (Pages 59 - 78)

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

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Bernadette Jarvis, Senior Democratic Governance Adviser, Tel: (01253) 477212, e-mail bernadette.jarvis@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Present:

Councillor L Williams (in the Chair) for Agenda Items 1 to 5 and Agenda Item 7.

Councillors

Humphreys	Jackson	Robertson BEM
Hutton	O'Hara	D Scott

In Attendance:

Mr Ian Curtis, Legal Officer
Ms Pippa Greenway, Senior Planner
Mrs Bernadette Jarvis, Senior Democratic Governance Adviser
Miss Susan Parker, Senior Planning Officer
Mr Mark Shaw, Principal Planning Officer

Also Present

Cllr Hunter

1 DECLARATIONS OF INTEREST

Councillors L Williams and Jackson declared a prejudicial interest in Agenda Item 6, Planning Application 18/0159 – Land at Adelaide Street, Alfred Street and Leopold Grove, Blackpool. The nature of the interest being that they were Board Members of Blackpool Entertainment Company Limited.

Councillor Jackson also declared a prejudicial interest in Agenda Item 5, 296-298 Highfield Road, Blackpool. The nature of the interest being that the applicant, Mr Nuttall, was a close family friend.

2 MINUTES OF THE MEETING HELD ON 22 MAY 2018

The Committee considered the minutes of the last meeting held on 22 May 2018.

Resolved: That the minutes of the meeting held on 22 May 2018 be approved and signed by the Chairman as a correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

The Committee noted that an appeal had been lodged against the refusal of planning permission for the erection of a terrace of three two-storey dwellinghouses with detached garages at 12-14 Olive Grove, Blackpool, with access from Olive Grove.

It also noted the decision of the Planning Inspector to allow an appeal made by JWT Leisure

MINUTES OF PLANNING COMMITTEE MEETING - WEDNESDAY, 20 JUNE 2018

against the refusal of planning permission for the use of the premises at 42 Abingdon Street, Blackpool, as an amusement centre (adult gaming centre). However, a separate application for full award of costs in relation to the above appeal had been refused by the Planning Inspector.

It further noted that an appeal against the refusal of planning permission for the erection of a single storey side extension at Ma Kelly's, 44-46 Queens Promenade, Blackpool had been dismissed by the Planning Inspector.

Resolved: To note the planning appeals lodged and determined.

Background papers: None

4 PLANNING APPLICATIONS AND APPEALS PERFORMANCE

The Committee considered the report detailing the Council's performance in relation to Government targets.

Resolved: To note the report.

5 PLANNING APPLICATION 18/0122 - 296-298 HIGHFIELD ROAD, BLACKPOOL

The Committee considered planning application 18/0122 for the installation of a new shop front at 296-298 Highfield Road.

Ms Greenway, Senior Planner, gave an overview of the application and presented the site location, proposed plans and visual images of the shop front.

Mr Nuttall, applicant, spoke in favour of the application and advised the Committee of the reasons that the sign had been installed and his view of the benefits of the new shop front on the streetscene.

Councillor Hunter, Ward Councillor, also spoke in favour of the application and read to the Committee correspondence he had received from Gordon Marsden MP in support of the application which supported his own view. He expanded on the benefits of the application, which included his view of the valuable community service provided by the applicant's business and reported on positive comments made by his constituents. He asked the Committee to consider deferral of the application to allow the opportunity for a solution to be sought to satisfy all parties.

During consideration of the application the Committee noted that the applicant had not applied for a change of use for both the ground and upper floors of 296 Highfield Road which was considered necessary to protect the amenity of residents in neighbouring properties. Members discussed the benefits of determining the applications for both the change of use and installation of the new shop front simultaneously.

Positive comments were made by Members on the improvements to the streetscene from

MINUTES OF PLANNING COMMITTEE MEETING - WEDNESDAY, 20 JUNE 2018

the new shop front, whilst acknowledging that the signage had been installed without the required planning consent. The Committee also had regard to the planning officer's comments in relation to the design of the shop front which in her view was not in keeping with the other shops within the shopping parade. Members of the Committee considered that there would be benefit in allowing the opportunity for further discussions on the application to take place between the applicant and the planning officer.

The Committee concluded that the application should be deferred to a future meeting to allow the applicant the opportunity to amend the application to include the change of use, so that the Committee could consider both aspects of the proposal.

Resolved: That the application be deferred to a future meeting.

NOTE: Councillor Jackson, having declared a personal and prejudicial interest left the room during consideration of the above item and took no part in the discussion or voting in respect of the application.

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

6 PLANNING APPLICATION 18/0159 - LAND AT ADELAIDE STREET, ALFRED STREET AND LEOPOLD GROVE, BLACKPOOL

The Committee considered planning application 18/0159 for the erection of a part three/ part four/ part five storey hotel, plus lower ground floor spa facility and car park for a maximum of 62 vehicles accessed from Adelaide Street, to provide a maximum of 203 bedrooms.

Mr Shaw, Principal Planning Officer, gave an overview of the application and presented site layout, location and elevational plans and an aerial view of the site. He reminded Members of previous planning permissions that had been granted at the site. He advised the Committee that the application sought approval for the development of a part three/part four/part five storey hotel with a maximum of 203 bedrooms with associated 62 basement car park. He reported on amendments to the application following discussions with the applicant to address concerns, which included the impact on nearby properties.

Mr White, public objector, spoke against the application and advised that he was speaking on behalf of StayBlackpool. He raised concerns regarding his view of the impact on independent hoteliers, the local community and the town due to the increase in scale of the development and the proposed star rating of the hotel.

Mr Shaw reminded the Committee that star ratings of hotels and competition were not planning considerations. He presented his view on the benefits of the development in terms of the local economy and improvements to the hotel offer within the town.

In response to concerns raised by the Committee in relation to parking provision, Mr Shaw reported on the net loss of 16 parking spaces. He confirmed that whilst 203 bedrooms was the maximum number for the hotel, the likelihood was that the actual number would be

MINUTES OF PLANNING COMMITTEE MEETING - WEDNESDAY, 20 JUNE 2018

lower. The Committee noted that the application was for outline planning permission only and that matters of building design, including footprint and layout and means of accessing and servicing would be subject to a subsequent application if outline planning permission was granted.

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

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

NOTE: Councillors L Williams and Jackson, having declared a prejudicial interest, left the room and took no part in the discussion or voting in respect of the application.

ADDITIONAL NOTE: Councillor Humphreys took the chair during consideration of this item.

7 PLANNING APPLICATION 18/0199 - 420 WATERLOO ROAD, BLACKPOOL

The Committee considered planning application 18/0199 for the retention of a temporary portable cabin for a period until 31 December 2018.

Ms Greenway, Senior Planner, gave an overview of the application and presented floor plans, elevations and a visual image of the property. She explained that the portable cabin was required to accommodate a local radio station during construction of a rear extension to the property.

Mr Knight, public objector, spoke against the application raising concerns regarding the original siting of the cabin without the required planning permission. He also reported his view of the impact of housing the local radio station within the portable cabin in terms of unacceptable noise levels, anti-social behaviour and parking difficulties for his family.

Mr Shaw, applicant, spoke in support of the application and presented his view of the lack of noise due to the soundproofing of the radio station. He reported his opinion on the benefits of the radio station for the local community and the potential impact on the volunteers should the hours of operation be reduced.

During consideration of the application the Committee noted the condition that would be attached to the permission should it be granted to prevent usage of the cabin between 22.00 hours on any day until 08.00 hours on the following day. In response to questions from the Committee Ms Greenway confirmed that Environmental Protection had powers to address excessive noise issues as appropriate. She also confirmed that the date of 19 December 2018 shown on proposed condition 1 was an error and that this would be amended to 31 December 2018, should permission be granted. The Committee noted the temporary nature of the portable cabin and the need for it to be in place whilst the rear extension was being constructed.

Resolved: That the application be approved, subject to the conditions, including amended condition 1 to show the removal date of the portable cabin as 31 December 2018, and for

MINUTES OF PLANNING COMMITTEE MEETING - WEDNESDAY, 20 JUNE 2018

the reasons set out in the appendix to the minutes.

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

8 PLANNING APPLICATION 18/0202 - LAND AT ODEON CINEMA, RIGBY ROAD, BLACKPOOL

The Committee considered planning application 18/0202 requesting permission for the demolition of the existing public house, relocation of the vehicular access and erection of a bingo hall (Use Class D2) and a drive-thru cafe/restaurant (Use Class A3) with associated reconfiguration of the existing car park and provision of new landscaping.

Miss Parker, Senior Planning Officer, gave an overview of the application and presented the site location, layout and elevational plans for the development. She referred Members to the Update Note which amended the officer's recommendation to request a deferral of the application to its next Committee meeting to enable the applicant the opportunity to satisfy the officer's concerns regarding the appearance of the building and demonstrate compliance with the sequential test. Further plans were circulated to Committee relating to the lower ground floor of the former BHS unit in the town centre and the proposed elevations for the bingo hall building as well as a computer generated image of the proposed development. Miss Parker reported on the grounds for the original recommendation for refusal which were the failure to satisfy the sequential test and the design of the development. As regards the design, Miss Parker advised that in her view the revised plans would address the design concerns and reported on the likelihood that the applicant would now be in a position to provide information to satisfy the sequential test. A deferral to the next meeting would allow the opportunity for the applicant to amend the application to the revised design and provide information to satisfy the sequential test.

Mr Smith, the applicant's agent spoke in support of the application. He reported on the redesign of the development which in his view addressed the concerns raised in this regard and the unsuitability of the identified sequentially preferable sites. He reported on the benefits of the development which included a significant investment in the area and employment opportunities.

In response to a question from the Committee, Miss Parker reported on more recent surveys that had been submitted regarding highway activity and car park usage that now satisfied the Head of Highways and Traffic Management.

The Committee noted that the application had been recommended for refusal on the grounds that the development had failed to satisfy the sequential test and the design of the development. However, it also noted that the revised elevations as shown on the amended plans had resolved the planning officer's original concerns regarding the design and that it was considered likely that the applicant would be able to demonstrate compliance with the sequential test requirement. Concerns were raised regarding the impact on the amenity of the neighbourhood from the proposed design of the bingo hall in terms of the glare from the proposed external illumination of the building.

The Committee agreed that the application be deferred to its next meeting on 17 July 2018

MINUTES OF PLANNING COMMITTEE MEETING - WEDNESDAY, 20 JUNE 2018

to allow the applicant the opportunity to submit evidence to demonstrate compliance with the sequential test and give further consideration to the design of the proposed bingo hall.

Resolved: To defer the application to the next meeting on 17 July 2018.

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

Chairman

(The meeting ended 7.14pm)

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

Application Number 18/0159 – Land at Adelaide Street, Alfred Street and Leopold Grove, Blackpool

Decision: Grant permission

Conditions and Reasons:

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

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

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

HE001-(01)-0001 P1
HE001-(01)- 1002 P1.1
HE001-(01)-1003 P1.1
HE001-(01)-1004 P1.1
HE001-(01)-1005 P1.1
HE001-(01)-1006 P1.1
HE001-(01)-1007 P1.1

HE001-(02)-2001 P1.2
HE001-(02)-2002 P1.2
HE001-(03)- 3001 P1.1

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. 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.

5. 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.

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

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

Reason: In order to ensure appropriate provision exists for safe and convenient access by public transport, cycle, and on foot as well as by car, in accordance with Policy AS1 of the Blackpool Local Plan 2001 - 2016 and Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

7. 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 on site 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

8. 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.

9. No development shall take place until full details of an external lighting strategy has been submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall be implemented in accordance with the approved details prior to the hotel hereby approved being first brought into use and shall thereafter be retained unless otherwise agreed in writing with the Local Planning Authority.

Reason. To ensure the site is satisfactorily illuminated in the interests of good design and visual amenity in accordance with paragraphs 56 and 57 of the National Planning Policy Framework, Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ1, LQ3, LQ4, LQ5 and LQ6 of the Blackpool Local Plan 2001-2016.

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

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

11. Prior to the commencement of any development, details of the foul drainage scheme to serve the development shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. The building shall not be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details. This development shall be completed maintained and managed in accordance with the approved details.

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

12. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To secure proper drainage and to reduce the risk of flooding and pollution and to improve bathing water quality standards.

13. Prior to the commencement of development a noise study shall be submitted to and agreed in writing with the Local Planning Authority. The study shall meet the following requirements:-

The proposed development shall be designed so the rating levels for cumulative noise from all noise sources shall not exceed (noise level calculated as detailed in section 2.1, usually 10 dB(A) below the existing LA90), at the nearest noise-sensitive premises to the proposed development as assessed in accordance with British Standard 4142 (2014). Alternative levels and monitoring locations may be used subject to the prior written agreement of the Local Planning Authority. In addition to the above, the assessment shall include the highest evening and night-time LAmax of the proposed noise sources at the nearest noise-sensitive premises. The development shall subsequently be carried out in accordance with the approved details and any noise attenuation measures retained thereafter.

