

Blackpool Council

25 January 2019

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, 5 February 2019 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 11 DECEMBER 2018 (Pages 1 - 12)

To agree the minutes of the last meeting held on 11 December 2018 as a true and correct record.

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

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

4 PLANNING ENFORCEMENT UPDATE REPORT - NOVEMBER 2018 (Pages 21 - 24)

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

5 PLANNING ENFORCEMENT UPDATE REPORT - DECEMBER 2018 (Pages 25 - 28)

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

6 PLANNING APPLICATIONS AND APPEALS PERFORMANCE (Pages 29 - 32)

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

7 LIST OF BUILDINGS OF LOCAL ARCHITECTURAL AND/OR HISTORIC INTEREST (Pages 33 - 42)

To request the recommendation for formal adoption of Jubilee Gardens, Queens Promenade and 93 Poulton Old Road onto the List of Buildings of Local Architectural and/or Historic Interest ('Local List').

8 PLANNING APPLICATION 18/0156 - 411 MIDGELAND ROAD, BLACKPOOL (Pages 43 - 62)

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

9 PLANNING APPLICATION 18/0612 - 118 ADELAIDE STREET, BLACKPOOL (Pages 63 - 90)

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

10 PLANNING APPLICATION 18/0818 - THE SANDS VENUE, PALATINE BUILDINGS, PROMENADE, BLACKPOOL (Pages 91 - 118)

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

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Present:

Councillor L Williams (in the Chair)

Councillors

Humphreys
Hutton

Jackson
O'Hara

Stansfield
T Williams

In Attendance:

Mr Ian Curtis, Legal Officer

Mrs Bernadette Jarvis, Senior Democratic Governance Adviser

Mr Gary Johnston, Head of Development Management

Mr Mark Shaw, Principal Planning Officer

1 APOLOGIES

Apologies had been received from Councillor D Coleman who was engaged elsewhere on Council business.

2 DECLARATIONS OF INTEREST

Councillor Stansfield declared that he had been contacted by residents in relation to Agenda Item 10, Planning Application 18/0156 – 411 Midgeland Road Blackpool, raising concerns regarding breaches of planning conditions at traveller sites but no discussions had taken place regarding this particular application.

3 MINUTES OF THE MEETING HELD ON 13 NOVEMBER 2018

The Committee considered the minutes of the last meeting held on 13 November 2018.

Resolved: That the minutes of the meeting held on 13 November 2018 be approved and signed by the Chairman as a correct record.

4 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

The Committee noted that there had no planning or enforcement appeals lodged or determined since the last meeting.

Resolved: To note the planning and enforcement appeals lodged and determined report.

5 PLANNING ENFORCEMENT UPDATE REPORT

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

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 11 DECEMBER 2018

The report stated that 23 new cases had been registered for investigation, five cases had been resolved by negotiation without recourse to formal action and 12 cases were closed as there was either no breach of planning control found, no action was appropriate or it was not considered expedient to take action. One enforcement notice had also been served within the period.

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

Mr Johnston, Head of Development Manager reminded the Committee of the concerns it had raised at its last meeting regarding compliance of planning conditions at the traveller site at School Road and at Marton Mere caravan park and asked that this be investigated.

Mr Johnston reported that in relation to the School Road traveller site, a condition had been attached to the planning permission which imposed a limitation on the number of caravans on the site to one static caravan and two touring caravans. He advised the Committee of contact made by the site owner in August 2018 advising of the intention to replace the existing static caravan with a new static caravan. The new static caravan had been installed but the old one still had to be removed and Mr Johnston confirmed that only one of the static caravans was currently habitable and that there were currently no touring caravans on site. Ms Rigby, Planning Enforcement Manager, had reported no concerns regarding the site but had agreed to monitor the situation and contact the site owner if the static caravan had not been removed in the near future. In response to a question from the Committee, Mr Johnston confirmed that the planning conditions only imposed a limit on the weight of the vehicles on site and not on the number of vehicles. Mr Johnston agreed to visit the site with the Planning Enforcement Manager to assess compliance with planning conditions.

Mr Johnston reported that he had referred the matter regarding Marton Mere Caravan Park to colleagues in property services but had not received a response to date. He agreed to pursue this and update the Committee on progress at its next meeting.

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.

6 PLANNING APPLICATIONS AND APPEALS PERFORMANCE

Mr Johnston, Head of Development Management, presented the planning applications and appeals performance report and referred Members of the Committee to the performance figures for November 2018 which were reported in the update note.

Resolved: To note the report.

7 PLANNING APPLICATION 18/0653 - FORMER SILVERDALE GUEST HOUSE, 75 PALATINE ROAD, BLACKPOOL

Mr Johnston, Head of Development Management, referred the Committee to comments regarding student accommodation received from Blackpool and the Fylde College as detailed in the supplementary update note. He confirmed that this information had been

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 11 DECEMBER 2018

provided to the applicant's agent who had subsequently requested that the application be withdrawn to enable further discussions on alternative options to take place with planning officers.

Resolved: To note that the application had been withdrawn.

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

8 PLANNING APPLICATION 18/0736 - LAND AT LANGDALE ROAD, BLACKPOOL

The Committee considered planning application 18/0736 seeking planning permission for the erection of a new part single storey/ part two storey school with associated hard and soft play areas landscaping, car parking, cycle store, refuse store and 2.4 metres high boundary fencing on the land at Langdale Road, Blackpool.

Mr Johnston, Head of Development Management, provided the Committee with an overview of the application and presented the site location, layout plans and footprint for the proposed development. He also circulated plans showing the various elevations of the proposed building. He explained that the proposed development would provide an educational facility for the town and bring back into use a brownfield site. The distances of the proposed school from neighbouring properties, the proposed parking provision, the provision of play areas and the number of pupils and staff employed at the school were reported. Mr Johnston reported on the public consultation that had been undertaken and advised that no representations from residents on the application had been received.

Mr Johnston referred to the consultation responses received from Blackpool Services, Contaminated Land, United Utilities and Head of Highways and Traffic Management as detailed in the update note. The update note also suggested amendments to the proposed conditions in response to the above consultees' comments and as a result of the requirement to agree pre-commencement conditions with the applicant.

The Committee considered the application and noted the number of residents that had attended the public consultation event. Members raised concerns at the lack of a designated grassed play area, however the Committee acknowledged the green space available within the site and the size of the hard surfaced play areas. The Committee also noted comparisons with play areas for other special schools in the town and acknowledged the limitations of the site in terms of providing a grassed play area.

Resolved: That the application be approved, subject to the conditions, including the amendments to the conditions as detailed in the update note, and for the reasons set out in the appendix to the minutes.

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

9 PLANNING APPLICATION 18/0683 - REAR OF 147-149 HIGHFIELD ROAD, BLACKPOOL

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 11 DECEMBER 2018

The Committee considered planning application 18/0683 seeking planning permission for the erection of single storey extension following partial demolition of existing building at the rear of 147-149 Highfield Road, Blackpool.

Mr Shaw, Principal Planning Officer, provided the Committee with an overview of the application and presented the site location and layout plans for the proposed development. He also circulated photographs that had been taken from the garden of the neighbouring property. He reported that the application sought to demolish part of a building to the rear of the site and replace it with a purpose built solid structure to maintain the style of the dance academy. He advised of changes made to the original application to amend the roof of the proposed extension to a hipped roof to minimise the impact on the residents of neighbouring properties. He reported that the key difference between the current and proposed structure was an increase in height to provide alignment with the existing building. He referred the Committee to the distances between the proposed structure and neighbouring properties and highlighted that the proposed extension would sit to the north of adjacent properties thereby lessening the impact of reduced sunlight on neighbouring properties. Mr Shaw referred to the proposed conditions to be attached to the planning permission, if granted, in terms of noise control and restrictions on the door in the western elevation of the extension. He also highlighted that the two public objections received had not been from the immediate neighbours to the proposed development and that no objection had been received from the immediate neighbours.

The Committee considered the application and noted the proximity of the boundary to the garden of the adjacent property. However, Members also noted that the resident of the adjacent property had been consulted on the application and had not raised any objections. It also noted the improvements to the quality of the new proposed extension from the existing structure and the proposed environmental conditions aimed at minimising the impact on amenity of the residents of neighbouring properties in terms of noise and disturbance.

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 18/0669 - BRENTWOOD HOUSE, 442 MIDGELAND ROAD, BLACKPOOL

The Committee noted the information in the update note that stated that the applicant's agent had withdrawn the application.

Resolved: To note that the application had been withdrawn.

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

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 11 DECEMBER 2018

11 PLANNING APPLICATION 18/0156 - 411 MIDGELAND ROAD, BLACKPOOL

The Committee considered planning application 18/0156 seeking planning permission for the use of land at 411 Midgeland Road, Blackpool as a traveller caravan site for two caravans and one chalet; use of the existing two storey building for communal facilities and the provision of four car parking spaces and associated landscaping.

Mr Johnston, Head of Development Management, provided the Committee with an overview of the application. He referred to the aerial view of the site that had been attached to the agenda and presented the site layout and location plans. Mr Johnston explained the intention for the site to be used to house one family, not currently living on the site but who had strong local connections. Mr Johnston reported that the application site fell within the designated Marton Moss Strategic Site and referred to the restrictions of Policy CS26 in terms of development in the area. He also referred to the needs assessment for gypsies, travellers and travelling showpeople undertaken by Blackpool Council in conjunction with Fylde and Wyre Borough Councils that had identified a need for traveller sites and advised that this application would fulfil part of that need. Mr Johnston acknowledged that whilst the location of the site was not ideally situated, on balance his view was that the application, if approved, would meet the need for one of the two required traveller sites within Blackpool which weighed heavily in its favour.

The Committee considered the application and noted concerns that the site was already occupied. It acknowledged the need for traveller sites but was also mindful of the potential impact on residents of neighbouring properties in the event that conditions attached to planning permission, if granted, were not adhered to. The Committee considered that it would not be appropriate to consider the application until it was satisfied as to the current position regarding the occupation of the site. It also discussed the benefit of the applicant being in attendance during consideration of the case to respond to questions from the Committee.

