

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 16 OCTOBER 2018

Present:

Councillor L Williams (in the Chair)

Councillors

D Coleman
Humphreys

Hutton
Jackson

O'Hara
Robertson BEM

Stansfield

In Attendance:

Mr Keith Allen, Highways and Traffic Development and Control Officer

Lorraine Hurst, Head of Democratic Governance

Bernadette Jarvis, Senior Democratic Governance Adviser

Mr Gary Johnston, Head of Development Management

Clare Lord, Legal Officer

Mr Mark Shaw, Principal Planning Officer

Also Present:

Councillor D Scott – observing only

1 DECLARATIONS OF INTEREST

Councillor D Coleman declared a prejudicial interest in Agenda Item 7 (Minute Item 7), Planning Application 18/0331 – St Kentigern's RC Primary School. The nature of the interest being that her husband was a governor at the school.

Councillor D Coleman also declared a prejudicial interest in Agenda Item 10 (Minute Item 12), Planning Application 18/0471 – Land to the Rear of Ma Kelly's, 44-46 Queens Promenade. The nature of the interest being that she was a personal friend of the owner of Ma Kelly's.

2 MINUTES OF THE MEETING HELD ON 18 SEPTEMBER 2018

The Committee considered the minutes of the last meeting held on 18 September 2018.

Resolved: That the minutes of the meeting held on 18 September 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 by Cardtronics UK Ltd against the Council's decision to refuse planning permission for the retention of an ATM in the Dickson Road elevation of the shop-front was dismissed by the Planning Inspectorate.

Resolved: To note the planning appeal determined.

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4 PLANNING ENFORCEMENT UPDATE REPORT

The Committee considered a report detailing the planning enforcement activity undertaken within Blackpool during September 2018.

The report stated that 25 new cases had been registered for investigation, three cases had been resolved by negotiation without recourse to formal action and 15 cases were closed as there was either no breach of planning control found, no action was appropriate or it was not considered expedient to take action.

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

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

5 PLANNING APPLICATIONS AND APPEALS PERFORMANCE

Mr Johnston, Head of Development Management, presented the planning application and appeals performance report. The report detailed the performance against Government targets for September 2018 and the quarter period July to September 2018. It also detailed the annual performance against Government targets for 2017-18 and for the two year assessment period from October 2016 to September 2018. Mr Johnston was pleased to report that performance for the assessment period was significantly above the Government targets for both major and minor applications. In terms of appeals, Mr Johnston reported that two appeals had been lodged and both subsequently dismissed during the quarter period July to September 2018.

Resolved: To note the report.

6 REVISED MEMBER AND OFFICER PROTOCOL AND REVISIONS TO THE PUBLIC SPEAKING PROCEDURE FOR PLANNING

Mrs Hurst, Head of Democratic Governance, advised Members that Council at its last meeting had referred the revised draft Member and Officer Protocol back to Committee for further consideration. She reminded Members that the revised draft Protocol and changes to public speaking procedures had arisen from a workshop session held with the Committee in March 2018 to consider recommendations from the planning peer review.

Mrs Hurst referred to the recommendations in the report that suggested no changes proposed to the recommendation of the Planning Committee on 14 August 2018 for an increase in the time period allowed for public representations from five to seven minutes for objectors and applicants. However, in respect of the ward councillor representations, the recommendation asked the Committee to consider whether it wished to amend the time period allowed to seven minutes to provide parity between councillors and members of the public or leave it as unlimited.

The Committee discussed the recommendations and Members were satisfied with the proposed increase in time limit for public speakers. Further discussions were held during which Members aired differing views on the appropriate time limit for ward councillor representations, acknowledging the need to enable sufficient time for representations to

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be made without restricting necessary debate balanced with the need for the representations to be concise.

Resolved:

1. To recommend Council to approve as part of the Council's constitution the revised Member and Officer Protocol for Planning.
2. To recommend to Council that the time period allowed for public representations be increased from five to seven minutes for objectors and applicants.
3. To recommend to Council a time period of seven minutes for each ward councillor who applies to speak.