Reason To protect the residential and visitor amenity of adjoining residents 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.

14. No development shall take place until a programme of archaeological work has been implemented in accordance with a written scheme of investigation to be first submitted to and approved in writing by the Local Planning Authority

Reason: The site is within an area where there may be important features of archaeological interests and so appropriate investigation and safeguarding is necessary in accordance with Planning Policy Statement 5: Planning for the Historic Environment.

Application Number 18/0199 – 420 Waterloo Road, Blackpool

Retention of temporary portable cabin for a period until 31 December 2018.

Decision: Grant Permission

Conditions and Reasons:

1. The portable cabin shall be removed on or before 31 December 2018 and the land reinstated to its former condition. The windows and door (other than for access/egress) to the cabin shall be closed at all times that it is in use; and, the cabin shall not be used between 22:00 hrs on any day and 08:00 hrs on the following day.

Reason: In order to safeguard the appearance of the area and the living conditions of the occupants of nearby residential premises, 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.

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 received by the Council on 03/04/2018; drawing no. 7380/02.

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

Report to:	PLANNING COMMITTEE
Relevant Officer:	Gary Johnston, Head of Development Management
Date of Meeting	17 July 2018

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 Lodged

5.1.1 LAND AT WARREN DRIVE, BLACKPOOL, FY5 3TG (17/0466)

5.1.2 An appeal has been lodged by Lovell Partnerships Limited against the refusal of planning permission for the erection of 86 dwellings with associated open space and landscaping and formation of new access to Warren Drive.

5.3 Planning/Enforcement Appeals Determined

5.3.1 None

5.4 Does the information submitted include any exempt information? No

5.5 List of Appendices:

5.6 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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Report to:	PLANNING COMMITTEE
Relevant Officer:	Tim Coglan (Service Manager, Public Protection)
Date of Meeting:	17 July 2018

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 May 2018.

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 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, 47 new cases were registered for investigation, compared to 39 received in May 2017.

5.1.2 Resolved cases

In May 2018, 12 cases were resolved by negotiation without recourse to formal action, compared with 15 in May 2017.

5.1.3 Closed cases

In total, 17 cases were closed during the month (28 in May 2017). 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 May 2018 (none in May 2017);
- No s215 notice authorised in May 2018 (none in May 2017);
- No Breach of Condition notices authorised in May 2018 (one in May 2017)

- No enforcement notices served in May 2018 (none in May 2017);
- One s215 notice served in May 2018 (none in May 2017);
- No Breach of Condition notices served in May 2018 (none in May 2017);
- No Community Protection Notices served May 2018 (none in May 2017).

relating to those cases set out in the table below.

5.1.5 Notices served in May 2018

Reference	Address	Case	Dates
15/8223	18 Lonsdale Road	Poor condition	S215 notice issued 09/05/2018. Due for compliance by 21/09/2018 unless an appeal is lodged with the Magistrates Court by 21/06/2018.

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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Report to:	PLANNING COMMITTEE
Relevant Officer :	Gary Johnston, Head of Development Management
Date of Meeting:	17 July 2018

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? No

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 2016 to September 2018

Speed of minor development decisions – 70% within 8 weeks or an agreed Extension of Time – for the period October 2016 to September 2018

Quality of major development decisions – Loss of more than 10% of appeals – for the period April 2016 – March 2018

Quality of non major development decisions – Loss of more than 10% of appeals – for the period April 2016 – March 2018

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

Performance is shown below for June 2018 and the fourth quarter of the financial year (January – March 2018). Details of the performance for the first quarter of this year (April to June 2018) will be provided at the August meeting of the Planning Committee.

	Government Target	Performance June 2018	Performance Jan - Mar 18
Major development decisions	>60%	50%	100%
Minor development decisions	>70%	86%	96%
Quality of major development decisions	<10%	None	None
Quality of non major development decisions	<10%	No appeal decisions in June	3 allowed – 50% (3 dismissed in same period)

Does the information submitted include any exempt information? No

List of Appendices

None

6.0 Legal considerations:

6.1 None

7.0 Human Resources considerations:

7.1 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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Agenda Item 6

COMMITTEE DATE: 17/07/2018

Application Reference: 18/0202

WARD: Bloomfield
DATE REGISTERED: 30/03/18
LOCAL PLAN ALLOCATION: Defined Inner Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: Valad European Diversified Fund (Jersey) 14 Limited

PROPOSAL: Demolition of the existing public house, relocation of the vehicular access and erection of a bingo hall (Use Class D2) and a drive-thru cafe/restaurant (Use Class A3) with associated reconfiguration of the existing car park and provision of new landscaping.

LOCATION: LAND AT ODEON CINEMA, RIGBY ROAD, BLACKPOOL, FY1 5EP

Summary of Recommendation: Grant Permission

CASE OFFICER

Miss. S. Parker

BLACKPOOL COUNCIL PLAN 2015 -2020

The application would accord with Priority One of the Plan - The economy: Maximising growth and opportunity across Blackpool in so far as it would create additional employment.

SUMMARY OF RECOMMENDATION

Given that the applicant has demonstrated that there are no sequentially preferable sites available that are suitable for the development proposed, and the design of the bingo hall has been amended and is considered to be satisfactory, it is recommended that the application be approved subject to conditions.

INTRODUCTION

Pre-application advice was sought in respect of this scheme in January 2018. Two meetings were subsequently held and written advice was issued. The principle of the proposal was discussed including the need for the applicant to demonstrate compliance with the sequential test and show that the development would not have an unacceptable impact on the health of the town centre. The design of the two buildings but particularly the bingo hall was discussed. Concern was raised over the scale of the building, its detailing and its position relative to the site boundaries.

When initially submitted, the application failed to provide sufficient evidence to demonstrate compliance with the sequential test and the design of the bingo hall was still considered to be unacceptable. As a result, the application was placed on the agenda for the Committee meeting on 20 June 2018 with a recommendation for refusal. However, following the publication of the agenda, a meeting was held between the applicant party and officers from the Council to discuss the outstanding issues. At this meeting the applicant committed to providing additional information with regard to the sequential test and to reconsider the design of the bingo hall. The recommendation was therefore changed to one of deferral and Members resolved to defer the application for further work and reconsideration at this meeting. As will be set out below, the applicant has addressed the concerns raised and the proposal is now supported by officers.

SITE DESCRIPTION

The application relates to the Festival Leisure Park that is bound to the south by Rigby Road, the west by Seaside Way, the north by Princess Street and to the east by Kent Road and Salthouse Avenue. At present the site is occupied by a large Odeon multiplex cinema, a Bannatynes Fitness Centre, a McDonald's drive-thru, a Frankie and Benny's restaurant, and the Swift Hound public house. Vehicular access to the site is taken from Rigby Road between Frankie and Benny's and the Swift Hound. There is a telecoms tower in the north-western corner of the site and this is served by a second vehicular access from Princess Street. Informal pedestrian access to the wider site is available from this point. A wall demarcates the boundary of the site with a strip of planting behind. There are more substantial areas of landscaping on either side of the site entrance, along Seaside Way, and in pockets along the northern and north-eastern boundaries.

The buildings on site vary in scale and design. The Odeon and Bannatynes buildings are of a similar style with flat roofs and cream-coloured cladding set above a buff brick base. The buildings echo art deco design and the main entrance points have been made into visual focus points through the use of raised brick piers, curtain glazing and central feature panels to bear signage. The McDonalds drive-thru is faced in a red brick with a green panel-clad roof that is typical of that company's branding. The Frankie and Benny's restaurant continues the art deco theme and uses a mix of render and buff brick above a grey brick plinth. Canopies are in place over the windows to define the brand with high level signage in front of wooden-panelled central focal features. The most traditional building on site is that of the Swift Hound. This is constructed of red brick with buff brick detailing and a grey slate roof. The building varies in scale between single and two-storey and the varied roofscape breaks up its massing.

With the exception of a retail unit at the corner of Rigby Road and Salthouse Avenue, the site is bound by residential properties on all sides. The site is elevated above Rigby Road by some 0.7m.

The site is not designated on the Proposals Map to the Local Plan. A small section of the north-western corner of the site falls within Flood Zone 2 and the very edge of the entrance to the site falls within Flood Zone 3. The site falls outside of any Conservation Areas and there

are no heritage assets in close proximity. There are no trees of significant amenity value on the site and, aside from the small areas of landscaping, there are no areas of habitat. No other designations or constraints are identified.

DETAILS OF PROPOSAL

The application proposes the demolition of the existing Swift Hound pub to enable the erection of a bingo hall in the south-eastern corner of the site. This building would be largely rectangular in shape with projections on the western elevation to form the main entrance foyer and a smoking area, and a third projection on the northern elevation for a bin store. The building would be single level aside from a mezzanine to accommodate plant. It would be some 33m in width and 70m in length and would provide around 2,330sqm of floorspace. Four square towers are proposed to the corners with a shallow hipped roof set between. The maximum height of the building to the ridge would be 7m. The eaves would be 5.5m high with the towers rising to 6.5m. Some 8.5m would separate the building from the back of the pavement on Rigby Road. The separation to the back of pavement on Salthouse Avenue would be around 8.5m with a pinch point of 3.8m between the north-eastern corner of the building and the Kent Road boundary. It is proposed that the bingo hall would be operated by Bingo 3000.

The application also proposes the erection of a new drive-thru cafe/restaurant to the west of the existing Frankie and Benny's building. This would sit at a right angle to Rigby Road and would have a frontage of some 20m and a depth of 12m. It would sit away from the boundary with Rigby Road by around 9.5m. The building would have a mono-pitch roof sloping up from east to west. Vertical features defining the main entrance point and drive-thru servery would punch up through this roof to heights of 7.3m and 6.3m respectively. The roof itself would have a minimum height of 4m rising up to 5.2m. At the time of writing, no end-user is identified.

The provision of these new buildings in the positions proposed would require the relocation of the existing vehicle access and the reconfiguration of the car park. It is proposed that the access be relocated some 82m to the west. Ramped pedestrian access would be provided in place of the existing vehicular access along with some additional landscaping. The resulting space between the Frankie and Benny's building and the bingo hall would be laid out as car parking. The car parking area that currently exists between Frankie and Benny's and the McDonalds would be reconfigured to accommodate the drive-thru road layout and the new access. A new vehicular access point is proposed in the northern site boundary onto Princess Street. It is suggested that this would be a managed, exit-only point to reduce congestion at peak times. In total the number of parking spaces available on the site would be reduced from 631 to 497.

It is proposed that the bingo hall would operate 11:00-00:00 seven days a week and that the drive-thru would be open 24 hours a day all week.

The application is accompanied by a:

- design and access statement

- planning and retail statement including follow-up information
- transport assessment and technical update note
- flood risk assessment
- noise assessment
- bat survey
- BREEAM assessment
- statement of community involvement
- demolition management plan

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- The impact of the proposal on the health and vitality of the town centre
- The impact of the proposal on residential amenity
- The visual impact and design of the scheme
- The acceptability of the access arrangements and the implications of the parking reduction

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

CONSULTATIONS

Head of Highways and Traffic Management: (initial) both the junction capacity calculations and car park use assessments are based on data from February 2018. Data should have been gathered from Frankie and Benny's and the Odeon or the Council at a busier time of year chosen to establish a representative picture. Data from a busier period should be used to demonstrate that the numeric assessments are valid. The new access and works at the mini roundabout would require works to be approved and carried out under a Section 278 agreement. The routing of service vehicles across the busy pedestrian approach to the cinema is questioned. This is where conflict with the largest number of potentially distracted pedestrians is most likely. More details of the management arrangements for the Princess Street access are required. The pedestrian routes across the site from north to south and east to west are questioned. At present there are clear routes across the site linking the smaller facilities and the pedestrian route to the Odeon. Whilst they may not be well used they are nevertheless clear and visible. This relatively straightforward pedestrian orientation would be lost. Given that the main proposal is in the eastern part of the site and the greater area of parking is to the west, it is unclear how this arrangement could deliver any benefit.

Head of Highways and Traffic Management: (follow-up) in response to previous comments, further survey work has been undertaken at appropriate times. Overall the results of this survey work and the conclusions drawn are accepted as reasonable and the parking provision is now considered to be acceptable. It is considered that the other matters raised could be adequately dealt with through conditions. A traffic management plan should be agreed through condition with access via Rigby Road. A condition survey would be required. Stockpiles of crushed material should be sheeted and limited in height. The demolition management plan should state when sweeping of the site would be triggered and achieved. If

the LPA or LHA deem that sweeping is required when the site is unattended, the works should be carried out and the contractor invoiced. Officer comment - the revised Demolition Management Plan addresses these comments and adherence to this plan could be secured through condition.