Resolved: That consideration of the application be deferred to a future meeting to enable additional information to be provided on the current status of the site.

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

12 DATE OF NEXT MEETING

The Committee noted the date of the next meeting as Wednesday 16 January 2019.

Chairman

(The meeting ended 6.58 pm)

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

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Application Number 18/0736 - LAND AT LANGDALE ROAD, BLACKPOOL, FY4 4RR

Erection of a new part single storey/part two storey school with associated hard and soft play areas landscaping, car parking, cycle store, refuse store and 2.4 metres high boundary fencing.

Decision: Grant

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 received by the Council on 23/10/18

Drawings numbered P01, P02, P03, P04, P05, P06, P07, P08, P09, P10, E01, E02

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

3. The roof of the building shall not be used for any other purpose other than as a means of escape in emergency or for maintenance of the building.

Reason: To safeguard the amenities of the adjoining premises, to safeguard the visual amenities of the area in accordance with Policy LQ14 and BH3 of the Blackpool Local Plan 2001-2016 and Policy of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. a) Before the erection of any above ground structures on the site full details of both hard and soft landscaping works shall be 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, 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 be commenced until a desk study has been undertaken and agreed in writing with the Local Planning Authority to investigate and produce an assessment of the risk of the potential for onsite contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been agreed in writing with the Local Planning Authority. If remediation methods are then considered necessary, a scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented and completed prior to the commencement of the development. Any changes to the approved scheme shall be agreed in writing with the Local Planning Authority.

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

6. (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.

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

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

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. (a) No development or other operations shall commence on site until a scheme (hereinafter called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the Local Planning Authority.

(b) No operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved scheme are in place.

(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved scheme are in place.

(d) The fencing or other works which are part of the approved protection scheme shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior written agreement of the Local Planning Authority has first been sought and obtained.

Reason: To secure the protection, throughout the time that the development is being carried out, of trees, shrubs or hedges growing within or adjacent to the site which are of amenity value to the area, having regards to Policy LQ6 of the Blackpool Local Plan 2001-2016 and Policies CS6 and CS7 of the Blackpool Local

Plan Part 1: Core Strategy 2012-2027.

10. 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 erection of any above ground structures on the site.

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

11. Before the development is commenced the size of the surface water attenuation tank and the discharge rate from the tank to the public sewer shall be agreed in writing with the Local Planning Authority.

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

12. 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 the NPPF and NPPG and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Application Number 18/0683 - REAR OF, 147-149 HIGHFIELD ROAD, BLACKPOOL, FY4 2HG

Erection of single storey extension following partial demolition of existing building.

Decision: Grant

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 received by the Council on 04/10/18
Drawing numbered A018/156/P/O1 Rev B

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

3. The materials to be used on the external faces of the extension hereby approved shall match those on the main part of the existing building in colour, size, texture and design unless otherwise first 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) Prior to the commencement of development, a scheme of noise insulation shall be submitted to and agreed in writing by the Local Planning Authority. This scheme shall ensure that the following standards are met in noise sensitive premises:

Less than 55 dB LAeq 16 hours (07.00 to 23.00) in gardens and outside living areas
No greater than 35 dB LAeq 16 hours (07.00 to 23.00) - indoors daytime
No greater than 30 dB LAeq 8 hours (23.00-07.00) - indoors night time
A maximum of 45 dB LAFmax - indoors night time (23.00-07.00).

(b) Before the extension hereby approved is first brought into use, the noise insulation agreed pursuant to part (a) of this condition shall be installed in full and in full accordance with the approved details and shall thereafter be retained and maintained as such.

Reason: To prevent noise nuisance in order 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.

5. (a) the door shown in the western elevation of the extension hereby approved shall be used in emergency situations and for essential maintenance only and shall at no time be held, propped or otherwise fixed open or used to provide ventilation.

(b) the rooflights installed in the extension hereby approved shall be non-opening.

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

6. No air conditioning or ventilation plant or equipment shall be installed before the siting, technical specification and details of appearance of such has first been submitted to and agreed in writing by the Local Planning Authority before development commences. The air conditioning or ventilation plant or equipment shall then be installed in full accordance with the approved details and shall thereafter be retained and maintained as such.

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

Report to:	PLANNING COMMITTEE
Relevant Officer:	Gary Johnston, Head of Development Management
Date of Meeting:	5 February 2019

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

5.2 There have been no planning/enforcement appeals lodged since the last meeting.

5.3 Planning/Enforcement Appeals Determined

5.3.1 Land to the rear of 5 Aylesbury Avenue, Blackpool, FY4 3AL – Planning reference 18/0226

5.3.2 An appeal was made by Mr Steven Steele against the Council’s decision to refuse planning permission for the erection of one 3 bedroom dwelling. APPEAL DISMISSED.

5.3.3 The Inspector found that there would be unacceptable harm to the living conditions of future occupiers of the property, resulting from overlooking. Also, pedestrian access through the alley at night time would be intimidating and leave the occupants feeling vulnerable.

5.3.4 The living conditions of the occupiers of 59 Chislehurst Avenue would not be compromised if the upper floor windows of the proposed dwelling were obscure glazed and non-opening. The occupants would be unlikely to suffer additional levels of noise and disturbance from the use of the outdoor area to the proposed dwelling. The Inspector also considered that there would be no harm caused to the living conditions of surrounding properties with regard to fear of crime and anti-social behaviour.

5.4 Does the information submitted include any exempt information? No

5.5 List of Appendices:

5.6 Appendix 3(a) Letter from Planning inspectorate dated 7 January 2019.

6.0 Legal considerations:

6.1 None

7.0 Human Resources considerations:

7.1 None

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 None

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 None

13.0 Background papers:

13.1 None

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Appeal Decision

Site visit made on 11 December 2018

by Felicity Thompson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th January 2019

Appeal Ref: APP/J2373/W/18/3210770

Land to the rear of 5 Aylesbury Avenue, Blackpool, FY4 3AL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Steven Steele against the decision of Blackpool Borough Council.
 - The application Ref 18/0226, dated 28 March 2018, was refused by notice dated 8 June 2018.
 - The development proposed is 1 number 3 bedroom dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the living conditions of future occupiers with particular regard to outlook, privacy and safety and well-being;
 - the living conditions of the occupiers of 59 Chislehurst Avenue with particular regard to privacy and noise and disturbance; and
 - the living conditions of the occupiers of properties along Waterloo Road, Aylesbury Avenue, Chislehurst Avenue and Marton Drive with particular regard to fear of crime and anti-social behaviour.

Reasons

Living conditions of future occupiers

3. The appeal site consists of a parcel of land in a backland location in a predominantly residential area. The site is accessed via an unmade and unadopted alley off Aylesbury Avenue. This alley also serves as an access to the rear of a number of dwellings in the surrounding residential streets, as well as five private garages and a car repair garage. The site was vacant at the time of my visit but it appears that it may have formerly been used as a builders' yard and latterly for the parking of the appellant's motorhomes.
4. The proposed dwelling would be sited in close proximity to the side boundaries of the site. There would be no windows in the side elevations and the rear dormers would be obscure glazed to prevent unacceptable overlooking of the house and garden at 59 Chislehurst Avenue. The proposed design includes a

- conservatory and glazed doors at ground floor level on the rear elevation however; because of the close proximity to boundaries with neighbouring properties they would have a very restricted outlook. The windows in the front elevation would overlook the parking area, alley and the rear of houses on Waterloo Road which would have an adverse visual impact on outlook.
5. Because of the close proximity to 7 Aylesbury Avenue, the conservatory and rear garden would be overlooked from that property; as such there would be unacceptable harm to the future occupiers living conditions resulting from a lack of privacy.
 6. I have had regard to the amended location plan and note that vehicle and pedestrian access would be from the alley and noted at my site visit that the alley gates referred to by the Council have been removed. Pedestrian access to the proposed dwelling would be around 35m along the alley, from Aylesbury Avenue. Whilst I noted lighting columns further along the alley, the nearest is around 13m away which is a reasonable distance from the site. On the basis of my observations, I consider that accessing the proposed dwelling as a pedestrian, during the hours of darkness, would be intimidating and leave the occupants feeling vulnerable.
 7. Whilst the surface of the alley is not in ideal condition and the occupiers would have to move their bins to the end of the alley for collection, this is not uncommon. There is little in the evidence before me to identify why it would be unacceptable in this instance. I therefore conclude that this would not have a harmful effect on the living conditions of future occupiers and would not be a reason to dismiss the appeal.
 8. Overall, for the reasons set out above, I conclude that the proposed development would not provide acceptable living conditions for future occupiers and therefore would conflict with Policies AS1, BH3 and LQ1 of the Blackpool Local Plan 2001/2016 (Local Plan) and Policy CS7 of the Blackpool Local Plan Part One: Core Strategy (2012-2027) (Core Strategy) which together require development to provide a high standard of design which is convenient and safe and ensures that the amenity of potential occupiers is not adversely affected. It would also conflict with the aims of the Framework to ensure a high standard of amenity for existing and future users and to promote healthy and safe communities by ensuring development is safe and accessible so that crime and disorder and the fear of crime, do not undermine quality of life.
 9. The Council have referred to Policy LQ2 of the Local Plan however, this relates to site context and design. The Council appear to have found no harm in respect of the appearance of the proposed dwelling and therefore I consider this policy is not relevant to the main issue.

Living conditions of occupiers of 59 Chislehurst Avenue

10. Whilst the submitted plans show only one of the rear dormer windows being obscure glazed, the appellant states that it is their intention to obscure glaze both. However, both are shown as opening. In order to prevent harmful overlooking of no.59 I consider it would be necessary for the windows to be obscure glazed and non-opening. If I were minded to allow the appeal a condition requiring this would be reasonable and necessary.