(Prior to the consideration of the planning applications the Chairman advised the Committee of a change to the order in which the applications would be considered.)

7 PLANNING APPLICATION 18/0331 ST KENTIGERNS RC PRIMARY SCHOOL, NEWTON DRIVE, BLACKPOOL

(Councillor D Coleman, having declared a prejudicial interest, left the room and took no part in the consideration or voting upon the application.)

The Committee considered planning application 18/0331 seeking planning permission for the erection of decking and external play area to first floor level enclosed by a 3 metre high fencing with staircase enclosure at St Kentigern's Catholic Primary School, Newton Drive.

Mr Johnston, Head of Development Management, provided the Committee with an overview of the application and presented an aerial view of the site, site location, layout and elevational plans. He reminded the Committee that it had agreed to defer the application from the previous meeting to allow the opportunity for further discussions to take place between the applicant and objectors. Members were referred to the Update Note that included an additional letter of representation from a public objector. Mr Johnston also referred to the additional information received from the applicant and appended to the report, namely a statement from the headteacher, a noise assessment that concluded that the noise level would not be detrimental to the amenity of the surrounding residents and a justification statement that included detailed explanations as to why three alternative locations for the play deck had been discounted.

Mr Johnston went on to report on the outcome of a mediation meeting that had taken place on 15 October 2018. A further condition requiring the approval of a Construction Management Plan had been agreed by the applicant. An amendment to Condition 4 relating to the acoustic barrier had also been suggested to add the requirement to replace any dead or diseased trees/shrubs within the first five years of planting. A potential opportunity to condition a reduction in height of the perimeter fencing was also suggested. Mr Johnston concluded by referring to the balance between the benefits for schoolchildren and protecting the amenity of neighbours. In his view, the harm to the amenities would be mitigated by the hours of use, the materials used for the fencing and the green acoustic barrier.

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Mr Holmes, public objector, spoke against the application. His main objections related to the unsuitability of the development and its visual impact and increased noise levels. He also considered that there had been insufficient exploration of alternative options and questioned the comparative data for other schools and the social benefit that had formed a key part of the officer's recommendation to grant permission.

Mr Oram, the Applicant's Agent, spoke in support of the application. He referred to the consultant's noise assessment report that concluded that the noise level would not be excessive and presented his view that there would be no impact on loss of privacy or loss of light from the proposed development and minimal impact in terms of visibility. Mrs Wygladala, headteacher, reported on the benefits of the scheme in terms of improving the physical and emotional wellbeing of the schoolchildren. She referred to the tight funding timescales that had restricted the ability for consultation.

The Committee considered the application and raised a number of questions regarding potential alternative options for the location of the play deck and the quality of materials. Mr Johnston reported on the reasons for his view that the current proposed location was the only viable option and the acceptability of the proposed materials.

The Committee considered the concerns raised by the objectors but also recognised the benefits of the proposal for the schoolchildren. It also noted the additional and amended conditions that could be attached to the planning permission if granted which would mitigate the impact on the amenity of the residents of neighbouring properties.

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

1. An additional condition requiring the approval of a Construction Management Plan prior to commencement of the development.
2. An amendment to Condition 4 requiring the replacement of dead or diseased trees/shrubs within five years of planting.
3. The requirement of an agreement between the applicant and the planning officers as to the height, type and colour of the fencing around the perimeter of the play deck before the development is brought into use and the agreed fencing being retained thereafter.

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

8 PLANNING APPLICATION 18/0410 LAND ADJACENT TO 71 MOSS HOUSE ROAD, BLACKPOOL

The Committee considered planning application 18/0385 that sought outline planning permission for the erection of 14 detached dwelling houses with access from Moss House Road on land adjacent to Moss House Road.