Service Manager Public Protection: (initial) there is potential for noise disturbance. The pedestrian entrance would be very close to houses on Rigby Road. Vehicles including taxis are potentially more likely to pull up here for drop off/collection than enter the site. Entrance points tend to be a focus of congregation and are therefore often a source of noise. It is reasonable to expect that a large number of customers would seek to leave simultaneously at the end of a session creating a busy and noisy situation. Typical noise sources would be car horns, vehicle engines, car doors closing, car stereos, conversations, telephone use and potentially alcohol fuelled merriment. The design should be reconsidered to move the main entrance further from the housing and remove the pedestrian access from Rigby road. More space should be created around the main access to enable greater dispersal. A construction management plan should be required. Details of any new lighting would be required and must adhere to the guidance notes on the Reduction of Obtrusive Light produced by the Institute of Lighting Engineers. Deliveries should be restricted to 0800 to 1900 in accordance with the submitted noise assessment.

Service Manager Public Protection: (follow-up) the relocation of the entrance door to the western elevation is an improvement although the use of pedestrian access for collection/drop-off and any associated noise is still a concern. Use of the smoking shelter is not anticipated to cause nuisance but a condition should be imposed to require materials and levels of acoustic attenuation to be agreed. The demolition management plan is accepted but arrangements on access to water for dust suppression should be clarified and permit details must be provided for any mobile crushers on site. Works should be limited to 8am-6pm Monday to Friday and 8am-1pm on Saturdays. The bingo hall should close at 11pm before working days and midnight before weekend days.

Head of Coastal and Environmental Partnership Investment: it is recommended that a condition be attached to any permission granted to require demonstration that surface water run-off rates at the point of discharge post development would be less than or equal to surface water run-off rates at the point of discharge pre-development.

PUBLICITY AND REPRESENTATIONS

Press notice published: 26th April 2018

Site notice displayed: 16th April 2018

Neighbours notified: 13th April 2018

Three representations have been received from Nos. 15, 17 and 19 Rigby Road raising the following issues:

- scale excessive for the area
- increase in noise nuisance and disturbance from cars and people

- loss of car-parking unacceptable as existing provision is inadequate on Blackpool Football Club match days, when a new film is released, or when there is an event in town
- the submitted car parking survey is unreliable
- increase in traffic
- impact on highway safety
- existing traffic-calming measures are ignored
- difficulty accessing/egressing driveways
- there are no boundary treatments to provide a buffer between the properties on Rigby Road and an out-of-control vehicle
- traffic speeds are excessive and the relocation of the access would exacerbate this
- the creation of a vehicle access/egress point on Princess Street would compromise highway safety, particularly for children
- anti-social behaviour from use of car park by motorists
- increase in litter and inadequate bin provision
- existing drainage is inadequate
- increase in pollution
- disturbance during construction, particularly in conjunction with other developments in the area

RELEVANT PLANNING POLICY

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The National Planning Policy Framework (NPPF) was adopted in 2012. It sets out a presumption in favour of sustainable development and identifies twelve core planning principles. The following sections are most relevant to this application:

- 1 - Core principles
- 2 - Ensuring the vitality of town centres
- 4 - Promoting sustainable transport
- 7 - Requiring good design
- 8 - Promoting healthy communities
- 10 - Meeting the challenge of climate change, flooding and coastal change
- 11 - Conserving and enhancing the natural environment

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The National Planning Practice Guidance (NPPG) expands upon and offers clarity on the points of policy set out in the NPPF. The following sections are most relevant to this application:

- Design
- Ensuring the vitality of town centres
- Flood risk and coastal change
- Health and well-being
- Natural environment
- Noise

- Planning obligations
- Travel plans, transport assessments and statements in decision-taking

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY (2012-2027)

The Core Strategy was adopted by the Council in January 2016 and sets out the strategic planning policy for the borough. The most relevant policies are:

- CS1 - Strategic location of development
- CS4- Retail and other town centre uses
- CS7 - Quality of design
- CS11 - Planning obligations
- CS12 - Sustainable neighbourhoods
- CS15 - Health and education
- CS21 - Leisure and business tourism

SAVED BLACKPOOL LOCAL PLAN (2001-2016)

The Local Plan was adopted in June 2006. A number of policies have now been superseded by Policies in the Core Strategy and these are listed in Appendix B to the Core Strategy. Other policies have been saved for continued use until the Local Plan Part 2: Site Allocations and Development Management Policies is produced and adopted. The following policies are most relevant to this application:

- RR1 - Visitor attractions
- 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
- BH3 - Residential and visitor amenity
- BH16 - Shopping development outside of existing frontages
- BH17 - Restaurants, cafes, public houses and hot-food take-aways
- BH21 - Protection of community facilities
- NE6 - Protected species
- AS1 - General development requirements (access and transport)

ASSESSMENT

Principle

Two main aspects of principle must be considered as part of the assessment of this application. The first is the acceptability of the loss of the existing public house; the second is the acceptability of the development of main town centre uses in an out-of-centre location.

Loss of the public house

Saved Policy BH21 of Local Plan states that proposals that would lead to the loss of a community facility will not be permitted unless it can be demonstrated that there is no longer a need for that facility. The supporting text makes it clear that public houses are amongst those community facilities safeguarded by the policy. The continued validity of this approach was reinforced in 2017 when central government amended national legislation to require that planning permission be sought for the loss of a public house, reflecting the importance of such uses to local communities.

The agent for the application has sought to claim that the bingo hall proposed would function as a replacement community facility. It is also stated that the pub has traded poorly and that this has been raised as an issue by consecutive tenants. The layout is alleged to be too large with excessive upper-floor accommodation and the existing tenant has entered into a binding agreement to terminate the lease. These statements in themselves are not considered sufficient to demonstrate that the existing public house has no viable future as a community facility.

It is not accepted that the bingo hall would constitute a replacement community facility. Public houses are accepted meeting points for social interaction and are used by a wide cross section of the community with no particular behaviours imposed on patrons. The bingo hall proposed by virtue of its scale would not serve a local function but would instead constitute a leisure facility serving a wider area of the borough. Furthermore, patrons of the bingo hall would either be expected to partake in gambling or would otherwise have their experience on the premises strongly influenced by the prevailing session of play. As such it would appeal to a lesser proportion of the community and would not serve the same function.

Since first submission a letter from the current tenants has been provided. This letter reiterates that the floorspace of the building is too large and is not supported by the level of trade available. The closure of a link to Seaside Way to facilitate nearby development has also been cited as an issue, although this would not affect local patronage. Information on running costs, sales and trading profit has been provided and it is suggested that the business made small profits in 2015 and 2017 but a loss in 2016. As such, and in expectation of rising costs and steady or declining profits, the tenant will not renew the lease. It is accepted that the unit is not a traditional pub that developed to serve the needs of an established local community. Instead it was located on the park to provide an eating and drinking facility to primarily serve customers of the cinema and other uses on the site. Although it is acknowledged that there will be a growing residential catchment for the public house through the further development of the Rigby Road housing site, on balance it is accepted that the loss of the pub has been justified and that it would not have an undue impact on the health or cohesion of the local community.

Acceptability of the location

Sequential test

Both the bingo hall and the drive-thru restaurant classify as main town centre uses. Paragraphs 24 and 27 of the NPPF, and Policy CS4 of the Core Strategy, seek to direct such uses to the town centre and to the designated district and local centres across the borough. The aim is to protect these centres from unacceptable impact from new development in out-of-centre locations. In order to address this issue, the applicant has undertaken a sequential appraisal and impact assessment.

Relevant case-law has established that applicants must demonstrate some flexibility when searching for suitable, available, alternative sites. Whilst alternative sites must be broadly capable of accommodating the development proposed, sites cannot be discounted purely on the operational preferences of the end-user as this would undermine the purpose of the sequential test. The intention is to make best use of available land in the town centre. Flexibility is understood to mean flexibility in business model, use of multiple-levels, flexible car parking requirements, innovative servicing solutions, and a willingness to depart from standard formats.

The applicant has cited an appeal decision relating to a site in Rushden, Northamptonshire, (ref. APP/G2815/V/12/2190175), where the Secretary of State confirmed that there is no longer a requirement within the sequential test for the applicant to explore disaggregation. However, a more recent appeal decision relating to a site in Hull (ref. APP/V2004/W/17/3171115) arguably overturns this. In this decision, the Inspector notes the requirement set out in NPPG for developers to consider what contribution more central sites are able to make individually to accommodate the proposal. He acknowledges that historically this has been taken to mean that a single site must be able to accommodate the development proposed. However, he also acknowledges that the NPPG is guidance that does not necessarily outweigh the development plan. The Inspector noted that the relevant local planning policy required developers to consider the potential for use of more appropriate sites and highlighted the pluralisation of the word sites. He argued that, as the plan had been tested for soundness through Examination, the Inspector in that process must have assessed this wording and found it to be consistent with the NPPF. He concluded that this required the potential for disaggregation to be considered. Paragraph 3b of Policy CS4 of the Core Strategy relates to the location of main town centre uses and similarly makes reference to necessary consideration of more sequentially preferable, appropriate sites in the plural. On this basis, it is judged that the developer must demonstrate that options for disaggregation have been explored in this instance.

The applicant has disputed the need to consider disaggregation. Whilst they acknowledge that the two elements could be accommodated on separate but nearby sites, they maintain that the two uses are linked as two elements of the same proposal. This is not accepted. The two uses are not functionally inter-dependent and would not be operated by the same company.

Notwithstanding the Council's stance on disaggregation, the submitted statement cites appeal decisions to argue that out-of-centre retail parks can perform an ancillary role that effectively precludes them from the sequential test. In the appeal cases presented, the proposed food/drink offer was intended to serve retail parks of significant scale that were some distance from the nearest defined centre. The Inspectors concluded that it would be unreasonable to expect patrons of the retail parks to travel away from the site for food/drink. The Festival Park site is not particularly extensive and already offers two food/drink establishments. It is also some 340m from the edge of the town centre. However, the location of a bingo hall of the scale proposed on this site would reinforce the existing role and function of the park and strengthen the critical mass of leisure uses. The shortest route to the town centre is through the back of the site and through residential streets which may not be enticing to patrons and could introduce new activity thereby affecting the character of this residential area. Routes along Rigby Road and Central Drive, or along Rigby Road and the Promenade would exceed the accepted reasonable walking distance of 800m. As such, the likelihood of patrons making linked trips on foot to the town centre is relatively low. It is noted that many typical occupants of out-of-centre drive-thru facilities also maintain representation in the town centre. In this circumstance, given the scale of the drive-thru proposed and on balance, it is accepted that it could constitute a supporting, ancillary use to the wider park. The key issue is therefore whether or not the proposed bingo hall can pass the sequential test.

The applicant states that the site falls within 300m of the town centre and 50m of the Resort Core, making it an edge-of-centre site. This is also disputed because, as stated above, the actual walking distance between the town centre boundary and the closest pedestrian entrance to the site is some 340m. The Resort Core is a preferential development for visitor attractions as acknowledged in saved Policy RR1 of the Local Plan and Core Strategy Policy CS21. Whilst it is accepted that the uses proposed could attract some custom from visitors to Blackpool, the dispersal of Bingo 3000 venues across the country away from tourist centres suggests that the majority of their patronage comes from local residents. As such, the use should properly be considered as a typical main town centre use rather than a tourist attraction.

The applicant has looked for sites that offer over 2,000sqm of floorspace on one level with servicing and free car parking for at least 120 cars for the bingo hall. As requested by officers, a schedule of the floorspaces of the other bingo halls operated by Bingo 3000 has been provided. These range in scale between 790sqm and 3,995sqm although the majority are between 2,000sqm and 3,000sqm. On this basis the search threshold is considered reasonable. It is argued that the typical customer profile necessitates level access and free-parking in close proximity, and the existing Mecca Bingo facility on Talbot Road is cited as a prime example. Whilst parking in close proximity is accepted as necessary, the need for free and level provision is disputed as a business model preference rather than a use-driven requirement. This view is supported by the fact that users of the existing Bingo 3000 facility in nearby Preston are required to pay to park in a nearby multi-storey and are not given any option to reclaim this expenditure. However, this is contested by the applicant who claims that modern bingo patrons expect free parking, that all new bingo halls offer free parking, and

that the existing facility in Preston is soon to close in favour of the brand's out-of-centre branch.

It has been stated that the nature of play and the use of a mechanical grid system to support the play tables requires a single-level operation. Modern bingo is increasingly understood to be electronic/automated and played in large format with each point of play linked to central controls. On this basis, the requirement for floorspace predominantly on one level is accepted. It is also appreciated that a large number of patrons would need to be able to leave the premises quickly and safety both at the end of a session and in the event of an emergency.

It is accepted that the scale of development proposed would be inappropriate in a local centre as these are intended to provide day-to-day services to a local walk-in catchment. On this basis, local centres have generally been excluded from the sequential appraisal which has focused only on the town centre and the defined district centres. Consideration has been given, however, to the former Empire bingo hall on Hawes Side Lane.