11. Given that this is a residential area and there are already gardens to either side of no.59, I consider that the use of the proposed garden is unlikely to generate additional levels of noise and disturbance such that the living conditions of the occupiers of no.59 would be harmed and this would not be a reason to dismiss the appeal. In this regard the proposal does not conflict with the overall amenity protection aims of Policy BH3 of the Local Plan or Policy CS7 of the Core Strategy or the Framework.

Living conditions of occupiers of properties along Waterloo Road, Aylesbury Avenue, Chislehurst Avenue and Marton Drive

12. Little explanation has been provided and I see no reason why, if the alley gates were to be replaced, they would be more likely to be left open by occupiers of the proposed dwelling. Therefore, I find that there would be no harm to the occupants of surrounding properties in Waterloo Road, Aylesbury Avenue, Chislehurst Avenue and Marton Drive with regard to the fear of crime and anti-social behaviour and no conflict with the overall amenity protection aims of Policy BH3 of the Local Plan or Policy CS7 of the Core Strategy or the Framework.

Other Matters

13. It appears that there is no specific policy objection to the principle of residential development on the site and I note that there were no objections from neighbouring occupants or from the Highways and Traffic Division in respect of vehicular access. Nevertheless these are neutral matters which cannot therefore outweigh my earlier findings.

Conclusion

14. For the reasons set out above and having regard to all other matters raised, the appeal is dismissed.

Felicity Thompson

INSPECTOR

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Report to:	PLANNING COMMITTEE
Relevant Officer:	Tim Coglan, Service Manager, Public Protection
Date of Meeting	5 February 2019

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 November 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 its information.

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

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

3.3 Other alternative options to be considered:

Not applicable. The report is for noting only.

4.0 Council Priority:

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

5.0 **Background Information**

5.1 **Cases**

5.2 **New cases**

In total, 21 new cases were registered for investigation, compared to 34 received in November 2017.

5.3 **Resolved cases**

In November 2018, 10 cases were resolved by negotiation without recourse to formal action, compared to 21 in November 2017.

5.4 **Closed cases**

In total, 23 cases were closed during the month (39 in November 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.

5.5 **Formal notices**

- No enforcement notices authorised in November 2018 (one in November 2017);
- No s215 notices authorised in November 2018 (none in November 2017);
- One Breach of Condition notice authorised November 2018 (none in November 2017);

relating to those cases set out in the table below

- One enforcement notice served in November 2018 (none in November 2017);
- No s215 notices served in November 2018 (three in November 2017);
- No Breach of Condition notices served in November 2018 (none in November 2017);
- No Community Protection Notice served in November 2018 (two in November 2017).

5.6 Formal notices authorised in November 2018

Ref	Address	Case	Dates
17/8697	52 SHAW ROAD	Non-compliance with conditions 2 and 6 on Planning Permission 13/0171 re: external alterations (2) and front boundary wall (6)	Breach of Condition Notice authorised 12/11/2018

5.7 Formal notices issued in November 2018

Ref	Address	Case	Dates
18/8069	156 LYTHAM ROAD	Unauthorised change of use of the cafe to a garage and vehicle storage, the removal of the shop front to the ground floor south elevation, the installation of an externally mounted roller shutter, housing box and associated guides and access ramp, external alterations being the removal of bricks and installation of an externally mounted roller shutter, housing box and associated guides and an externally mounted roller shutter, concealed housing box and associated guides to the rear elevation	Enforcement Notice issued 12/11/2018. Compliance due 24/03/2019.

Does the information submitted include any exempt information?

No

5.8 **List of Appendices:**

5.8.1 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

Report to:	PLANNING COMMITTEE
Relevant Officer:	Tim Coglan, Service Manager, Public Protection
Date of Meeting	5 February 2019

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 December 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 its information.

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

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

3.3 Other alternative options to be considered:

Not applicable. The report is for noting only.

4.0 Council Priority:

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

5.0 Background Information

5.1 Cases

5.2 New cases

In total, 12 new cases were registered for investigation, compared to 20 received in December 2017.

5.3 Resolved cases

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

5.4 Closed cases

In total, five cases were closed during the month (33 in December 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.

5.5 Formal enforcement notices / s215 notices / BCNs

- One enforcement notice authorised in December 2018 (none in December 2017);
- No s215 notices authorised in December 2018 (none in December 2017);
- No Breach of Condition notices authorised in December 2018 (none in December 2017);
- No enforcement notices served in December 2018 (none in December 2017);
- No s215 notices served in December 2018 (none in December 2017);
- No Breach of Condition notices served in December 2018 (none in December 2017).

5.6 Formal notices authorised in December 2018

Ref	Address	Case	Dates
17/8221	51-53 TOPPING STREET	Without planning permission, the unauthorised installation of a new shop front and externally housed, solid roller shutters	Enforcement Notice authorised 20/12/2018

5.7 Does the information submitted include any exempt information? No

5.8 List of Appendices:

5.8.1 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:	5 February 2019

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

5.2 Figures are submitted quarterly to the Ministry of Communities and Local Government. Performance for January 2019 is not shown as the information is not available at the time of preparing this report. Performance for the third quarter – October to December 2018 is shown below.

5.3 The last full year performance figures for applications (1 January 2018 - 31 December 2018) were –

Majors 95% within 13 weeks or an agreed extension of time (target 60%)

Minors 96% within 8 weeks or an agreed extension of time (target 70%)

5.4 In terms of the assessment period (October 2016 – September 2018) performance at the end of September 2018 for the full two year period was –

Majors 91% within 13 weeks or an agreed extension of time (target 60%)

Minors 92% within 8 weeks or an agreed extension of time (target 70%)

5.5 In terms of appeals for the period April 2016 – March 2018:

There were 28 decisions of which six non major appeals were lost (21% of the total appeal decisions) NB There were no major appeal decisions

	Government Target	Performance December 2018	Performance October -December 2018
Major development decisions	>60%	100%	100%
Minor development decisions	>70%	94%	92%
Quality of major development decisions	<10%	none	none
Quality of non major development decisions	<10%	No appeal decisions in December	No appeal decisions in the quarter

Does the information submitted include any exempt information? No

5.5 List of Appendices

5.5.1 None

6.0 Legal considerations:

6.1 None

7.0 Human Resources considerations:

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

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

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

10.0 Risk management considerations:

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

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 Not applicable

13.0 Background Papers

13.1 None

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Report to:	PLANNING COMMITTEE
Relevant Officer:	Alan Cavill, Director of Communications and Regeneration
Date of Meeting	5 February 2019

LIST OF BUILDINGS OF LOCAL ARCHITECTURAL AND/OR HISTORIC INTEREST

1.0 Purpose of the report:

- 1.1 To request the recommendation for formal adoption of Jubilee Gardens, Queens Promenade and 93 Poulton Old Road onto the List of Buildings of Local Architectural and/or Historic Interest ('Local List').

2.0 Recommendation(s):

- 2.1 To recommend the adoption of Jubilee Gardens and 93 Poulton Old Road onto the Local List by the relevant Cabinet member.

3.0 Reasons for recommendation(s):

- 3.1 The sites have been assessed by an expert panel, and meet the criteria for inclusion on the Local List.

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

- 3.3 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

- 4.1 To not recommend the sites for formal adoption if the Committee considers that the sites do not meet the criterial for local listing.

5.0 Council priority:

- 5.1 The relevant Council priority is:

- "Communities: Creating stronger communities and increasing resilience"

6.0 Background information

6.1 On 2 November 2011 Executive approval (EX52/2011) was received to create a list of buildings of local architectural and/or historic interest ('Local List'). Local lists are a way of helping conserve historic buildings and other sites of local, rather than national, importance which make a positive contribution to the character of our streets and neighbourhoods. Although local listing does not confer the level of protection of statutory designation, it is a material consideration when planning permission is sought which might harm a building's special interest.

6.2 Work began on the Local List in 2012 and, because of the large number of buildings proposed for the Local List, it was undertaken in stages. The first batch of buildings covering the Revoe, Victoria and Waterloo wards was adopted in 2013, and the List covering the whole borough was completed by 2014.

6.3 It had been anticipated that there may be other historic buildings or sites which would come to light as being of local architectural and/or historic interest, and a process for public nomination was set up. The two heritage assets now put forward for recommendation to be adopted have followed the same process for assessment as those for the established Local List.

6.4 Does the information submitted include any exempt information? No

7.0 List of Appendices:

7.1 Appendix 7(a): Datasheet for Jubilee Gardens
Appendix 7(b): Datasheet for 93 Poulton Old Road.

8.0 Legal considerations:

8.1 Local listing does not change any existing permitted development rights for a property but is considered as a material planning consideration that can be included in the decision making process of any application affecting the property. There is no statutory appeals process. Decisions are subject to general principles.

9.0 Human resources considerations:

9.1 The key consideration is the impact on officer time in processing any applications and providing advice to the Council's Development Management Team and Planning Committee.

10.0 Equalities considerations:

10.1 None

11.0 Financial considerations:

11.1 Officer time would be required, but this can be met within existing resources.

12.0 Risk management considerations:

12.1 None

13.0 Ethical considerations:

13.1 None

14.0 Internal/external consultation undertaken:

14.1 An Expert Panel Review has been carried out to ensure the sites meet the criteria for local listing. The owners have been notified and no representations have been received.