Ms Parker, Senior Planning Officer, provided the Committee with an overview of the application and presented an aerial view of the site, site location, layout and elevational

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plans. She advised the Committee that the proposal represented a reduction in housing numbers from that approved under the wider Kensington Development Scheme and that there was currently no policy in place that specified density limit requirements. She referred to the objections that had been received that raised concerns as to the suitability of Moss House Road as an access road and the impact of the proposed development on highway safety. She referred Members to the Head of Highways and Traffic Management's comments that had raised no objections, subject to relevant highway improvement works.

Mr Oram, the Applicant's Agent, spoke in support of the application and confirmed that the applicant was the owner of the land. He highlighted that the land currently had permission for a greater number of houses than that proposed by this application and reported on amendments made to the scheme in terms of the density of the proposed units. He also referred to the accessibility of the location in terms of local amenities and transport links.

The Committee considered the application and raised concerns regarding the suitability of Moss House Road as an access road in terms of increased traffic. It acknowledged that previous planning permission had been given for the location but also noted that the application had only required part access from Moss House Road. Mr Allen, Highways and Traffic Development and Control Officer, in response to questions from the Committee, reported his view that the proposal was not considered materially different to the masterplan developed for the wider Kensington development. In response to concerns raised regarding the potential for a precedent being set for future housing developments, Ms Parker confirmed that the cumulative impact on Moss House Road would be considered for any future applications in the location and the need for each application to be determined on its merits.

The Committee noted the potential for the development of significantly more houses due to the planning permission previously granted for the Kensington Road development scheme. The Committee also noted that the proposed development was located in a Flood Zone 1 area and that concerns regarding flood risks could be mitigated through conditions attached to planning permission if granted. It also noted that the Head of Highways and Traffic Management had raised no objection to the proposal, subject to an appropriate condition. Members acknowledged the concerns regarding the proposal but did not consider there was sufficient justification to warrant refusal of the application.

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.

(Councillor D Coleman left the room following consideration of the above item and took no further part in the meeting.)

9 PLANNING APPLICATION 18/0589 64 PRESTON OLD ROAD, BLACKPOOL

The Committee considered planning application 18/0589 seeking outline planning permission for the erection of a dwelling-house with associated parking provision and vehicular access from Crosby Grove (outline application seeking to agree the matters of

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access, layout and scale) at 64 Preston Old Road.

Ms Parker, Senior Planning Officer, provided an overview of the application and presented an aerial view of the site, site location, layout and elevational plans. She advised the Committee that the current application was a re-submission of a previous application that had been refused planning permission in July 2018. She referred Members to the letters of support detailed in the Update Note and advised of a further letter of support that had been received after publication of the Update Note. Ms Parker reported on the amendments made to the application since it had been refused permission which included the removal of a garage to the rear of the property and the separation of the land to provide two driveways to serve the existing and new property. She referred to the increased parking provision of two spaces per property which was considered acceptable and highlighted that the Head of Highways and Traffic Management had raised no objections to the amended proposal. She concluded by stating her view that the amended proposal addressed all the issues previously raised by Committee.

Mrs Sexton, public objector, spoke against the application. Her main concerns were the increased parking on Crosby Grove, impact on health and the adverse impact of the proposed development on the character of the area.

Mr Shepherd, Applicant, spoke in support of the application. He referred to the previous reasons for refusal and reported on the amendments made to the scheme to address the Committee's previous concerns. He reported his view of the benefits of the scheme in terms of meeting the Council's housing stock requirement and referred to the lack of objection from Head of Highways and Traffic Management and the letters of support received.

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.

10 PLANNING APPLICATION 18/0599 502 DEVONSHIRE ROAD, BLACKPOOL

The Committee considered planning application 18/0599 seeking planning permission for the erection of single storey rear extensions to form orangery and six bedrooms and internal alterations to increase overall number of bedrooms from 17 to 25(amendment to orangery approved under planning permission 17/0406) at 502 Devonshire Road.