When the application was presented to the Committee on 20 June 2018, six sequentially preferable sites within the defined Town Centre boundary had been identified. These were the former Post Office building on Abingdon Street, the former Apollo 2000 site on Talbot Road, the former BHS unit on Church Street, the first floor of Bickerstaff House on Talbot Road, the car park at Alfred Street/Leopold Grove, and the former Central Station site. At that meeting it was confirmed that the former Apollo 2000 site on Talbot Road is currently under offer and so is no longer available for the development proposed. As such it can be discounted. The former Post Office has been discounted because it is on multiple levels and is a Listed Building meaning that any redevelopment of this nature would impact upon its heritage value. The use of the first floor of Bickerstaff House was discounted on the basis that it would not accord with the Council's aspirations for the site and because of lack of ground level floorspace. Planning permission has been granted for a hotel on the site at Alfred Street/Leopold Grove and there is another application for a hotel also on this Agenda and so this has been discounted as unavailable. Finally, the former Central Station site has been discounted on the basis that it is a strategic site on which the Council is seeking comprehensive redevelopment. It is agreed that these sequentially preferable sites can be discounted from consideration. This leaves the basement of the former BHS unit as the only sequentially preferable alternative.

The former BHS unit has been discounted on five grounds. It is argued that the configuration is unsuitable for the proposed operation and the cost of change would be prohibitive. This is due to the number of columns and the fact that 58% of the unit would have no direct view of the main stage. It is noted that much of the 58% of floorspace that would not have a view of the stage could be used to provide the toilets, bar, cafe, arcade area and staff facilities that would form part of the hall. Based on knowledge of other bingo operations, it is understood that bingo numbers are displayed on the play table and on screens around the play area and that a direct line of sight with the bingo caller is not essential. However, it is accepted that an open-plan arrangement is typical of modern bingo operations and is important to the user experience. The agent to the application has advised that it would only be possible to remove

every other column as the resultant spans of wholesale removal would be unsupportable. It has been estimated that the physical works to remove the columns would cost in the region of £600,000. However, as the works would affect the upper floors, it is likely that they would have to close for around six months, affecting other businesses and the Council car park. The cost of this disturbance in terms of necessary compensation has been estimated at £1.5million. The Council's Asset Management team has been asked to consider these figures. Their comments are expected but are not available in time for inclusion in this report and so will be included in the update note.

It is understood that the number of users estimated in the bingo hall would require the provision of two means of escape in order to meet fire regulations. This would also affect the ground floor businesses. Notwithstanding the potential for compensation, the agent has questioned if the existing businesses would be prepared to agree to works that would affect their premises and business continuity to this degree. This concern is considered to be reasonable. The Council's Building Control team has been asked to confirm the escape requirements. Their comments are expected but are not available in time for inclusion in this report and so will be included in the update note.

The size of the unit is also deemed to be insufficient at 2,098sqm rather than the 2,327sqm currently proposed. This would equate to a reduction of less than 10% floor area. That said, it is accepted that this available floorspace would be further reduced through the provision of escalators that would be necessary to enable safe mass egress, and the number of escape stairs that would be required to serve the scale of use proposed.

The lack of potential to provide a smoking shelter is also put forward as a reason for discount. Whilst it is acknowledged that it would not be possible to provide a sizeable covered smoking area, there may be some scope to create a small, covered, open area adjacent to the main entrance. The lack of a dedicated smoking facility, as evidenced by the existing Odeon cinema, Coral Island and town centre bowling alley, is not uncommon for leisure uses. The desire for a large covered smoking area to be provided is again considered to be an operator preference.

Finally, the lack of free, level car parking is cited as an issue. The applicant has provided information on the parking provision associated with the other Bingo 3000 premises around the country. The Preston city centre branch depends upon shared, multi-storey parking that is charged. It is accepted that business is declining at the Preston branch but it must be recognised that a purpose-built, out-of-centre unit was opened in 2012 to replace the city centre bingo hall and that this has understandably impacted upon turnover of the city-centre site. As stated above, the provision of free, level parking is considered to be an operator preference rather than a use requirement and so is not accepted as a reason to discount town centre locations.

When considered overall and on balance, and assuming that the Council's Asset Management and Building Control teams can validate the claims made with regard to the costs of the internal works and the fire regulations requirements, it is felt that the sequential test can be met. The alterations required to the former BHS unit to make it compatible with modern bingo expectations and current regulations would be expensive and would require the co-

operation of third parties. Given the level of disruption that would be caused, it is accepted that these third parties may not agree to the works without a level of compensation that would render the scheme unviable. Whilst it is understood that the costs of reasonable reconfiguration could be covered by the owner of the building in order to secure a long-term lease as part of a standard landlord-leasee contract, in this case the costs are likely to be prohibitive for either the building owner or the tenant. As such, the sequentially preferable former BHS unit is not considered to be suitable for the use proposed. Thereby the proposal passes the sequential test.

Turning to the defined District Centres and other sites, the only potentially suitable options identified were the Layton Institute in Layton, the Empire Bingo Hall on Hawes Side Lane, and the former Apollo bingo hall on Waterloo Road. The former Post Office on Waterloo Road may have been suitable in terms of scale but, as it is set over multiple levels, this would have been discounted. The Empire Bingo Hall was discounted on the basis that planning permission has recently been granted for housing and the former Apollo bingo hall on Waterloo Road was discounted on the basis of size. This is accepted. The Layton Institute would be of insufficient size to accommodate the bingo hall and the drive-thru but could support the bingo hall although servicing would be very restricted. The district centre would also lack the critical mass of supporting uses necessary to make the bingo hall viable. In this instance there is no significant public car parking in the vicinity and the creation of car parking on the site would necessitate the loss of the existing bowling green which is a community facility and an integral part of the locally listed building. Consequently it is accepted that this site would not represent a suitable alternative.

Although it is not accepted that the development proposed would primarily be a tourist attraction, the sequential test has also taken sites within the Resort Core into account. Specifically, Coop Street car park, three sites on the Promenade, the Rigby Road tram depot and two sites on Station Road were considered. These were all variously discounted on the basis of size or, in the case of the tram depot, lack of availability and this is accepted.

In light of the above and on balance, it is considered that the proposed bingo hall passes the sequential test. As such, the provision of a drive-thru cafe/restaurant as proposed can be considered to be an ancillary supporting use to the wider Festival Park and no separate sequential appraisal for this element is necessary.

Impact assessment

In accordance with the NPPF and given the scale of the proposal, an impact assessment has been undertaken. As a restrictive condition could be applied to any permission granted to limit the use of the buildings to a bingo hall and cafe/restaurant, the impact assessment has been carried out on the basis of these proposed uses. In terms of the impact of the proposed bingo hall, the only comparable bingo facilities are the Mecca Bingo on Talbot Road and similar facilities in Preston. The latter are considered to be sufficient distance away for any impact to be insufficient to justify refusal. The former is not in a designated centre and so any impact would simply be a matter of commercial competition and would not constitute a valid reason to resist the application.

Whilst the NPPG does require impact to be assessed on a like-for-like basis, it does state that this should be undertaken in respect of the particular sector of town centre uses in which the proposed use would sit. The intention is to safeguard the health, vitality and viability of the town centre. The assessment submitted is basic and limited in its scope but it is accepted that available information is limited. The town centre does include a leisure offer in the form of the theatres, amusement arcades, gyms, bowling alley and Coral Island complex. It is possible that the proposed bingo hall could draw trade from these uses and thereby impact on the health of the town centre. However, the bowling alley, gyms and theatres offer a very different form of leisure opportunity to a bingo hall and are therefore more likely to be complementary rather than competing offers. The amusement arcades and Coral Island complex are considered to be more comparable. That said, the amusement arcades are far smaller in scale, predominantly appeal to town centre users, and are used in conjunction with the shops and other services. The Coral Island complex is on the Promenade and is well-established as a visitor attraction that is popular with tourists. As such, it is considered to appeal primarily to a different market than a local bingo hall. On this basis, no significant or unacceptable trade draw from the existing town centre leisure sector is anticipated.

With regard to the drive-thru cafe/restaurant, the applicant has argued that it would primarily draw custom from users of Festival Park, passers-by on the highway network, and local residents. It is noted that all of the operators of out-of-centre drive-thru facilities within the borough also maintain representation within the town centre. The proposed use could have an impact on the nearby local centre on Central Drive. However, the applicant has argued that the size and form of the units in this centre are not comparable to that proposed. The operators in the centre are largely independent. The inference is that the local centre caters to a different market to that envisaged for the drive-thru. The Central Drive local centre is relatively large and does include a number of vacant and seasonal uses. Originally it would have been supported by both local residents and local hoteliers and visitors. The decline of holiday accommodation in nearby streets and the establishment of chain convenience stores has affected the health of this centre. The surrounding residential areas are recognised as being deprived with many households on relatively low income. On this basis, and in terms of potential impact, it is accepted that the drive-thru facility proposed is likely to appeal to a market that would not otherwise make use of the local centre. Furthermore, it is recognised that a significant degree of custom would be likely to take place before or after evening cinema showings or bingo sessions when similar facilities in the local centre may well be closed.

Consideration has been given to the potential impact on future investment. Whilst the proposals in the town centre are noted, along with the aspirations for development on strategic sites, it is suggested that the development proposed would not compromise the viability or deliverability of these schemes. However, officers are mindful that the development of these uses in this location would create a stronger critical mass of main town centre leisure uses in an out-of-centre location. The proposal to develop an IMAX cinema within the town centre could be undermined if the increase and variation in facilities on the Festival Park site increases dwell-time and strengthens the market share of the existing Odeon.

Paragraph 27 of the NPPF states that planning permission for main town centre uses should be refused where the proposal fails the sequential test or would have a significant adverse impact on the health of existing centres or planned investment. The limitations of the applicant's impact assessment are noted. The potential for an increase in the Odeon's market share at the expense of the proposed IMAX facility also weighs against the scheme. However, even were a full quantitative impact assessment to be carried out, it is not anticipated that any identified impact would qualify as significant. On this basis, and subject to the imposition of a condition to restrict the use of the premises was the Council minded to support the application, it is not considered that a reason for refusal based on impact on the health of the town centre could reasonably be defended.

Design

Paragraph 17 of the NPPF sets out twelve core planning principles, including the need for the planning system to always seek to secure high quality design and take account of the different roles and characters of different areas. Section 7 builds on this. Paragraph 56 states that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development. Paragraph 64 makes it clear that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The NPPG also includes a section on design. Paragraph 001 recognises that planning should drive up standards across all forms of development and explains that good design means creating buildings that work well for everyone and responds to the identity of a place. Policy CS7 makes it clear that new development in Blackpool must be well-designed and enhance the character and appearance of the local area. Similarly saved Policy LQ1 requires all new development to be of a high standard of design and to make a positive contribution to the quality of the surrounding environment.

A number of concerns regarding the footprint, positioning, scale and design of the bingo building have been raised since pre-application advice stage and the proposal has been amended in response. Although the footprint of the building has not materially changed, the building has been set away further away from the boundaries of the site. It would now sit some 8.5m from the boundary with Salthouse Avenue and around 8.5m from the boundary with Rigby Road. The side elevation fronting Rigby Road would broadly align with the rear elevation of the Frankie and Benny's building.

In order to soften the appearance of the building and enable it to better respond to the context of the site, it was recommended that the corners be rounded to reflect the contours of the boundary wall at the junctions of Rigby Road / Salthouse Avenue, and Salthouse Avenue / Kent Road. This option has not been followed and so the two corners would form pinch points with separation distances of around 8.3m and 3.8m respectively. The existing Odeon building sits some 6.5m from the back of pavement at the closest point. It is understood that the building cannot be pulled further from the road due to the presence of an easement but some internal floorspace could be sacrificed to provide a greater landscaped

buffer. However, it is acknowledged that the pinch point would face an open grassed triangle that forms a traffic island. Furthermore, a sizeable landscaped buffer is proposed along the Salthouse Road and Rigby Road elevations. On this basis, the footprint and position of the building is considered to be acceptable and no unduly imposing or over-dominating impact is anticipated.

The building would essentially sit in open space with housing facing it to the east and south. To the north is parking, Kent Road and additional housing with the main body of Festival Park to the west. As every elevation would be highly visible, each must be designed to a high standard with functional elements such as plant and refuse stores and smoking areas sensitively incorporated. The existing Swift Hound building is traditional in design that includes a varied roofscape and materials that reflect the surrounding built form. It would be inappropriate for this building to be replaced by a structure that would lower the quality of the streetscene and be detrimental in comparison to the appearance of the park. Whilst it is recognised that the existing Odeon and Bannatynes buildings on the site are not of particular architectural merit, these buildings are now around 20 years old. The existence of buildings of limited quality in the vicinity should not justify the perpetuation of poor quality design.