15.0 Background papers:

15.1 None

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HISTORIC ASSET RECORD (HAR)

Template version 1.0

TITLE/ADDRESS			Asset number
Jubilee Gardens, Queens Promenade			HA
National Grid Reference	County	District	Ward
	Lancashire	Blackpool	Warbreck
Grade: Local			
Summary of Significance			
Edwardian designed landscape laid out to provide recreation space for visitors to the large hotels being constructed along Queens Promenade			
Historic Asset Description			
<p>Edwardian designed landscape laid out to provide recreation space for visitors to the large hotels being constructed along Queens Promenade. Originally named North Shore Gardens, they were opened in 1912 and were a little under 1000 feet long with planted areas and a working waterfall. The gardens were an important feature of the early development of North Shore.</p> <p>In 1925 the Gynn colonnade was constructed and 4 ventilation shafts disguised as "stone" columns with ornate urns were installed by the southern entrance of the Gardens. Three years later the Gardens were remodelled and made slightly broader. An ornamental waterfall with illuminated steps was added complete with a stream running the length of the enlarged Gardens, which became a prominent feature of Blackpool's famous illuminations. The stream was filled in and paved over in 2002. A large metal arch with the Garden's name was erected in 2005.</p> <p>A memorial to the four emergency services was erected on the eastern boundary of the gardens in 2013. At the entrance to the gardens there is a small plaque dedicated to the memory of three police officers who drowned whilst trying to save a young boy.</p>			

HISTORIC ASSET RECORD (HAR)
Template version 1.0



HISTORIC ASSET RECORD (HAR)
Template version 1.0



Sources: *Gazette and Herald* 1912, 1922, 1924, 1927; *Blackpool Times* 1914

Criteria Age [] Architectural merit [] Historic interest [X] Rarity [] Setting []
Cultural/social value [X] Designed landscape [X] Archaeological interest []
Landmark qualities [] Group value [X]

Management History

Heritage Protection History

Consents and Constraints

Date of decision record entry: 30 October 2018

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HISTORIC ASSET RECORD (HAR)

Template version 1.0

TITLE/ADDRESS			Asset number
93 Poulton Old Road			HA
National Grid Reference	County	District	Ward
	Lancashire	Blackpool	Park
Grade: Local			
Summary of Significance			
<p>19th century farmhouse with earlier cobbled section at the rear, which makes a strong positive contribution to the townscape and provides evidence of the historical development of the area.</p>			
Historic Asset Description			
<p>19th century farmhouse with earlier cobbled section at the rear, which makes a strong positive contribution to the townscape and provides evidence of the historical development of the area. Most of the historic farmhouses in the area have now been demolished.</p> <p>In the early 19th century it was the farmhouse of Henry Banks (not to be confused with Henry Banks "Father of Blackpool") and stood in the hamlet of Little Carleton. The part of the house projecting from the rear is lower and made of cobbles, and was probably the original farmhouse.</p> <p>Two storey symmetrically built former farmhouse probably constructed from hand-made brick, rendered and painted. Grey slate roof with a short chimney stack at each end of the ridge. Designed in the Fylde farmhouse style with a central gabled entrance porch. Entrance flanked by tall windows and three tall windows to first floor. Probably originally timber sliding sashes. Single storey cobble-built building at right angles at the rear. Set back from the road behind a rendered and painted boundary wall.</p>			
			

HISTORIC ASSET RECORD (HAR)

Template version 1.0



Source: OS maps

Criteria Age Architectural merit Historic interest Rarity Setting

Cultural/ value Designed landscape Archaeological interest

Landmark qualities Group value

Any other general comment eg recommend for national listing

Date of expert panel decision: 30 October 2018

Agenda Item 8

COMMITTEE DATE: 05/02/2019

Application Reference: 18/0156

WARD: Stanley
DATE REGISTERED: 04/05/18
LOCAL PLAN ALLOCATION: Countryside Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: c/o Neil Pike Architects

PROPOSAL: Use of land as a traveller caravan site for two caravans and one chalet; use of existing two storey building for communal facilities, provision of four car parking spaces and associated landscaping.

LOCATION: 411 MIDGELAND ROAD, BLACKPOOL, FY4 5ED

Summary of Recommendation: Grant Permission

CASE OFFICER

Ms P. Greenway

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority two of the Plan** - Communities: Creating stronger communities and increasing resilience as it would contribute to meeting the borough's requirement for gypsy and traveller accommodation; however it is considered to be at odds with the Council Plan to some extent with regards to sustainability.

SUMMARY OF RECOMMENDATION

The application site falls within the designated Marton Moss Strategic Site. Policy CS26 of the Core Strategy makes it clear that development proposals not directly related to agriculture, horticulture or rural recreation will not be supported in advance of the production of a Neighbourhood Plan for the area. The impact of the proposal on the character of the surrounding area and the amenities of the occupants and neighbours can be mitigated by suitable landscaping and conditions. In addition the scheme would contribute towards meeting the borough's identified gypsy and traveller requirement. This weighs heavily in favour of the proposal and is considered to be sufficient to outweigh the objection to the principle. As such, Members are recommended to approve the proposal. Members will be aware that Part 2 of the Council's Local Plan is currently subject to an informal consultation and although it suggests some potential sites for travellers and travelling showpeople the weight that can be attached to the plan at this stage is limited. Members will also be aware

that a consultation has just started on a Neighbourhood Plan for the Marton Moss Strategic Site and again the weight that can be attached to the plan at this stage is limited.

INTRODUCTION

This application is before Members as it is a Departure from the Development Plan which raises issues of Policy and the recommendation is for approval, based on the identified need for additional gypsy and traveller sites within the borough.

The Committee considered the application at its last meeting and noted concerns that the site was already occupied. It acknowledged the need for traveller sites but was also mindful of the potential impact on residents of neighbouring properties in the event that conditions attached to the planning permission, if granted, were not adhered to. The Committee considered that it would not be appropriate to consider the application until it was satisfied as to the current position regarding the occupation of the site. It also discussed the benefit of the applicant being in attendance during consideration of the case to respond to questions from the Committee. The Committee resolved to defer consideration to a future meeting to enable additional information to be provided on the current status of the site.

A site visit on 17 January 2019 was attended by officers, the applicant, his wife, four of his children and the agent. The applicant has been on site for eight months and works as a tree surgeon in Bury and has five employees. He travels during the summer months attending various fairs and also shows his horses, which are kept in a paddock at the far end of the site; he also keeps a couple of dogs and chickens. The eldest two children go out to work, one child is home schooled, two attend a local primary school and one is a baby. The family are currently occupying the "barn" which is laid out as an open plan living/dining/kitchen at ground floor, with three bedrooms and a bathroom upstairs. There are two touring caravans on site and the applicant would bring a chalet on site, should planning permission be granted. It is intended that the family would then occupy the chalet and the barn would become ancillary accommodation. The applicant has indicated that he will attend the meeting on 5 February 2019 to address the Committee and answer any questions Members may have.

SITE DESCRIPTION

The site comprises a long, rectangular piece of land (12 m x 80 m), which opens out into a large, almost square field (51 m x 67 m) behind a gate. Access to the site is via a gated entrance directly off Midgeland Road and the site has a frontage of about 12 metres width. To the front of the site is a two storey detached building with a pitched roof, set on a large area of hardstanding and there is a timber shed behind. A timber gate about 80 metres into the site provides access into the field to the rear. The site was once used as a market garden and more recently an appeal was dismissed relating to a "Permitted Development" conversion of the building to a dwelling (planning application reference: 15/0531, appeal reference: APP/J2373/W/16/3149379). There are sporadic detached houses in the vicinity and a large residential care home immediately adjoining the application site at 397 Midgeland Road. The property on the other side of the site at 415 Midgeland Road is a dwelling. The site forms part

of the Marton Moss Strategic Site as defined in the Blackpool Local Plan Part 1: Core Strategy, adopted January 2016.

DETAILS OF PROPOSAL

The proposal is for use of the land as a traveller caravan site for two static caravans and one permanent chalet. It also includes the use of the existing two storey coachhouse at the front of the site for communal facilities, the provision of four car parking spaces and associated landscaping. The parking spaces, chalet and caravans would be behind the existing two storey building and there would be landscaping along the front of the site and the northwest site boundary with 397 Midgeland Road. The total site area is 4,838 square metres, however the development would not encroach on the field, so the developed area would amount to approximately 1,000 square metres.

The application is accompanied by a Planning Statement which includes:

"The application is from a long established Blackpool family of travelling people, the Boswell family. It is intended for Tommy Boswell to relocate from Greater Manchester to Blackpool to be closer to his wider family and for his children to bond with relatives and their siblings. Presently on site is a two-storey former workshop that is to be upgraded to provide communal facilities for the occupants of the caravan and mobile home. The communal facilities will be in the form of toilets and general sanitary accommodation and a general meeting room for informal socialising. The general upgrade will enhance the frontage and provide a compatible frontage with other dwellings in the immediate vicinity. It is intended to position the three units to the rear of the existing building which will provide a 'screen' when viewed from Midgeland Road. The land to the rear of the site is not intended to be utilised other than for general amenity space and does not form part of this application. The three units are to provide accommodation for the applicant's family (parents and six children) with four car spaces provided for family and visitor car parking."

In response to a questionnaire, the agent states that in the last year, more than five trips (living in a caravan or trailer) have been made away from their permanent base by the whole family, visiting family or attending fairs. They usually travel in summer and stay at transit sites, on the roadside, or with friends and family; and they intend to travel in the future to visit events and family.

Since submitting the application, the family have moved onto the site.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- principle of the development
- need for the development
- personal circumstances of the applicants
- impact on the character and appearance of the Marton Moss Countryside area

- impact on residential amenity
- impact on highway and pedestrian safety

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

CONSULTATIONS

Head of Highways and Traffic Management: To the extent that any part of this proposal constitutes a dwelling or other use not explicitly permitted as an exception to the Marton Moss policy I must object. The site is not in a sustainable location, particularly in relation to public transport, shopping and other facilities. Although there are some limited facilities in the area the majority of journeys would be by car. Its isolated position and poor accessibility to the wider road network and services are matters that are unlikely to change without a comprehensive development strategy. In that respect its approval would be contrary to the Inspector's conclusions in considering the Core Strategy.

I would expect such a development strategy to deal appropriately with highway standards. In any event I would be concerned that piecemeal development of this or various other parts of the Moss would lead to an excess of traffic on unsuitable roads with poor connections to more major roads.

Should the proposal be approved I would expect a condition limiting the use of the remainder of the site in order to limit the numbers and sizes of vehicles accessing the site to that associated with what is currently proposed.