Mr Johnston, Head of Development Management, provided the Committee with an overview of the application and presented an aerial view of the site, site location, layout and elevational plans. He referred to previous planning permission for extensions to the care home that had been granted by the Committee at its meeting in March 2018. The current application represented an amendment to the approved extensions to enlarge the orangery element by the addition of a 4.5 metres deep by 3 metres wide by 2.7 metres high projection towards 504 Devonshire Road. Mr Johnston referred to the Update Note that provided amendments to the officer's report in that the inset distances from the boundary of 504 Devonshire Road were 0.92 metres and 1.20 metres.

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Mr McGauley, public objector, spoke against the application. His main objections related to the size and proximity of the proposed development to the boundary of his property.

Mr McLoughney, Applicant, spoke in support of the application. He reported his reasons for requiring the development in terms of the benefit for residents. He referred to several amendments to the plans following consultation with planning officers.

The Committee considered the application and raised concerns that development had already commenced prior to planning permission being granted. Mr Johnston clarified that the only construction that had taken place was in relation to the foundations which could be retained as a patio in the event that planning permission was refused.

The Committee considered that proposed development would have a detrimental impact on the amenity of the residents of the neighbouring property due to its size and proximity to the boundary.

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

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

11 PLANNING APPLICATION 18/0385 150 HARCOURT ROAD, BLACKPOOL

The Committee considered planning application 18/0385 seeking planning permission for the erection of two detached dwellinghouses including car parking and landscaping with vehicle turning area and vehicle access between 125 and 127 Powell Avenue following demolition of existing garage at 150 Harcourt Road.

Mr Shaw, Principal Planning Officer, provided the Committee with an overview of the application and presented an aerial view of the site, site location, layout and elevational plans. He advised Members that the application was a re-submission of a previous application that had been refused by the Committee in July 2017 and subsequently dismissed on appeal in March 2018. He reported on the main amendments to the application which included the scaling down of the properties to two single storey bungalows thereby reducing the additional traffic flows and the provision of two car parking spaces for each property within the curtilage. Mr Shaw acknowledged that the width of the access road to the site could only accommodate one vehicle travelling in either direction.

Mr Shaw referred Members to paragraphs 9 and 10 of Planning Inspectorate Appeal Decision Letter attached to the Update Note that indicated the Inspector's view that the drag distance for refuse bins and access for emergency vehicles were acceptable.

In response to questions from the Committee, Mr Allen, Highways and Traffic Development and Control Officer, referred to the Head of Highways and Traffic Management's comments in the report that the proposed shared driveway was in accordance with the Council standards in terms of width, however it was acknowledged that there were no guidelines regarding the length of a shared driveway. He referred to the Planning Inspector's concerns regarding the effect on the amenity of residents immediately adjacent to the access and reported on amendments that went part way to

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addressing those concerns.

The Committee considered the application and raised concerns in terms of highway and pedestrian safety due to the width of the access road and the shared driveway. The Committee also considered that the proposed development would have a detrimental impact on the amenity of the occupants of the neighbouring properties in view of the size of the development and its proximity to nearby properties.

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

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

12 PLANNING APPLICATION 18/0471 LAND TO THE REAR OF MA KELLY'S, 44-46 QUEENS PROMENADE

The Committee considered planning application 18/0471 seeking planning permission for the erection of a part four/ part five storey building of 30 apartments plus basement with associated access and egress from Knowle Avenue, car parking for 25 vehicles, turning area, landscaping and boundary treatment, and provision of revised access and car parking layout to Ma Kelly's Showboat.

Mr Shaw, Principal Planning Officer, provided the Committee with an overview of the application and presented an aerial view of the site, site location, layout and elevational plans. He reported that whilst there was no objection in principle to residential development in the location, in his view there were issues with the size, height, scale and design of the proposed development. He referred Members to comments in the report from the Service Manager Public Protection that raised further issues in terms of the impact on future occupiers of the homes from their proximity to Ma Kelly's Showboat. Mr Shaw raised further issues relating to insufficient parking provision, notwithstanding the sustainable location of the proposed development.

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

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

Chairman

(The meeting ended 8.25 pm)

Any queries regarding these minutes, please contact:
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