At officer request, additional detailing in the form of vertical fins and two projecting sections on the longer side elevations have been added. The corner treatment around the main entrance point has also been replicated at the corner of Salthouse Road and Rigby Road. This last feature in particular is considered to represent a significant improvement to the design as it enables the building to better address this prominent corner. The elevation plans show that a reasonably varied materials palette would be used and this would help to break up the massing of the building. The plans also indicate that certain sections of the building would project or be recessed to create visual depth. Both materials and the detailed profile of the building could be agreed through condition. Each corner of the building would have a square tower that would project slightly beyond the adjoining elevations and rise above eaves level.

Reasonably wide landscaping strips are proposed along the Salthouse Road and Rigby Road elevations. This would help to soften the appearance of the building and is welcomed. The species mix could be agreed through condition as could a mix of plant sizes to ensure that some screening is provided in the short-term whilst avoiding plant failure.

Overall, the design of the bingo hall is now considered to be acceptable. By virtue of its use and nature, the building is very large. It is felt that the applicant has gone as far as is practicable to reduce the bulk and massing of the structure through architectural detailing and use of different materials. The use of horizontal bands of differing materials also helps to visually lessen the scale of the building and prevent it appearing unduly imposing when viewed in the context of the nearby terraced housing. The elevated corner towers draw the eye along the elevations and the main entrance point benefits from reasonable visual prominence. The building is suitably legible and the planting would enhance the appearance of the site.

The design of the drive-thru facility is also considered to be acceptable. Although the building would sit further forward than the other buildings on site, its scale and the degree of

projection relative to the width of the Rigby Road frontage would not make it appear unduly imposing in the streetscene. The plans submitted show a mono-pitched roof that would rise up and over-hand the front of the building to create a canopy. A central section around the main entrance to the front would punch up through this roof as would an off-centre section to the rear housing the drive-thru window. Together these elements are effective in creating an interesting roofscape that would draw the eye towards the front of the building.

The main entrance would sit somewhat forward of the front elevation marking it as a visual focal point and making the building clearly legible. Well-proportioned brick piers would form each of the corners with secondary piers halfway along the southern side elevation, on either side of the main entrance, and part-way along the rear elevation. These piers would be separated by large, triple-pane windows that would allow a clear view into the building and establish active and engaging frontages on three sides. It is acknowledged that the side facing towards the Odeon would be solid. However, differing materials would be used and the scale of the building would prevent this more basic elevation from appearing over-bearing or monolithic. Appropriate materials could be agreed through condition were the Council minded to support the proposal. Similarly sections could be agreed to ensure that windows would be slightly recessed and materials overlapped to create visual depth. As such and on balance, the design of the drive-thru is considered to be acceptable.

The works to the car park and to create the proposed pedestrian and vehicle access points are minor in scale and would not be expected to have any significant visual interest. Conditions could be used to ensure that any new stretches of boundary wall match what is existing. On officer request some parking spaces have been removed to enable additional planting to be provided to help soften the overall appearance of the site and this is welcomed.

Amenity

Festival Park is an established leisure destination and so it is reasonable to assume that local residents are accustomed to a higher level of noise and activity than would be expected in a more typical residential area. On this basis, the development of a bingo hall and drive-thru cafe is not anticipated to have an unacceptable impact on residential amenity subject to appropriate design and safeguards.

A noise report has been submitted with the application and has been considered by the Council's Environmental Protection team. In order to address concerns raised, the main entrance door has been moved and would now face into the site. Pedestrian access is still proposed from the main road and this is considered necessary as it facilitates easier access by sustainable travel modes. It is accepted that levels of noise and activity would be greatest at the end of a session of bingo play and this may be late in the evening. However, this is also true of the existing cinema use. It is proposed that the bingo hall would open until midnight seven days a week. This is comparable with the operation of the cinema but it is recognised that the entrance to the cinema is much further from the housing on Rigby Road, and that relatively few films are shown late in the evening. As such, fewer customers would be leaving the cinema between 11pm and midnight. It is acknowledged that the existing McDonalds drive-thru operates on a 24hr basis, but there have been identified noise issues associated

with this use. On this basis it is recommended that a condition be attached to any permission granted to require the use to close at 11pm Sundays to Thursdays and midnight on Fridays and Saturdays. Deliveries should be restricted to 0800-1900 in accordance with the submitted noise assessment. A number of conditions are set out at the end of this report to safeguard the amenities of nearby neighbours through the control of demolition and construction, and through the agreement of noise attenuation measures. The provision of a barrier along the pavement by the pedestrian access would also be secured through condition to deter pick-up and collection from Rigby Road as this could lead to late-night noise nuisance. On balance, subject to these restrictions, it is considered that any unacceptable amenity impacts from the use of the bingo hall could be avoided.

Concerns have been raised by local residents regarding the existing use of the car park, the provision of another drive-thru facility, and intensified future use of the car park. Likewise the Council's Environmental Protection Officer has identified car horns, vehicle engines, car doors closing and car stereo use as potential sources of problematic noise. A condition could be imposed on any permission granted to require this situation to be monitored over a period of 12 months from the opening of the drive-thru. In the event that noise issues are identified, a scheme of car park barriers and additional planting and acoustic fencing would have to be submitted, agreed and implemented. This condition should be sufficient to address these concerns in the medium to long term and may also help to improve any existing issues.

In terms of amenity impacts from the buildings themselves, the drive-thru would sit over 30m to the north of the nearest residential property on the south side of Rigby Road and have a maximum roof height of 5.2m. As such, no issues relating to over-looking, over-shadowing or an over-bearing impact would result. The bingo building would sit 26.5m to the north of the nearest property on Rigby Road. The height of the raised towers at the corners of the building would be broadly comparable with the eaves heights of the houses. The Council expects to see minimum separation distances of 21m between two-storey properties in order to safeguard residential amenity. As the proposed separation distance would surpass this, no unacceptable amenity impacts on these properties are anticipated. The houses on Salhouse Road would sit to the east of the proposed bingo hall at a distance of some 24.8m. These properties sit at a lower land level and so the raised corner towers would be more comparable with their ridge heights. Nevertheless, given the separation distances involved, no unacceptable impacts from over-looking or over-shadowing are anticipated. Notwithstanding the visual assessment of the scale of development set out above, and again given the degree of separation, it is not considered that the bingo hall would have an unacceptably over-bearing impact on the occupants of these houses.

Highway Safety

The application proposes the relocation of the vehicle access from Rigby Road and reconfiguration of the existing car park. The number of available car parking spaces would fall from 631 to 497. It is also proposed that a new vehicular egress point be formed onto Princess Street and that this would be used to allow managed egress at peak periods to ease congestion within the car park and on local roads.

The proposals have been considered by the Council's highway officers. Some initial queries regarding the survey work underpinning the transport assessment have been resolved. No objections relating to the proposed means of access, the layout of the car park or the creation of a managed egress point onto Princess Street have been raised. Easily legible pedestrian access across the site would be maintained. It is recommended that a number of conditions be attached to any permission granted. These would require the developer to agree Construction and Traffic Management Plans, agree the detailed design of the access points, agree a management plan for the use of the Princess Street egress and agree to a scheme of off-site highway works. These off-site works would primarily relate to the provision of a mini-roundabout and pedestrian works around the proposed point of access, works to the footpath along the frontage of the site, and works to remove the redundant existing access post-construction. Based on the information submitted, all highway junctions affected by the proposals would continue to operate well within capacity post-development. The existing highway network has capacity to accommodate any additional traffic generated by the scheme.

If the proposed development is taken into account, the Festival Leisure Park would provide 9,542sqm of leisure floorspace falling within Use Class D2, and 932sqm of cafe/restaurant floorspace falling within Use Class A3. Working on the basis of the site having a reasonably high level of accessibility, this would equate to a maximum parking requirement of 427 parking spaces. The level of provision proposed post-development would comfortably exceed this. These standards are intended to be maximum allowances but, as the degree of over-provision on site would reduce as a result of the scheme, as parking is an issue that has been raised by local residents, and as the site as a whole would be reasonably well landscaped, the parking proposed is considered to be acceptable.

In light of the above and subject to the imposition of appropriate conditions, no unacceptable impacts relating to the access, highway safety or parking are anticipated.

Drainage and Flood Risk

The vast majority of the site falls within flood zone 1. The only exceptions are the very north-western corner of the site and the area around the existing access point which are in flood zones 2 and 3 respectively. As such, all of the building operations proposed would fall within flood zone 1 meaning that there is no requirement for the developer to demonstrate compliance with the sequential or exceptions tests. By virtue of the size of the site, a site-specific flood risk assessment has been submitted. This has been considered by the Council as part of its function as Lead Local Flood Authority and no objections have been raised. As the site is previously developed it is recommended that a condition be attached to any permission granted to require the developer to demonstrate that surface water run-off post development would not exceed the current situation. Subject to this condition, no unacceptable drainage issues are anticipated. It is not considered that the proposal would be at undue risk of flooding or increase flood risk off-site. As such, no flood risk issues are identified.

Other Issues

It is stated that the development proposed would generate 55 full-time-equivalent jobs. Given the recognised problems relating to deprivation and employment within Blackpool, this consideration weighs notably in favour of the scheme.

Policy CS10 of the Core Strategy sets out a requirement for all non-residential developments of more than 1000sqm to achieve a BREEAM rating of 'very good' or higher. A pre-assessment report has been submitted that demonstrates that the proposal is capable of achieving the required 'very good' rating. A condition could be attached to any permission granted to require the building to achieve this rating and to require the submission and agreement of a report demonstrating this.

The Swift Hound building to be demolished has the potential to support roosting bats that are a protected species. A bat survey has been submitted. This has been carried out by a suitably qualified ecologist to a recognised methodology. Although a couple of potential access points were identified, the building was generally recorded as being in good condition. No evidence of bat use was found either externally or internally. The site is accessed as having negligible roost suitability and no further survey work is considered necessary. The conclusions of this report are accepted and no unacceptable impacts on biodiversity are therefore anticipated.

Sustainability and Planning Balance appraisal

Sustainability comprises economic, environmental and social dimensions.

Economically the scheme would see the replacement of a failing commercial use with a new development representing significant inward investment into the town. The proposal would also create 55 new jobs although some employment would be lost through the loss of the existing use. These considerations weigh notably in favour of the scheme. The proposal would satisfy the sequential test and no significant adverse impacts on existing centres are anticipated. On this basis the scheme is considered to be economically sustainable.

Environmentally, no unacceptable arboricultural or ecological issues are anticipated and the development would not be expected to unacceptably impact upon air, land or water quality. Equally no unacceptable impacts on drainage or flood risk are anticipated. Following the amendments made to the design of the bingo hall, the overall design of the proposal is considered to be acceptable. The location of the development as proposed could increase the number of private-car trips to the site and this weighs marginally against the proposal. Nevertheless, on balance the proposal is considered to be environmentally sustainable.

Socially it is considered that adequate safeguards could be put in place to ensure that the development would not have an unacceptable impact on residential amenity. Safe access to and from the site and a safe means of circulation within the site could be provided. Although some parking spaces would be lost, the resulting provision would be adequate to serve the uses on site. On this basis, no unacceptable impacts on highway safety are anticipated. The development would not be at undue risk from flood risk and would not exacerbate flood risk

off site. As set out above, the development would satisfy the sequential test and no unacceptable impact on the health of existing centres is anticipated. As such, the role and function of the centres in the borough's established retail hierarchy as community hubs would be safeguarded. As such, the scheme is considered to be socially sustainable.

In terms of planning balance, the principle of development is now considered to be acceptable and the concerns initially raised with regard to the design of the bingo hall have been satisfactorily resolved. As set out above, on balance the proposal is judged to represent sustainable development and no other material considerations have been identified that would weigh sufficiently against the proposal as to warrant refusal.

CONCLUSION

In light of the above, the development proposed is judged to represent sustainable development and no other material planning considerations have been identified that would outweigh this view. As such and in accordance with the provisions of paragraph 14 of the NPPF, Members are respectfully recommended to approve the application subject to the conditions set out below.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

A section 278 legal agreement would have to be entered into in respect of the necessary off-site highway works.

FINANCIAL BENEFITS

The uses proposed would generate business rates. The Council is responsible for collecting business rates and a portion of the business rates collected are grant funded back to the Council by central Government. As such, there is potential for the Council to benefit indirectly through an increased business rates receipt. However, this consideration has no weight in the planning balance and does not influence the recommendation to Members.

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 18/0202 which can be accessed via the following link:
<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 ref. 7672 (000) 003
Existing site plan ref. 7672 (000) 001 Rev A
Proposed site plan ref. 7672 (000) 002 Rev N
Landscaping plan ref. MR18-042/101

Bingo hall - proposed elevations drawing ref. 7672 (000) 020 Rev O
Bingo hall - proposed ground floor plan ref. 7672 /9000) 010 Rev J
Bingo hall - building section drawing ref. 7672 (000) 035 Rev A

Drive-thru - floor plan ref. 7672 (000) 110 Rev A
Drive-thru - elevations drawing ref. 7672 (000) 120 Rev A

The development shall thereafter be retained and maintained in accordance with the approved details.