Service Manager Public Protection: The land has previously been used as a nursery, therefore there is a potential for pesticides and herbicides to be present within the ground conditions. Due to the nature in which the land is proposed to be used for there will be limited risk to the caravans, however there may be a likelihood within the chalet that is proposed. Therefore further investigation is required to ensure that there is not a significant likelihood of significant harm to site users.

PUBLICITY AND REPRESENTATIONS

Press notice published: 7 June 2018

Site notice displayed: 9 May 2018

Neighbours notified: 9 May 2018

No objections have been received to the proposal.

NATIONAL PLANNING POLICY FRAMEWORK

The revised National Planning Policy Framework (NPPF) retains the key objective of achieving sustainable development and hence there is a presumption that planning applications proposing sustainable development will be approved. It provides advice on a range of topics

and is a material planning consideration in the determination of planning applications. The parts most relevant to this application are:

- Section 5 – Delivering a sufficient supply of homes
- Section 8 - Promoting healthy and safe communities
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment

PLANNING POLICY FOR TRAVELLER SITES (PPTS)

The August 2015 document sets out the Government’s planning policy for traveller sites and should be read in conjunction with the National Planning Policy Framework. The Government’s overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.

To help achieve this, Government’s aims in respect of traveller sites are:

- that local planning authorities should make their own assessment of need for the purposes of planning
- to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of sites
- to encourage local planning authorities to plan for sites over a reasonable timescale
- that plan-making and decision-taking should protect Green Belt from inappropriate development
- to promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites
- that plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies
- to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply
- to reduce tensions between settled and traveller communities in plan making and planning decisions
- to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure
- for local planning authorities to have due regard to the protection of local amenity and local environment.

Applications for new sites should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the National Planning Policy Framework and this planning policy for traveller sites.

Local planning authorities should consider the following issues amongst other relevant matters when determining planning applications for traveller sites:

- a) the existing level of local provision and need for sites
- b) the availability (or lack) of alternative accommodation for the applicants
- c) other personal circumstances of the applicant
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- e) that they should determine applications for sites from any travellers and not just those with local connections.

Local planning authorities should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure.

When considering applications, local planning authorities should attach weight to the following matters:

- a) effective use of previously developed (brownfield), untidy or derelict land
- b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
- c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
- d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

Subject to the implementation arrangements, **if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration** in any subsequent planning decision when considering applications for the grant of temporary planning permission.

For the purposes of this planning policy “gypsies and travellers” means:

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

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

CS5: Connectivity
CS7: Quality of Design
CS9: Water Management
CS16: Traveller Sites
CS26: Marton Moss
CS27: South Blackpool Transport and Connectivity

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

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

The following policies are most relevant to this application:

LQ1: Lifting the quality of design
LQ2: Site context
BH3: Residential and visitor amenity
BH4: Public health and safety
AS1: General development requirements (transport)

FYLDE COAST GYPSY AND TRAVELLER AND TRAVELLING SHOWPEOPLE ACCOMMODATION ASSESSMENT (GTAA)

In response to the Government's Planning Policy for Traveller Sites (PPTS) document and to inform future planning policy and planning decisions the Council in conjunction with our neighbours Wyre and Fylde Borough Councils commissioned a needs assessment for gypsies/travellers and travelling showpeople. The assessment, published in September 2014, recorded the situation in terms of provision within the three Borough Council's areas and set out the need in the future, broken down into five year periods as advocated by the Government's document. The GTAA was updated in 2016 as a result of a revised version of Planning Policy for Traveller Sites (PPTS) published in August 2015.

The revised version of Planning Policy Traveller Sites (PPTS) now requires a Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (GTAA) to determine whether households living on sites, yards, encampments and in bricks and mortar fall within the new "planning" definition of a Gypsy, Traveller or Travelling Showperson. The new definition now excludes those who have ceased to travel permanently. In terms of Blackpool, the previous GTAA identified a need for 38 additional Gypsy and Traveller pitches and two Travelling Showpeople plots. The updated GTAA (with the new definition of Gypsy or

Traveller) indicates that there is a need for a maximum of six additional pitches in Blackpool over the 15 year GTAA period (2016 - 2031).

ASSESSMENT

Principle of Development

The National Planning Policy Framework seeks to promote sustainable development, which includes:

- objectively assessing the need for housing, business and other needs of an area
- securing high quality design and a good standard of amenity for existing occupants of land and buildings and future occupants
- recognising the intrinsic character and beauty of the countryside
- encouraging the re-use of brownfield land, and
- encouraging development in locations where it can be served by various modes of transport.

The PPTS clearly requires Councils to have a five year supply of sites (and preferably more) if a need is identified. The Council's GTAA identifies a need and suggests a method of delivery over a 15 year period. The need is front loaded, in part, because there is a waiting list for the Chapel Road site but is also probably a reflection of the fact that although the last planning permission for a site was three years ago (land adjacent to 39 School Road), the one prior to that was 12 years ago (Holmfield, Jubilee Lane). Need is one aspect of the considerations and does attract weight when assessed against other considerations. However there is a clear requirement to consider the size/scale and location of any site, the characteristics of the surrounding area and to protect local amenity and the environment. There is also a requirement to 'strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan'.

Policy CS16 of the Core Strategy relates to traveller sites and suggests that the target for new pitches established through the GTAA will be met through the next stage of the plan - the site allocations and development management development plan document (DPD). However it also recognises that applications may come forward before the DPD is adopted and hence it sets out eight criteria against which applications should be judged.

- a) Be suitable in that it provides a good living environment for residents, including access to essential infrastructure and services and does not cause an unacceptable environmental impact;**

In this case the application site fronts a narrow road along the eastern boundary of the Marton Moss area within Blackpool, about 500 metres from the School Road junction which provides links to south Blackpool, the M55 and Lytham St Annes. School Road no longer carries the No. 10 bus route (which provided an hourly service to the new Co-op on Highfield Road and to the Town Centre) but there is a No. 17 bus service from Common Edge Road a kilometre to the west, which provides half hourly services to St Annes and to

the Town Centre. The site is 800 metres from St Nicholas' Primary School and 2.2 km remote from Highfield Humanities College on Highfield Road. The nearest local centres (Common Edge Road/Highfield Road junction and St Annes Road /Squires Gate Lane junction) are some 2 km away. So the site is not on the doorstep of facilities and is not considered to be particularly sustainable.

b) Be appropriately located taking into account surrounding uses, with preference given to sites being located on brownfield land;

The site is not a brownfield site, however there is already a two storey building on it, probably a workshop/store originally associated with agricultural/horticultural use of the field to the rear.

Three previous appeals have been dismissed for use of this building as a dwellinghouse:

- 15/0531 External alterations and use of premises as altered as a single private dwelling house (permitted development application).
- 04/0490 External alterations and use premises as altered as single private dwellinghouse.
- 00/0876 Use of premises as altered as a single private dwellinghouse.

The 2015 appeal on application 15/0537 was dismissed as the proposal was not permitted development, the other two appeals 04/0490 and 00/0876 were dismissed because the formation of a front garden, together with the domestic paraphernalia associated with it, would result in a domestic appearance and add to suburbanisation and be detrimental to the character of the area. In the current application, the front area is intended to be landscaped to provide a buffer screen to the site and it would not appear too obviously domestic in nature.

Another tension in terms of the policy position is that Policy CS26 for Marton Moss in the Core Strategy envisages a continuation of the current policy stance set out in Policy NE2 (i.e. no new residential development unless associated with agriculture, horticulture or outdoor recreational uses) until a neighbourhood plan is produced which will identify in what circumstances development may be acceptable.

c) Not cause demonstrable harm to the quality, character and appearance of the landscape taking account of the cumulative impact of other authorised sites in the vicinity;

There are no other gypsy/traveller accommodation sites along this section of Midgeland Road. The road is characterised by ribbon development interspersed with areas of open land, some of which previously housed greenhouses. It is more of an urban fringe area than an open countryside location and is characteristic of the many roads which cross Marton Moss. The restriction on the siting of the caravans, chalet and vehicles to the middle section of the site leaving the field to the rear undeveloped, would mean less impact on the character and appearance of the area.

d) Be of a size and scale appropriate to the size and density of the local settled community;

The site is to accommodate one family and it is considered that this would not have any significant impact on the local community in terms of its size.

e) Have good access to transport links, public transport and be close to shops, schools, jobs, health and local services and other community facilities;

Refer to comments in respect of a) above. The site is not in a sustainable location, particularly in relation to public transport, shopping and other facilities and although there are some limited facilities in the area, the majority of journeys would be by car. However, the site would be for gypsies, who by definition travel.

f) Have safe and convenient vehicular and pedestrian access from the highway and provide adequate space for the provision of parking, turning, servicing, storage and land for associated livestock where appropriate;

The access into the site is considered adequate for its function and there is space within the site for car parking and for vehicles to turn around and leave the site in forward gear. It is unlikely that the proposed development would generate a significant amount of traffic such as to have highway safety implications. However, a condition could be imposed limiting the use of the remainder of the site in order to limit the numbers and sizes of vehicles accessing the site to that associated with what is currently proposed. The field at the rear is capable of accommodating livestock if required.

g) Be well designed and landscaped to give privacy between pitches/plots, and between sites and neighbouring properties and to avoid harmful impacts by noise, light, vehicular movements and other activities;

Landscaping is proposed around the amenity block, caravans and chalet in order to improve the appearance of the site and provide some privacy to neighbours. The adjacent residential care home at 397 Midgeland Road (The Willows) manages the care for specialist vulnerable residents who have dementia or associated conditions. There are concerns over the impact the development might have on their vulnerable residents. The access road to the care home is immediately adjacent to the boundary with the application site and opens out into a 10 metre wide parking court. The bedrooms here are separated from the car park by a single storey blank wall with a door in it, so there is no impact on noise or privacy. Further beyond, three bedroom windows face the application site; these have a separation distance of 13 metres to the boundary and are also behind a fence, which provides additional privacy. Beyond these three bedrooms is additional care home parking, which is likely to have more impact on the residents due to its close proximity, than any noise and disturbance from the application site. The caravans are located at an angle so that any views across to the care home are further restricted (in addition to the fence and landscaped buffer). The caravans and chalet are in close

proximity to each other, but because of the angle at which they are sited, they still retain privacy between them.

In terms of the likely impact upon 415 Midgeland Road the chalet and caravans are located a minimum of 20 metres to the rear of this dwelling. The amenity block building to the front of the site is an existing building which will be converted and re-used. Its use by a single family should not adverse in terms of potential noise and disturbance.

h) Provide soft landscaping and where appropriate communal recreational areas for children.

Soft landscaping is proposed on site and there is no need for communal recreational areas as the proposal would be for one family.

Need for the development

The GTAA demonstrates that there is a need to provide additional sites over the next five years and beyond. There do not appear to be any alternative sites available in the borough and the lack of a five year supply weighs heavily in favour of this proposal.

Personal circumstances of the applicants

The Planning Statement which accompanies the application states that the proposed caravan site is intended to accommodate Mr Boswell and his family, who are gypsies and travellers falling within the statutory definition, with strong family connections to Blackpool, and with a personal need for accommodation in the town, so that his children can bond with relatives and their siblings in the town.

Impact on the character and appearance of the Marton Moss Countryside area

The Marton Moss Characterisation Study that forms part of the evidence base to the Core Strategy states that this area consists of the areas of small piecemeal post medieval enclosure along Division Lane, Midgeland Road up to Chapel Road and west to Common Edge Road, surrounding by busy arterial routes. It consists of the earliest cobbled buildings through to modern detached bungalows and is an enclosed leafy landscape based around lanes, rectangular fields and drains with views limited to gaps in hedgerows across open paddocks. The caravans would be only slightly visible from Midgeland Road behind the existing outbuilding and views through to the open countryside would be retained.

Impact on residential amenity

The proposal should not have any significant impact on the amenities of the occupiers of the adjacent care home or dwelling as the proposed siting of the caravans/building and the provision of a landscaped buffer one metre wide along most of the boundary with the care home would help to reduce the impact, see section g) above. A planning condition would require a scheme of planting (including details of species etc.) to be submitted within three

months of an approval and implemented in the next planting season. Use of the site would also be restricted to one family living within two caravans and a chalet limiting the level of activity.

Impact on highway and pedestrian safety

The Head of Highways and Traffic Management has objected as the site is not in a sustainable location, particularly in relation to public transport, shopping and other facilities. Although there are some limited facilities in the area, he considers that the majority of journeys would be by car and is concerned that piecemeal development of this or various other parts of the Moss would lead to an excess of traffic on unsuitable roads with poor connections to more major roads. However, as this proposal is for one family, it is not considered that permission could be resisted on this ground. The footway is sporadic here, but as the lane is now effectively a cul-de-sac, the amount of traffic is minimal and likely to be mainly used by locals.

CONCLUSION

This application raises a number of issues. The recent update to the GTAA demonstrates a need for an additional six pitches in the period 2016 - 2031 and the existence of a need and a lack of sites in Blackpool to meet that need weighs heavily in favour of this application. However, the application site is on what is effectively a quiet cul-de-sac on Marton Moss, and is somewhat remote (800 m) from St. Nicholas Church of England Primary School on School Road, the No. 17 bus service (1 km) on Common Edge Road and other neighbourhood facilities, although it is clearly not an isolated site in the open countryside.

The impact on the character and appearance of the area and on the amenities of neighbours can be mitigated by appropriate landscaping and a restriction on the location and limitation on the number of caravans, chalet and parking within the site. Whilst the unsustainable location and conflict with Policy CS26 weighs against the proposal, on balance it is considered that a recommendation of approval is appropriate subject the conditions set out below.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

None

HUMAN RIGHTS ACT

Under Article eight and Article one of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. The Secretary of State recognises that these types of applications raise human rights issues but in this case the Council has considered those issues in its overall assessment of the application.

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 18/0156 which can be accessed via the link below:

<https://idoxpa.blackpool.gov.uk/online-applications/>

Recommended Decision: Grant Permission

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: Site Plan Scale 1:200 and location plan, dated 13 March 2018.

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

3. No more than two caravans and one chalet, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended) (of which no more than one shall be static) shall be stationed on the site at any one time.

Reason: To safeguard the character and appearance of the area and the amenities of local residents in accordance with Policies CS7 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012 - 2017 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

4. The development and residential use hereby permitted shall be solely for the benefit of Mr. Tommy Boswell, his wife and their resident dependents.

Reason: Planning permission is being granted on the basis that there is a need for the site as part of the Fylde Coast Gypsy and Traveller and Travelling Showpeople Accommodation Assessment 2014 and 2016 update and in accordance with Policy CS16 of the Blackpool Local Plan Part 1: Core Strategy 2016 - 2027.

5. When the caravans, chalet and site cease to be occupied by those named in condition 4 the use hereby permitted shall cease and all caravans, structures, materials and equipment brought onto the land in connection with the use shall be removed and the land restored to its former condition.

Reason: Planning permission is being granted on the basis that there is a need for the site as part of the Fylde Coast Gypsy and Traveller and Travelling Showpeople Accommodation Assessment 2014 and 2016 update and in accordance with Policy CS16 of the Blackpool Local Plan Part 1: Core Strategy 2016 - 2027.

6. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning Policy for Travellers Sites, 2015.

Reason: Planning permission is being granted on the basis that there is a need for the site as part of the Fylde Coast Gypsy and Traveller and Travelling Showpeople Accommodation Assessment 2014 and 2016 update and in accordance with Policy CS16 of the Blackpool Local Plan Part 1: Core Strategy 2016 - 2027.

7. No commercial activities shall take place on the land, including the storage of materials.

Reason: To safeguard the character and appearance of the area and the amenities of local residents in accordance with Policies CS7 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012 - 2017 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

8. No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site at any time; and for the avoidance of doubt, no storage of materials, goods or parking shall take place on the field at the rear of the site.

Reason: To safeguard the character and appearance of the area and the amenities of local residents in accordance with Policies CS7 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012 - 2017 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

9. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within three months of the date of failure to meet any of the requirements set out below:

i) within three months of the date of this decision a scheme (hereafter referred to as the Site Development Scheme) shall have been submitted for the written approval of the local planning authority for:

- a) hard and soft landscaping. Hard landscaping shall include surfacing materials and any means of enclosure. Soft landscaping shall include

identification of all trees, shrubs and hedges to be retained showing their species, spread and maturity; and new tree, hedge and shrub planting including details of species, plant sizes and proposed numbers and densities.

- b) external lighting within the site
- c) details of foul, surface and waste water drainage (including 'grey' waste water from washing/shower facilities) either by connection to a public sewer or by discharge to a properly constructed sewage treatment plant, septic tank or cesspool. All drainage and sanitation provision shall be in accordance with all current legislation and British or European Standards
- d) a storage and collection area for refuse and recyclables

The site Development Scheme shall be implemented in full in accordance with the approved details no later than six months from its written approval. Upon implementation of the Site Development Scheme specified in this condition, that scheme shall thereafter be maintained. No lighting, hardstandings or means of enclosure other than those forming part of the approved scheme shall be constructed or erected on the site.

Reason: To safeguard the character and appearance of the area and the amenities of local residents in accordance with Policies CS7 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012 - 2017 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

10. The approved landscaping in the Site Development Scheme shall be carried out in the first planting season available and maintained for a period of five years after planting. If within a period of five years from the time of planting, any landscaping is removed, uprooted, destroyed or dies or becomes damaged or defective, another of the same species as that originally planted, shall be planted.

Reason: To safeguard the character and appearance of the area and the amenities of local residents in accordance with Policies CS7 and CS26 of the Blackpool Local Plan Part 1: Core Strategy 2012 - 2017 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

11. 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.

12. Within three months from the date of this permission, 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.

13. Prior to first use of the amenity building as such, all glazing to the first floor elevations facing 397 and 415 Midgeland Road shall be obscure glazed and shall thereafter be retained at all times as obscure glazed and fixed permanently closed.

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

14. The forecourt to the building on the site shall not be used for the parking of cars or other vehicles.

Reason : To safeguard the visual amenities of the area and the amenities of the occupiers of adjoining properties in accordance with Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027 Policies LQ1, LQ2 and BH3 of the Blackpool Local Plan 2001-2016.

Advice Notes to Developer

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.

LOCATION PLAN



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LAND TO REAR OF 411 MIDGELAND ROAD, BLACKPOOL

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Blackpool Council

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COMMITTEE DATE: 05/02/2019

Application Reference: 18/0612

WARD: Talbot
DATE REGISTERED: 05/09/18
LOCAL PLAN ALLOCATION: Defined Inner Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: ASK Property Services

PROPOSAL: Demolition of existing buildings and erection of three-storey building for use as a medical centre with associated parking and landscaping.

LOCATION: 118 ADELAIDE STREET, BLACKPOOL, FY1 4LN

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.

SUMMARY OF RECOMMENDATION

The development proposed is considered to be of high-quality (meeting the requirements of paragraphs 124, 127, 130 and 192 of the National Planning Policy Framework (NPPF) and Policies CS7, CS8, LQ1, LQ2 and LQ4), would help to preserve the character and appearance of the Town Centre Conservation Area (meeting the requirements of paragraph 192 of the NPPF and Policies CS8 and LQ9), would not detract from the setting of the Winter Gardens (meeting the requirements of paragraph 192 of the NPPF and Policies CS8 and LQ10) and would provide a valuable community facility in a particularly deprived area of the borough (meeting the requirements of paragraph 92 of the NPPF and Policies CS15 and BH19). No other material considerations have been identified that would weigh substantially against the application. As such it is judged to represent sustainable development and Members are respectfully recommended to grant planning permission.