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

3. Notwithstanding the information shown on the approved plans and prior to the commencement of construction, the details of the materials to be used on the external faces of the buildings hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and the development shall then proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the locality, in accordance with the provisions of paragraph 17 of the NPPF, saved Policies LQ1 and LQ4 of the Blackpool Local Plan 2001-2016, and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. Notwithstanding the information shown on the approved plans and prior to the laying down of any final surface, the details of the surfacing materials to be used on the areas of hard-surface hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and the development shall then proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the locality, in accordance with the provisions of paragraph 17 of the NPPF, saved Policy LQ1 of the Blackpool Local Plan 2001-2016, and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. Notwithstanding the information shown on the approved plans and prior to the commencement of construction, details of the profiles of the elevations of the buildings hereby approved showing the degree of set-back and projection between the different design elements shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to ensure that visual depth is created within the elevations in the interests of the appearance of the buildings and locality and the quality of the streetscene in accordance with the provisions of paragraph 17 of the NPPF, saved Policies LQ1 and LQ4 of the Blackpool Local Plan 2010-2016, and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. (a) Notwithstanding the information shown on the approved plans and prior to the erection of any boundary treatment, the details of the design and materials to be used in the construction of the boundary treatment shall be submitted to and agreed in writing by the Local Planning Authority and the development shall then proceed in full accordance with these approved details.

(b) The boundary wall around the perimeter of the site shall be continued across the redundant vehicular access point to Rigby Road before either of the uses hereby approved are first brought into use and details this continued wall shall have been first submitted to and agreed in writing by the Local Planning Authority in accordance with the requirements of part (a) of this condition.

Reason: In the interests of the appearance of the locality, in accordance with the provisions of paragraph 17 of the NPPF, saved Policies LQ1 and LQ4 of the Blackpool Local Plan 2001-2016, and Policy CS7 of the Blackpool Local Plan Part 1:

Core Strategy 2012-2027.

7. a) Notwithstanding the information shown on the approved plans, no development shall take place until full details of 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; areas of soft landscaping; and planting plans, specifications and schedules including plant size, species and numbers/densities.
- 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.

8. Before the bingo hall or drive-thru hereby approved are first brought into use, the car parking provision shown on site layout plan ref. 7672 (000) 002 Rev N shall be provided and shall thereafter be retained and maintained as such.

Reason: In order to ensure adequate car parking provision for the uses proposed 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.

9. Notwithstanding the information shown on the approved plans and before the bingo hall or drive-thru hereby approved are first brought into use:
- (a) Details of the positioning, design and materials of a secure cycle store on the site shall be submitted to and agreed in writing by the Local Planning Authority;
- (b) The secure cycle store agreed pursuant to part (a) of this condition shall be provided and shall thereafter be retained and maintained as such.

Reason: To enable access to and from the property by sustainable transport mode, in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016 and Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. Notwithstanding the information shown on the approved plans and before the bingo hall or drive-thru hereby approved are first brought into use:

(a) Details of the positioning, design and materials of refuse storage facilities on the site shall be submitted to and agreed in writing by the Local Planning Authority;

(b) The refuse storage facilities agreed pursuant to part (a) of this condition shall be provided and shall thereafter be retained and maintained as such.

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.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended or any future revision or replacement of that document):

(a) The building approved in the south-eastern corner of the site as shown on proposed site layout plan ref. 7672 (000) 002 Rev N shall be used as a bingo hall and for no other purpose, including any other purpose within Class D2 of the Town and Country Planning (Use Classes) Order 1987 (as amended);

(b) The building approved to the east of the new access road into the site as shown on proposed site layout plan ref. 7672 (000) 002 Rev N shall be used as a drive-thru cafe/restaurant and for no other purpose, including any other purpose within Class A4 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: In order to enable the Local Planning Authority to retain long-term control over the use of the buildings in order to safeguard the health and viability of the defined town centre and the defined district and local centres of the borough in accordance with the provisions of paragraph 17 and section 2 of the NPPF, saved Policies BH13 and BH14 of the Blackpool Local Plan 2001-2016, and Policy CS4 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

12. No enabling, demolition or construction works shall take place outside the hours of 0800-1800 Monday to Friday and 0800-1300 on Saturdays.

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.

13. The demolition of the existing public house shall proceed in full accordance with the submitted demolition management plan ref. 18-067R_001 Rev P2 dated May 2018.

Reason: In the interests of public safety and the amenities of nearby neighbours in accordance with the provisions of paragraph 17 of the NPPF, saved Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

14. 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
- 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 public safety and the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with the provisions of paragraph 17 of the NPPF, saved Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

15. The development hereby approved shall proceed in full accordance with the submitted noise assessment ref. 101764 dated 28 March 2018.

Reason: To safeguard the living conditions of the occupants of nearby residential premises, in accordance with the provisions of paragraph 17 of the NPPF, Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

16. (a) The bingo hall hereby approved shall not open or operate outside the hours of 1030-2300 Sundays to Thursdays and 1030-0000 on Fridays and Saturdays.

(b) The drive-thru cafe/restaurant hereby approved shall not open or operate:

(i) outside of the hours of 0500-2330 Mondays to Thursdays and 0500-0000 on Fridays or

(ii) between the hours of 0030-0630 on Saturdays, and 0030-0630 and 2330-0000 on Sundays.

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.

17. Notwithstanding the information shown on the approved plans, detailed schemes for the provision of vehicular access/egress points from the site onto Rigby Road and Princess Street shall be submitted to and agreed in writing by the Local Planning Authority. These schemes shall then be implemented in full and in full accordance with the agreed details before either of the uses hereby approved are first brought into use.

Reason: In the interests of highway safety in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

18. Notwithstanding the information shown on the approved plans, a detailed scheme for the provision of off-site highway works shall be submitted to and agreed in writing by the Local Planning Authority. This scheme shall then be implemented in full and in full accordance with the agreed details before either of the uses hereby approved are first brought into use.

For the purpose of this condition, this scheme shall include the following:

- provision of public footpath and kerb edging in place of redundant vehicular crossing points around the site;
- provision of an edge of pavement barrier along Rigby Road adjacent to the proposed pedestrian access point;
- the provision of a pedestrian refuge to the west of the proposed Rigby Road access;
- the provision of a pedestrian refuge in the access road to the site;
- the recovery and retention of existing cobbles and sets and their reuse elsewhere on Rigby Road to provide appropriate traffic calming measures.

Reason: In the interests of highway safety in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

19. (a) Notwithstanding the information provided and before the vehicle access point onto Princess Street as hereby approved is provided, a management plan for the operation of this vehicle egress point shall be submitted to and agreed in writing by the Local Planning Authority.

(b) The vehicle access point from the site onto Princess Street as hereby approved shall be used for egress only and for no other purpose and shall operate in full accordance with the management plan approved pursuant to part (a) of this condition.

Reason: In the interests of highway safety in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

20. (a) The development hereby approved shall proceed in full accordance with the submitted BREEAM assessment prepared by eb7 Ltd and dated 26 March 2018;

(b) Before either of the uses hereby approved are first brought into use, a statement demonstrating their compliance with BREEAM 'very good' criteria shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to secure sustainable design to mitigate the impacts of climate change in accordance with the provisions of paragraph 17 of the NPPF and Policy CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

21. Surface water run-off rates from the site following the construction of the development hereby approved shall not exceed the surface water run-off rates from the site prior to commencement.

Reason: In order to ensure that existing drainage arrangements are able to cope with future surface water discharge in accordance with the provisions of paragraph 17 of the NPPF and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

22. Notwithstanding the information provided on the approved plans and in the submitted noise assessment, details of the materials and acoustic attenuation to be used in the construction of the smoking area hereby approved shall be submitted to and agreed in writing by the Local Planning Authority before the commencement of construction of this part of the building. The development shall then proceed in full accordance with these approved details and shall thereafter be retained and maintained as such.

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.

23. Prior to the commencement of construction, a scheme for the provision of external illumination shall be submitted to and agreed in writing by the Local Planning Authority. This agreed scheme shall then be implemented in full and in full accordance the the approved details before either of the uses hereby approved are first brought into use. For the purpose of this condition, the scheme shall include details of the position, design, appearance, level of luminance and area of light-spill of the lights.

Reason: In the interests of the appearance of the site and to safeguard the residential amenities of nearby neighbours in accordance with the provisions of paragraphs 17 and 125 of the NPPF, Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, and saved Policies BH3 and LQ1 of the Blackpool Local Plan 2001-2016.

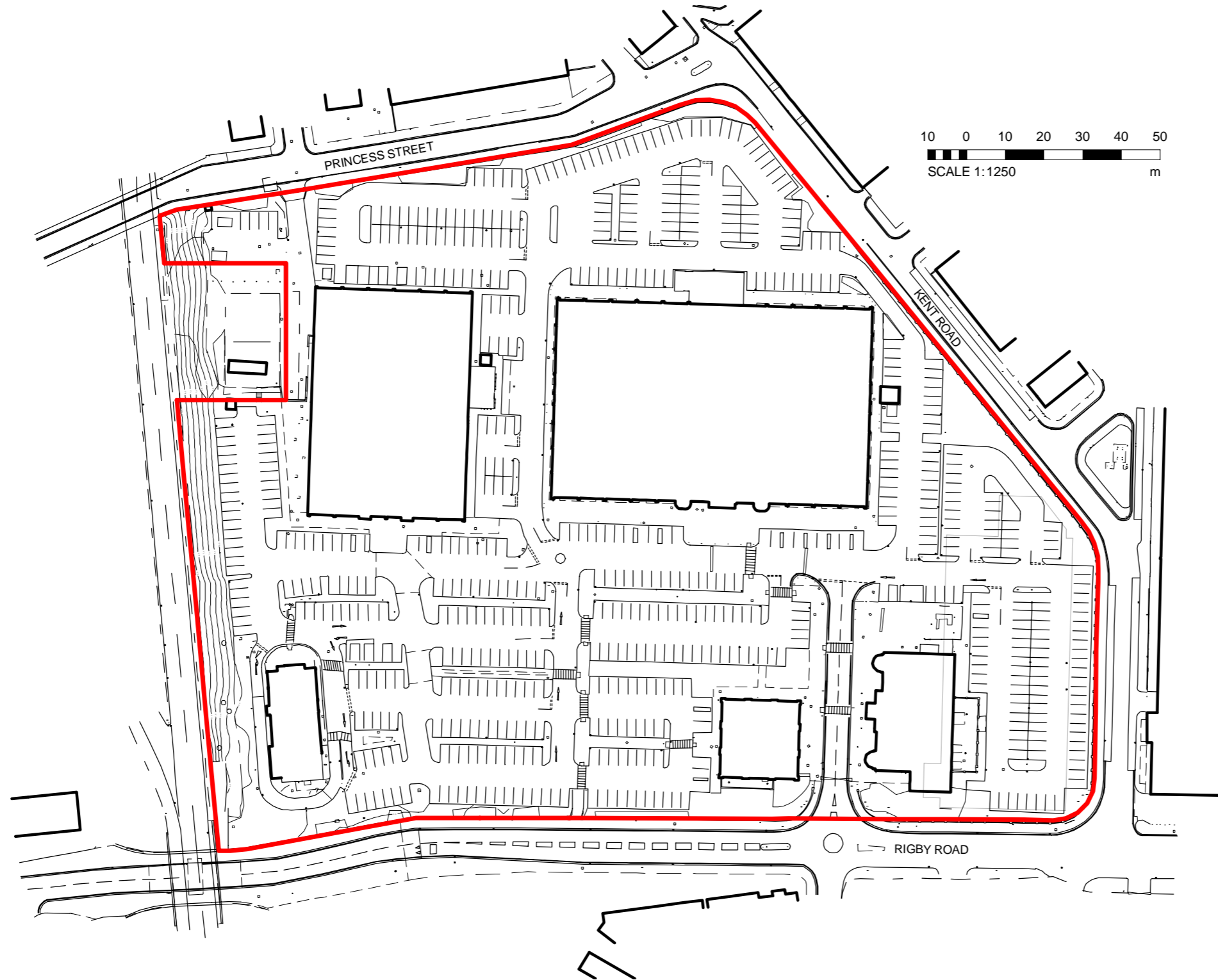
24. Prior to the first use of the buildings hereby approved, a scheme for the provision of public refuse bins within the application site shall be submitted to and agreed in writing by the Local Planning Authority. This agreed scheme shall be implemented in full and in full accordance the approved details before either of the uses hereby approved are first brought into use. For the purpose of this condition, the scheme shall include details of the position, design and appearance of the bins and the arrangements for waste collection and removal.