INTRODUCTION

The application is before the Committee because it proposes major scale development within the Town Centre Conservation Area.

SITE DESCRIPTION

The application relates to a 0.17ha, L-shaped site on the southern side of Adelaide Street. The site is bound by South King Street to the east and Alfred Street to the west. An alleyway runs along the southern boundary of the site with properties fronting Albert Road beyond. The L-shaped site wraps around four terraced properties fronting Alfred Street. A small triangle of land at the north-eastern corner of the junction of Adelaide Street and Alfred Street falls outside of the site. This triangle of land is owned by Blackpool Council.

The land slopes away somewhat from the north-eastern corner of the site. There is a level change of around 2.5m east to west and 1m north to south. At present the site is entirely hard-surfaced.

The front part of the site facing Adelaide Street falls within the Town Centre Conservation Area. At present the eastern part of this frontage is occupied by the existing Adelaide Street Surgery building. The western end of this frontage is currently cleared and is being used as a construction compound for a nearby development. This land was formerly occupied by the building of The Comrades of the Great War Club which was established in 1917. The building had previously been a Grammar School and dated back to 1893. It was a simple but attractive building of architectural merit and was locally listed for its heritage value. The building was destroyed by fire in July 2017 and subsequently demolished. The rear part of the site fronting South King Street is occupied by the South King Street doctors surgery building. There is an area of off-street car parking between the two surgery buildings.

The South King Street Surgery building is a dormer bungalow with accommodation in the roofspace and a two-storey side extension to the south. It has little architectural merit. The Adelaide Street Surgery building is an imposing three-storey structure of simple detailing. Although it falls within the Town Centre Conservation Area and is of solid and balanced construction, it offers limited architectural merit.

There are a number of statutorily and locally listed buildings within the immediate vicinity of the application site including the Grade II* Winter Gardens complex to the west, the Masonic Hall to the north-east and the Stanley Arms Hotel public house to the north.

DETAILS OF PROPOSAL

The application seeks full planning permission for the demolition of the existing buildings and the erection of a three-storey building to be used as a new doctors surgery. The two existing doctors surgeries at Adelaide Street and South King Street would be merged into this new building. The submitted application form states that staff levels would not change as a result of the development but would remain at 55 full-time employees and 25 part-time employees.

The building would front Adelaide Street and be predominantly three storeys in height, with two-storey sections to the Alfred Street and rear elevations. Although the roof-form varies, the building would generally have eaves and ridge heights of 11.8m and 14.7m respectively. The two-storey sections would be up to 8.7m in height. It would be roughly rectangular with a maximum width of 35.5m to Adelaide Street and a maximum depth of 24.5m. It would occupy the land where the existing Adelaide Street Surgery stands and the cleared site of the former Comrades Club. The area currently occupied by South King Street Surgery would become a car park for 18 vehicles and vehicular access would continue to be taken from South King Street.

The building would be faced in brick but would include a significant amount of glazing. The entrance point would be set within a flat-roofed section of curtain wall glazing. Between this section and South King Street the building would have a crown roof set behind a low parapet. The section between the main entrance and Alfred Street would include two gable-topped elements facing onto Adelaide Street separated by a narrow recess. The Alfred Street frontage would comprise a two-storey flat roofed projection partially topped by a flat-roofed glazed box. Behind this, the main body of the building with its more traditional roof-form would be visible. The rear elevation would also incorporate a flat-roofed, two-storey section with the main body of the building rising behind it.

Internally, the centre would provide a pharmacy at ground floor level at the junction of South King Street and Adelaide Street. To the west of this would be the main entrance point and waiting area with the reception and staff welfare facilities positioned centrally. Consultation rooms would run along the Adelaide Street, Alfred Street and rear elevations of the building with further staff welfare provision in the south-east corner. This arrangement would largely be repeated at first floor level but additional consultation rooms would occupy the space above the pharmacy. The second floor would provide further staff welfare accommodation along with meeting rooms, a record room, plant space and offices. A limited number of additional consultation rooms would be provided along the rear elevation.

The application has been supported by a:

- design and access statement
- heritage statement
- sun-path analysis
- landscape strategy
- transport statement
- travel plan
- drainage statement
- bat survey
- BREEAM report
- land contamination assessment

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- the principle of the development in this location
- the impact on residential amenity
- the design of the building and heritage impact
- the acceptability of the access and parking arrangements

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

CONSULTATIONS

Built Heritage Manager (initial response): the site falls within the Town Centre Conservation Area and includes the site of the former Comrades Club which was locally listed. Thought has clearly been given to the design and context of the new building. However, the design appears to have taken its cues from the new buildings approved in connection with the Winter Gardens Conference Centre rather than the more immediately surrounding buildings. Furthermore, the flat roof and parapet would visually increase the height of the building and contrast with the more traditional roof-forms evident in the vicinity. The building line is that of further along the street whereas No. 118 Adelaide Street is set back, and this would exacerbate the buildings dominance. Otherwise, no objections are raised.

Built Heritage Manager (follow-up response): the new design is much better than the original and takes account of local context. However, the scale is still at odds with the essentially domestic scale of the immediate surroundings and further changes could be made to better reflect local distinctiveness. The main concern is the Adelaide Street elevation. The walls are flat and uninspiring and contain too much glazing. The introduction of a dark plinth and string course should be considered and a termination should be introduced to the gables. The windows should be reduced in scale and stone surrounds provided to add interest and texture and reflect the traditional stone bays that are distinctive in the locality. The amount of glazing on the corner with South King Street is a concern and should be broken up to create a more slender corner feature.

Blackpool Civic Trust: No comment.

Head of Highways and Traffic Management: the Transport Assessment is considered to be acceptable and no further detail or information is required. The proposed conditions are noted and advice will be given on the discharge of conditions 13, 15, 17 and 18 as required. The applicant should be advised that a Highways Act permission would be required for the new access and the closure of the redundant crossings on Adelaide Street and their replacement with a single pedestrian dropped crossing.

Head of Coastal and Environmental Partnership Investment (Lead Local Flood Authority): No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

Service Manager Public Protection (land contamination): No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

Head of Parks and Green Environmental Services: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

Waste Services Manager: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

United Utilities: Foul and surface water should be drained separately and this should be secured through condition. Surface water should be drained in the most sustainable way. Conditions should be imposed to require the agreement of a surface-water drainage scheme and a lifetime management and maintenance plan for this scheme. The Lead Local Flood Authority should advise on discharge rates. United Utilities (UU) must approve any systems proposed for adoption. Level of cover to UU assets must not be compromised. If a sewer is discovered during construction, a Building Control body must be consulted. UU must be contacted regarding water connection.

PUBLICITY AND REPRESENTATIONS

Press notice published: 13th September 2018

Site notice displayed: 14th September 2018

Neighbours notified: 5th September 2018

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

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The revised National Planning Policy Framework (NPPF) retains the key objective of achieving sustainable development and hence there is a presumption that planning applications proposing sustainable development will be approved. It provides advice on a range of topics and is a material planning consideration in the determination of planning applications. The parts most relevant to this application are:

- Section 7 - Ensuring the vitality of town centres
- Section 8 - Promoting healthy and safe communities
- Section 9 - Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 16 - Conserving and enhancing the historic 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. For the purpose of this application the sections on conserving and enhancing the historic environment; design; ensuring the vitality of town centres; flood risk and coastal change; health and well-being; and travel plans, transport assessments and statements in decision-taking are 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 policies in the Core Strategy that are most relevant to this application are:

- CS1 - Strategic Location of Development
- CS4 - Retail and Other Town Centre Uses
- CS7 - Quality of Design
- CS8 - Heritage
- CS9 - Water Management
- CS10 - Sustainable Design and Renewable and Low Carbon Energy
- CS12 - Sustainable Neighbourhoods
- CS15 - Health and Education

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 Plan Part 2: Site Allocations and Development Management Policies is produced.

The following policies are most relevant to this application:

- LQ1 - Lifting the Quality of Design
- LQ2 - Site Context
- LQ4 - Building Design
- LQ6 - Landscape Design and Biodiversity
- LQ9 - Listed Buildings
- LQ10 - Conservation Areas
- BH3 - Residential and Visitor Amenity
- BH19 - Neighbourhood Community Facilities
- NE6 - Protected Species
- AS1 - General Development Requirements (Access and Transport)

ASSESSMENT

Principle

The site falls within the Town Centre Conservation Area but outside of the defined Town Centre Boundary. The application site is not subject to any specific allocation or designation. Policy CS15 of the Core Strategy relates to the provision of health and education services. It promotes development that would increase community access to health facilities and complement existing local health care facilities. Saved Policy BH19 of the Local Plan also remains relevant. This states that the Council will promote and encourage the development of new community facilities on vacant or underused sites in areas where there is an identified shortfall in provision.

The application seeks to consolidate, expand and modernise the medical services provided by South King Street Surgery and Adelaide Street Surgery. These two surgeries currently occupy dated buildings that are increasingly unfit for purpose and incapable of coping with levels of demand. The scheme is being driven by the NHS Wyre and Fylde Clinical Commissioning Group and the building has been designed to meet identified and predicted need in the local community.

It is recognised that Policy BH19 requires new facility provision to be located in accordance with the sequential test. However, the site is already established for the use proposed. Furthermore it is in a very accessible location on the edge of the defined Town Centre within the area that it serves. As such, and although the application proposes an increase in floorspace, the sequential test is considered to be satisfied.

In light of the above, the proposal is considered to be acceptable in principle.

Amenity

The site is already used for the delivery of medical services and formerly included a social club. On this basis the proposal is not expected to have a significant impact on residential amenity over and above what exists at present as a result of noise or activity associated with the use.