Reason: In the interests of the appearance of the site and to safeguard the residential amenities of nearby neighbours by reducing litter in accordance with the provisions of paragraph 17 of the NPPF, Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, and saved Policies BH3 and LQ1 of the Blackpool Local Plan 2001-2016.

Advice Notes to Developer

Not applicable

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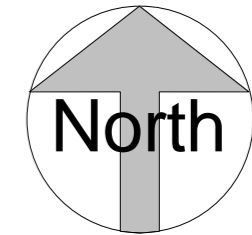
Location Plan
1 : 1250

Construction staff and operatives must ensure the principle contractor has provided thorough and accurate information on all health and safety aspects relating to the designs identified on this drawing include the review of:

- Designers/contractors risk assessments
- Method statement
- Permit to work
- Pre construction information

The designers note that the following health and safety risk relating to this drawing have not been eliminated during the design process:

ref	residual risk



revision	date	by	chk

All dimensions to be verified on site, and the Architect informed of any discrepancy. All drawings and specifications should be read in conjunction with the Health and Safety Plan; all conflicts should be reported to the CDM Co-ordinator.

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DO NOT SCALE THIS DRAWING

- preliminary comment construction
- planning tender record

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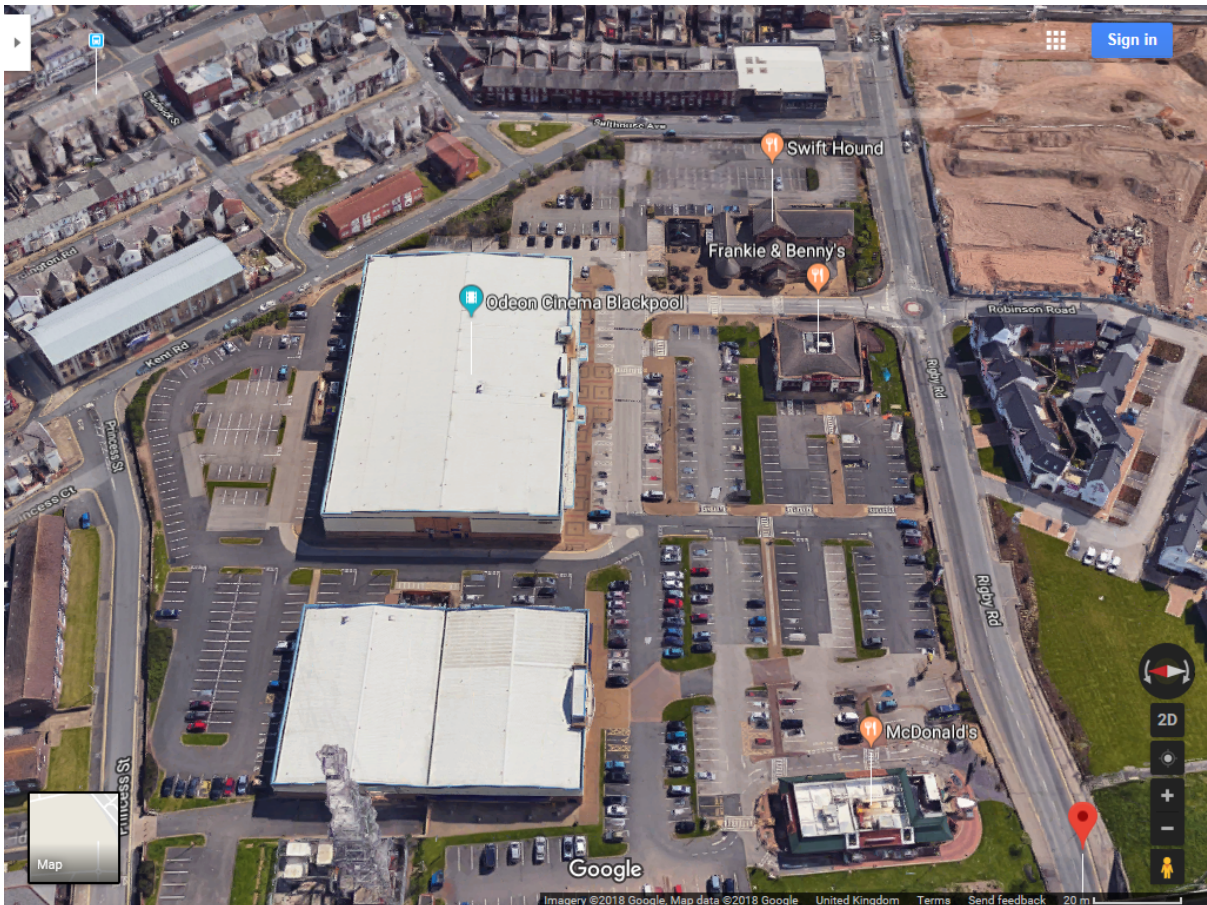
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Proposed Leisure Development
Fesitval Leisure Park, Blackpool

Location Plan

project number	drawing number	revision
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COMMITTEE DATE: 17/07/2018

Application Reference: 18/0214

WARD: Marton
DATE REGISTERED: 10/04/18
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Outline Planning Permission
APPLICANT: Mr Whiteside

PROPOSAL: Erection of single dwelling and associated detached garage with pedestrian access from Preston Old Road and vehicular access from Crosby Grove

LOCATION: LAND AT 64 PRESTON OLD ROAD, BLACKPOOL, FY3 9PL

Summary of Recommendation: Grant Permission

CASE OFFICER

Miss. S. Parker

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with Priority one of the Plan - The economy: Maximising growth and opportunity across Blackpool and Priority two of the Plan - Communities: Creating stronger communities and increasing resilience, as it would contribute towards meeting the borough's identified housing requirement and would make efficient use of brownfield land.

SUMMARY OF RECOMMENDATION

The scheme is judged to represent sustainable development and no other material planning considerations have been identified that would outweigh this assessment. The proposal would make efficient use of brownfield land and contribute towards meeting the borough's housing requirement. On this basis, planning permission should be granted.

SITE DESCRIPTION

The application relates to land adjacent to and currently within the curtilage of No. 64 Preston Old Road. This is a two-storey property that sits at the end of a terrace of four on the northern side of the road. There is a 7m wide strip of land to the eastern side of the house that is currently used partly as amenity space and partly as a driveway. At the end of this strip

of land is a detached double garage with a dual-pitched roof. A pair of semi-detached houses sits to the east of the site between it and the junction with Canterbury Avenue.

The site extends back to Crosby Grove which is a cul-de-sac containing four properties. The land at the rear is largely hard-surfaced and appears to be used informally in conjunction with the property to the front.

The site falls within flood zone 1. There are no trees or features of ecological interest on or adjacent to the site. No other constraints or specific policy designations are identified.

DETAILS OF PROPOSAL

The application seeks outline planning permission for the erection of a detached dwelling with an associated, ancillary detached garage to the rear. The application seeks to agree the matters of access and layout. However, as the site falls within an established urban area with existing residential properties on all sides, it is considered important that scale also be established at this stage. As such, a formal request for scale to be included was issued on 19 April 2018 and details have been provided.

The main house would follow the existing building line of Preston Old Road and would have a width of 5.9m and a depth of 8.2m. It would have eaves and ridge heights of 6m and 8.7m respectively. The garage to the rear would measure 5.5m by 5.5m with an eaves height of 2.4m and ridge height of 4m. It is proposed that the house would offer four bedrooms.

It is proposed that vehicular access and pedestrian access would be taken from Crosby Grove with only pedestrian access available from Preston Old Road. A shared passageway would be created between No. 64 and the new property to enable access from the rear gardens to the front. Each property would have separate front and rear gardens. No. 64 Preston would lose access to Crosby Grove.

The application is accompanied by a bat and nesting bird survey and assessment report.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- the principle of residential development on the site
- the potential impact on residential amenity
- the possible visual impact of the scheme
- the acceptability of access and parking arrangements and any impact on highway safety
- the drainage of the site
- the potential ecological impact of the proposal

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

CONSULTATIONS

Head of Transportation – no objection to the provision of an additional dwelling but it is noted that no. 64 would lose all off-street parking provision. This is unacceptable and an arrangement is required whereby both units would have parking provision. The existing vehicle crossing to the rear should be replaced.

United Utilities – foul and surface water should be drained separately with surface water drained in accordance with the sustainable drainage hierarchy. In the event that drainage to a public sewer is proposed, an appropriate condition is recommended and agreement with United Utilities would be required. On brownfield sites a 50% reduction in discharge rate is expected. A public sewer crosses the site and access strips of 3m width on either side must be maintained. Any diversion of the sewer would have to be at the applicant's expense. Any wastewater assets proposed for United Utilities adoption must first be agreed with United Utilities. Information is available online. If a United Utilities connection is required, early engagement is recommended. All pipework must comply with current standards. Levels of cover to United Utilities assets must not be compromised. If an unexpected sewer is discovered, a Building Control body should be consulted.

Fire Service – the minimum requirements in terms of vehicle access and water provision are stipulated. Officer comment: these matters are covered by the Building Regulations and fall outside of the planning remit.

PUBLICITY AND REPRESENTATIONS

Neighbours notified: 19 April 2018.

Five representations have been received from Nos. 4 and 8 Canterbury Close, No. 3 Crosby Grove, and Nos. 47 and 62C Preston Old Road raising the following issues:

- The plot is too small for a four-bedroom property
- Loss of light and air
- Overlooking and loss of privacy
- Increase in noise disturbance
- Increased pressure on drainage systems and increased flood risk
- Increase in parking pressure and inadequate parking provision
- Visual impact and impact on character of area
- Details of scale are needed
- Details of boundary treatments are required
- The area suffers from subsidence
- Damage and disturbance caused by construction
- The land to the rear is not residential garden
- The garage should be for residential use only
- A commercial character would be established
- Pedestrian access from Preston Old Road is unacceptable.
- The proposal would allow strangers to access Crosby Grove

Details of scale have been formally requested from the agent since first submission. The application is made in outline form only and so it would not be reasonable to request details of boundary treatments at this time. This would be dealt with as part of any subsequent reserved matters application.

The suitability of the land for construction and issues relating to subsidence fall outside of the planning remit and would be addressed through the building control process. The lawful use of the land to the rear is not a material to the assessment of this application. The application does not propose to use any part of the site for commercial use. Public access between Preston Old Road and Crosby Grove is not proposed. Crosby Grove is public highway and is lawfully accessible to all persons at all times.

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) was adopted in March 2012. It sets out a presumption in favour of sustainable development at paragraph 14 and identifies twelve core planning principles at paragraph 17. The following sections of the NPPF are most relevant to this application:

- 6 - Delivering a wide choice of high quality homes
- 7 - Requiring good design
- 8 - Promoting healthy communities

NATIONAL PLANNING PRACTICE GUIDANCE

The National Planning Practice Guidance (NPPG) expands upon and offers clarity on the points of policy set out in the NPPF. For the purpose of this application the section on design is most relevant.

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

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

- CS7 Quality of Design
- 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 Quality of Design
- LQ4 Building Design
- HN4 Windfall Sites
- BH3 Residential and Visitor Amenity
- AS1 Access and Parking

ASSESSMENT

Principle

The property is on land that is not designated on the Proposals Map to the Local Plan and so there are no planning policies in place that would preclude residential use of the site in principle. It is somewhat ambiguous whether or not the land forms part of the garden curtilage to No. 64 Preston Old Road but, in any event, the Council does not have any planning policies that would specifically preclude 'garden grabbing' and in this case No. 64 Preston Old Road would be left with both front and rear gardens. On this basis the proposal is considered to be acceptable in principle.

The scheme would contribute a new dwelling towards the borough's housing requirement. However, as current indications suggest that the Council can identify a five year supply of housing land, and as only one dwelling is proposed, this consideration has only a very limited positive weight in the planning balance.

It has been suggested that the plot is not large enough to accommodate a four-bedroom dwelling. The Council currently does not have any adopted floorspace standards for new-build properties. However, it is proposed that a condition be attached to any permission granted to require the internal layout of the house to be agreed prior to or concurrent with the submission of a reserved matters application. This would enable officers to ensure that the layout was reasonable given the size and position of the dwelling and the level of parking available.

Amenity

As the surrounding area is predominantly residential in character, the proposed use of the site itself is not anticipated to have any unacceptable amenity impacts by virtue of noise or activity.

It is proposed that the house would sit between Nos. 64 and 64A Preston Old Road. It would align with the front elevations of these properties. Both neighbours have single-storey extensions to the rear. The main rear elevation of the proposed property would align with that of No. 64 to the west but would sit some 1.2m beyond the main rear wall of No. 64A. As the two properties would be separated by some 1.25m, and as the application property would sit to the west meaning that any overshadowing would be limited to the end of the day, this relationship is considered to be acceptable.

It is noted that there are three windows in the side elevation of No. 64A Preston Old Road. These are all obscure glazed. Two appear to serve bathrooms with the third appearing to be a secondary window to the room that occupies the extension. On this basis, whilst the proposed development could result in a loss of light to these windows, no unacceptable impact would result. Privacy is currently ensured by the obscure glazing to the neighbour but, if obscure glazing is considered to be necessary in the proposed property this could be secured at reserved matters stage.

There are four windows in the side elevation of No. 64 Preston Old Road. Two are obscure glazed and one is in the process of being blocked up as part of refurbishment works to that property. The fourth window is clear glazed but it is understood that it served a hallway rather than a habitable room. As this property is outlined in blue on the submitted location plan, its use can be controlled through the imposition of conditions on any permission granted here.

The proposed detached garage would sit to the rear of the plot and would front Crosby Grove. It would have eaves and ridge heights of 2.4m and 4m respectively. The garage would sit to the side of No. 1 Crosby Grove, slightly forward of the garage to this property but behind the main front wall of the house. The garage would sit to the rear of No. 2 Canterbury Avenue and to the rear of No. 4 to a much lesser extent. Given the size of the garage proposed and the position of the existing garage that separates No. 1 Crosby Grove and the application site, no unacceptable amenity impacts on this neighbour are anticipated.

The garage would sit 7m from the rear elevations of the properties fronting Canterbury Avenue and 1m from the shared boundary. It must be recognised that a 2m high wall or fence could be erected along this boundary under permitted development rights. The eaves height of the garage would be 2.4m and the roof would slope away from the boundary to the 4m high ridge. The garage would sit to the west of the existing properties and so any over-shadowing would be limited to the end of the day. Given the scale of the proposal, no over-bearing impact is anticipated. As such and on the basis of the separation distances involved, no unacceptable amenity impacts on these neighbours are expected.

By virtue of its position, any first floor windows at the rear of the new property would allow a view over the rear gardens of Nos. 64 and 64A Preston Old Road, and Nos. 2-6 Canterbury Avenue. Any views towards the rear garden of No. 1 Crosby Grove would be oblique at a sharp angle. It is recognised that concerns have been raised over potential loss of privacy. However, the relationship between the application property and those on either side is typical of terraced or semi-detached housing. It also replicates the relationships between the neighbouring properties and their neighbours on the far sides. Similarly, the relationship between the proposed property and those on Canterbury Avenue is typical and replicates the arrangement with No. 64A Preston Old Road. On this basis, whilst some over-looking may result, it is not considered that this would be unacceptable or would warrant refusal of the application.

A condition could be attached to any permission granted to require any glazing to the rear garage to be obscure glazed to protect privacy. A further condition could also be imposed to

prevent use of the garage for anything other than the parking of a car ancillary to the occupation of the main house. This would avoid any amenity impacts arising from inappropriate use.

Concern has been raised over the provision of a public walkway between Preston Old Road and Crosby Grove. No such walkway is proposed. The pedestrian access points on both roads are intended to serve the dwelling only and gates are shown to the private rear gardens from either direction.

In light of the above, no unacceptable amenity impacts are anticipated from either the layout or the scale of development proposed.

Design and visual impact

The appearance and detailed design of this proposal are not matters for consideration as part of this application.

The basic streetscene drawings submitted show that the main house would have a roof form to match that of No. 64 Preston Old Road with eaves and ridge heights to match those of No. 64A. The property would be comparable in width and would follow the predominant building line.

The garage to the rear is indicating as having a dual-pitch roof. This would mimic the side elevation of No. 6 Canterbury Avenue but the properties on Crosby Grove all have hipped roofs. The side garage to No. 1 Crosby has a flat roof. Although the garage would be viewed against the backdrop of the properties fronting Preston Old Road, it would more immediately sit within the context of Crosby Grove. It is therefore suggested that a condition be attached to any permission granted to require the garage to have a hipped or pyramidal roof.

In light of the above, no unacceptable visual impacts are anticipated based on the proposed layout and scale.

Access, Parking and Highway Safety

The Head of Transportation has objected to the scheme on the basis that No. 64 Preston Old Road would lose any off-street parking provision. To date this property has had use of the application site for parking following the cessation of use of the existing garage on the site. The loss of parking provision for No. 64 weighs against the proposal but it is recognised that none of the properties fronting Preston Old Road benefit from off-street parking. The same is true on many of the surrounding streets. As a result, pressure on on-street provision is high. However, the application site is within reasonable walking distance of the local centre on Whitegate Drive. This centre offers a range of shops and services along with connections to the public transport network. This level of accessibility goes some way to compensate for the lack of off-street parking. It is not considered that the application could reasonably be resisted on parking grounds.

The new property would be served by a double garage and double-width driveway that would provide adequate off-street parking for the four-bedroom dwelling that is proposed.

It is proposed that vehicular access to the site would be taken from Crosby Grove and the Head of Transportation has raised no objection to this. It is noted that permission was granted for the development of two garages on the land off Crosby Grove in 2007 and circumstances have not changed materially since that time. Pedestrian access would be provided from both Preston Old Road and Crosby Grove. These access arrangements are considered to be acceptable and no undue highway safety impacts are anticipated.

Drainage

Concern has been raised by local residents regarding drainage. The site falls within flood zone 1 and so, given the site area, there is no requirement for a site-specific flood risk assessment. There is also no requirement for the applicant to demonstrate compliance with the sequential or exceptions tests. It is recommended that conditions be attached to any permission granted to require foul and surface water to be drained separately, require agreement of a surface-water drainage strategy, and require agreement of a management plan for the approved drainage scheme. Subject to these conditions, no unacceptable drainage or flood risk issues are identified.

Ecological Impact

There are no mature trees or sections of hedgerow that would be affected by the proposal. The existing garage has the potential to accommodate roosting bats or nesting birds and so an appropriate survey and assessment has been carried out and submitted. This has been carried out by suitably qualified and experienced ecologists to a recognised methodology. No evidence of use of the garage by bats or nesting birds was identified. The garage is considered to have negligible suitability for such use and no adverse impacts on ecology are anticipated from the development proposed. The report also confirmed that there are no invasive species on the site that would require management. The development provides an opportunity for biodiversity enhancement as required by the NPPF and a condition could be imposed on any permission granted to require an appropriate scheme to be agreed. As such, no unacceptable ecological impact is anticipated. No undue arboricultural impact would result.

Other Issues

Given the scale of development proposed, no contributions towards affordable housing, public open space or local education provision are required.

Concern has been raised over the impact on the character of the area. As a residential dwelling and associated garage is proposed in an established residential area, no undue impact on character is anticipated.

Disturbance and damage during construction have also been raised as issues. Some disruption is inevitable during any build project. It is considered that a condition should be attached to

any permission granted to limit works to 8am-6pm on weekdays and 9am-1pm on Saturdays but otherwise the scale of the scheme would not warrant a Construction Management Plan and no unacceptable impacts are expected.

Given the scale of development, no unacceptable impacts on air quality are anticipated. Water quality would be safeguarded through the design and implementation of a site drainage strategy. As the site is previously developed, a condition should be attached to any permission granted to require the agreement of a scheme of site investigation and any remediation measures found to be necessary.

The application has 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 (as amended).

Under Article 8 and Article 1 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. This application does not raise any specific human rights issues.

Sustainability and planning balance appraisal

Sustainability comprises economic, environmental and social components.

Economically the site is not safeguarded for employment use and any new residents would help to support local shops and services. As such the proposal is considered to be economically sustainable. Environmentally, the proposal is not anticipated to have an unacceptable impact on biodiversity, trees, drainage, air, land or water quality. A high-quality design solution could be secured at reserved matters stage. The proposal would make more efficient use of existing brownfield land. As such, the scheme would be environmentally sustainable. Socially the scheme would not have any unacceptable amenity impacts, would bring the site into more beneficial use and make a modest contribution towards the boroughs housing requirements. The site is in an accessible location and future residents could support the function of the nearby local centre. No issues relating to flood risk or highway safety are anticipated. As such, the proposal is considered to be socially sustainable.

In terms of planning balance the proposal is considered to be acceptable and to represent sustainable development and no other material planning considerations have been identified that would outweigh this view.

CONCLUSION

As set out above, the scheme is judged to represent sustainable development and no other material planning considerations have been identified that would outweigh this assessment. The proposal would make efficient use of brownfield land and would contribute towards

meeting the borough's housing requirement. On this basis, it is recommended that planning permission should be granted.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

None required

FINANCIAL BENEFITS

The Council would receive Council Tax from any future occupants but this consideration has no weight in the planning balance and has not influenced the recommendation set out above.

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 18/0214 which can be accessed via the link below:

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

Recommended Decision: Grant Permission

Conditions and Reasons

1. i. Approval of the following details (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority:

Appearance
Landscaping

-
- ii. Applications for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this

permission and the development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority including the location plan and site plans drawing ref. 1556/01 Rev A dated Apr 2018. The development shall thereafter be retained and maintained in accordance with these agreed details.

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.

Reason: To secure proper drainage and to manage the risk of flooding and pollution, in accordance with the provisions of paragraph 17 of the NPPF and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. (a) Prior to the commencement of development, the design of a scheme for the drainage of surface water shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall be based on the hierarchy of drainage options in the National Planning Practice Guidance so far as is possible subject to ground conditions with evidence of an assessment of the site conditions. 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.

For the purpose of this conditions, the surface water drainage scheme shall include as a minimum:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 and 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the

measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD;

b) The drainage scheme should demonstrate that the surface water run-off must not exceed the existing greenfield rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);

d) Flood water exceedance routes, both on and off site;

e) A timetable for implementation, including phasing where applicable;

f) Site investigation and test results to confirm infiltrations rates;

g) Details of water quality controls, where applicable.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: In order to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development, elsewhere and to future users, in accordance with the provisions of paragraph 17 of the NPPF and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted to and agreed in writing by the Local Planning Authority which, as a minimum, shall include:

a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company

b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:

- i. on-going inspections relating to performance and asset condition assessments
- ii. operation costs for regular maintenance, remedial works and irregular

maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

Reason: In order to ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development, to reduce the flood risk to the development as a result of inadequate maintenance, and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system, in accordance with the provisions of paragraph 17 of the NPPF and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. No development shall be commenced until:

(a) a scheme of site investigation in respect of potential land contamination has been submitted to and agreed in writing by the Local Planning Authority;

(b) the scheme of investigation agreed pursuant to part (a) of this condition has been carried out in full and in full accordance with the approved details;

(c) a report of the results of the site investigation has been submitted to and agreed in writing by the Local Planning Authority;

(d) In the event that the report required pursuant to part (c) of this condition reveals that remediation measures are necessary, a scheme for decontamination of the site has been submitted to and agreed in writing by the Local Planning Authority;

(e) any remediation agreed pursuant to part (d) of this condition has been carried out in full and in full accordance with the approved details and a validation report submitted to and agreed in writing by 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.

7. No construction or other works pursuant to the development hereby approved shall take place outside of the hours of 0800-1800 Monday to Friday (excluding bank holidays) and 0900-1300 on Saturdays.

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.

8. (i) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) the garage shall not be used for any purpose which would preclude its use for the parking of a motor car ancillary to the residential occupation of the main house.

(ii) Notwithstanding the information on the approved plan, the roof to the garage shall either be pyramidal or hipped in form.

(iii) Any windows to the garage shall at all times be obscure glazed.

Reason: In order to retain an off-street parking space within the site, ensure the design is appropriate and safeguard privacy in the interests of highway safety, the appearance of the site and locality and neighbour amenity, in accordance with Policies AS1, LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

9. Prior to or concurrent with the submission of a reserved matters application, details of the internal layout of the property shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then proceed in full accordance with these approved details and shall thereafter be retained and maintained as such.

Reason: In order for the Local Planning Authority to retain control over the layout of the property in the interests of safeguarding the residential amenity of future occupants and neighbours in accordance with the provisions of Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. (a) The clear-glazed first-floor window towards the front of the eastern elevation of No. 64 Preston Old Road shall at no time serve a habitable room. For the purpose of this condition, a habitable room shall be taken to mean a lounge, a dining room, a kitchen or a bedroom.

(b) The three obscure-glazed windows at ground and first floor levels in the

eastern elevation of no. 64 Preston Old Road shall at all times be obscure glazed to a level of 5 where 1 is entirely transparent and 1 is entirely opaque.

Reason: In order to safeguard the privacy and thereby the residential amenities of the occupants of the existing property and that proposed in accordance with the provisions of paragraph 17 of the NPPF, Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy (2012-2027) and saved Policy BH3 of the Blackpool Local Plan (2001-2016).

11. Prior to the commencement of construction of the house and/or garage hereby approved, a scheme for ecological enhancement to include the provision of bird and bat boxes and native tree and shrub planting shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then proceed in full accordance with this approved scheme which shall be implemented in full prior to first occupation.

Reason: In order to enhance biodiversity on the site in accordance with the requirements of paragraph 118 of the NPPF and Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Advice Notes to Developer

Not applicable

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Location plan – land adjacent 64 Preston Old Road

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