The building would be separated from the existing properties on the opposite side of Adelaide Street by 16m and from those on South King Street by 15m. Its eaves would rise 3m above those of the existing properties on South King Street and nearly 4m above those on Adelaide Street. Ordinarily the Council expects to see minimum separation distances of 21m between two-storey properties in order to safeguard privacy and light levels. This should be increased for taller buildings. The former Comrades Club building sat 18m away from the facing properties, and the existing Adelaide Street Surgery sits 20m away from those on Adelaide Street and 16.5m away from those on South King Street.

In order to safeguard privacy, appropriate treatments to the windows of the building could be agreed and secured through condition. The building would sit to the south and west of the

existing properties and would have the potential to impact upon light levels. As a result, a sun-path analysis has been requested. This appraisal considers the shadow that would be cast at both the winter and summer solstice at 9am, 12noon, 3pm and 6pm. It demonstrates that, despite the increased height and proximity, there would be little material increase in the over-shadowing of neighbouring properties as a result of the new development.

The existing properties fronting Albert Road would be separated from the proposed building by the new car park and so would be unaffected.

A refuse store is proposed to the side/rear of No. 17 Alfred Street. Details of this enclosure could be agreed through condition to ensure that it would not have an amenity impact on this neighbour.

In light of the above, no unacceptable amenity impacts are anticipated.

Visual Impact

The design of the scheme has been a key point of consideration and significant changes have been made since first submission to respond to concerns raised. The site is on the edge of the Town Centre Conservation Area and within the setting of statutorily and locally Listed Buildings. The corner itself is prominent and situated on a main route into the Town Centre. It has therefore been imperative to ensure that the design is of a high standard that is fit for purpose but also sympathetic to its context.

The building now proposed would comprise various elements to break up its scale and massing. This would be particularly evident along the main Adelaide Street elevation. The section of building on the corner would have a crown roof set behind a parapet and would include large areas of glazing. A full-height central brick column would provide visual strength and vertical emphasis. A brick band between ground and first floor levels would project slightly over the pharmacy shop-front and help to define the different uses in the building. At upper floor level, the vertical emphasis would be reinforced by two-storey glazed panels flanked by aluminium louvres and recessed brickwork that would wrap round onto South King Street. It is felt that this design makes an appropriate feature of the corner whilst maintaining the vertical emphasis established by the traditional bays visible in the area.

The remainder of the Adelaide Street frontage would comprise a full-height, recessed glazed section that would form the main entrance and public waiting areas. This would not only break up the mass of the elevation, it would make the building easily legible and the point of access into a focal feature. Next to this section would be two gable-topped panels separated by a narrow recess. Again this would reflect the form and rhythm of the traditional properties in the area. The fenestration would maintain vertical emphasis as would the aluminium-panel-clad recess. The western elevation would be viewed in the context of Alfred Street. The neighbouring properties are three-storeys in height with two-storey canted bays. The proposed elevation would be part two- and part three-storey in height. The lower element would have full height glazed panels to reference the feature bays on the street. A glazed box

would sit above the two-storey section at the northern end. This would link through to the glazed entrance section and would provide a feature and visual interest at the corner.

The South King Street elevation would be more simplistic. Vertical emphasis would be maintained through largely glazed corner panels and brick columns but horizontal brick panels would also identify the different floors of the building and break up its height. The use of some recessed brick panels mixed in with the windows would help to create visual interest. At ground floor level, the pharmacy would have significant lengths of glazing but also stretches of aluminium louvres. The rear elevation would be highly visible on the approach along South King Street because of the open car park. The treatment would continue that of both the east and west elevations and the various elements of the Adelaide Street frontage would be legible.

Overall the building is considered to be of a high standard of design. Whilst it is modern, its design makes reference to traditional architectural features evident in the area. The use of red multi brick to face the building and dark grey aluminium on the roofs similarly reflects the traditional material palette of the surrounding streets. A dwarf wall is proposed around the building with landscaping behind. Tall trees are proposed as part of the planting and this would help to soften the appearance of the development and introduce greenery into a very densely built urban area. Signage would be agreed through a separate application for Advertisement Consent but consideration has been given at this stage and it is evident that appropriate signage could be integrated well within the design. Conditions could be attached to any permission granted to agree a lighting scheme for the building along with any other necessary external features such as CCTV. On this basis, no issues relating to design are identified and it is felt that the proposal would have a very positive visual impact on the quality of the streetscene.

Heritage Impact

As stated, the front of the site falls within the Town Centre Conservation Area and is within the setting of statutorily and locally Listed Buildings. Principle among these is the Grade II* Blackpool Winter Gardens complex. The Masonic hall on the north-eastern corner of the junction between Adelaide Street and South King Street is locally listed as is the Stanley Arms Hotel building on the corner of Church Street. The proposed development would be viewed in the same context as all of these buildings.

The Council's Built Heritage Manager and the Blackpool Civic Trust have been consulted on the application. The Civic Trust had no comments in relation to the initial proposal and so has not been re-consulted on the revised, improved scheme. The Council's Built Heritage Manager initially raised concerns that the design appeared to have taken cues from more modern schemes in the area rather than the more immediate, traditional buildings. In particular the flat roof was a concern as was the fact that the new building would sit further forward than that existing and would therefore appear more dominating. Although the position of the building has not changed, the redesign largely addresses these concerns. However, in respect of the new design, the Built Heritage Manager has raised additional

issues. In particular, it has been requested that the amount of glazing be reduced, and brick bands, stone fenestration surrounds and gable terminations be introduced.

As set out in the assessment of design above, it is felt that a good balance between glazing and brickwork has been achieved on the building. Although window sizes reduce with height on more traditional properties, it must be recognised that this is a modern building that does not seek to replicate historic design but rather make appropriate reference to key architectural features. The vertical emphasis on this prominent site is considered appropriate to establish a visual anchor for the streetscene and make a strong feature of this corner. It is felt that the introduction of brick banding and stone fenestration surrounds would introduce a level of detail that would detract from the contemporary design approach. The submitted plans show that the gables would have terminations. The material treatment of the corner itself must also work with the wider Adelaide Street and South King Street elevations. The use of aluminium louvres over part of the glazing would reduce the apparent width of the windows and maintain the overall vertical emphasis whilst also balancing the frontages in which the corner treatment sits.

In light of the above, and whilst the comments of the Council's Built Heritage Manager are noted, it is felt that the more modern approach is appropriate to a development of this nature and that, on balance, the scheme would adequately sustain the appearance, character, setting and value of the surrounding Listed Buildings and Conservation Area as heritage assets.

Access, Parking and Highway Safety

The application proposes a car park to the rear of the site on that would offer seventeen car parking spaces including two accessibility spaces. The Council's published parking standards would expect a maximum parking provision of up to 3 parking spaces per consulting room in a high accessibility location such as this. The scheme proposes 40 consulting rooms that would equate to a maximum parking requirement of 120 spaces. Clearly the level of proposed provision falls substantially short of this maximum requirement. On-street parking in the area is very limited, subject to parking restrictions or charges, and also subject to significant pressure.

The applicant has submitted a transport statement and a framework travel plan in support of the scheme. The two existing surgeries currently benefit from the use of 24 off-street parking spaces but it is stated that these spaces are for staff use only and that no patient parking is available. The application form states that no increase in staff numbers would result, despite the increase in the scale of the operation. Regardless, the site is in a highly accessible location within reasonable walking distance of the Town Centre and the public transport network. Public car parking, including options for discounted monthly or annual parking passes, is available within the Town Centre and it is not unreasonable to expect Town Centre employees to pay for parking provision. A travel plan for the site would be secured by condition and this should support and encourage travel by sustainable modes. On this basis, the limited amount of staff parking available in this location is not considered to weigh heavily against the application.

The supporting statement indicates that the majority of patients currently walk to the surgery and that this would be expected to continue. The medical centre would consolidate the Adelaide Street and South King Street Surgeries that draw their patient base from the immediate local area. This hinterland largely falls within the defined Inner Area of Blackpool where built densities are high and both on and off-street parking is very limited. The area is very deprived and car ownership relatively low. Census information from 2011 indicates that nearly 80% of households in the immediate area do not have access to a vehicle. Over half of households in the wider Talbot Ward do not have a car. On this basis it is reasonable to assume that the majority of patients would access the practice either on foot or by public transport. For those that do travel by car, short-stay public car parking is available within reasonable walking distance. As stated, a travel plan for the site to encourage sustainable travel would be secured by condition. Nevertheless, the lack of patient parking weighs against the proposal.

In term of access and highway safety, the scheme has been considered by the Council's Head of Transportation. Vehicular access would continue to be taken from South King Street in roughly the same position as the existing access. Given the limited parking provision proposed, this is unlikely to materially affect traffic levels on South King Street. The northern part of South King Street and Adelaide Street form a main route into the Town Centre for visitors and are therefore relatively busy local roads. The proposed facility would consolidate two existing surgeries and provide a modernised and expanded service offer. On this basis, and given the location of the site on the edge of the Town Centre, no material impact on highway capacity, function or safety is anticipated.

Drainage and Flood Risk

The site falls within flood zone 1 and is less than 1 hectare in area. As such there is no requirement for a site-specific flood risk assessment and no requirement for the applicant to demonstrate compliance with the sequential or exception tests. The existing site is entirely hard-surfaced and surface-water run-off currently discharges into the combined sewer. The applicant has submitted a drainage strategy in support of the scheme. This notes that current rates of surface-water discharge are 24 litres per second. Although soakaway testing has not been carried out on the site, historic borehole data reveals the land to be underlain by layers of clay and sand. As the site has long been developed, made ground would be expected and it is possible that this could extend to significant depths. On this basis, infiltration is not considered to be a viable option. Given the known geological conditions in the area, this conclusion is accepted.

Where surface-water run-off to the combined sewer is proposed on a redeveloped brownfield site, Blackpool Council's Strategic Flood Risk Assessment requires the rate of discharge to be reduced by 30% or 50% in a critical drainage area (CDA). The applicant has sought confirmation from the Environment Agency as to whether or not the site falls within a CDA but none such has been forthcoming. On this basis and in accordance with the precautionary principle, the applicant intends to reduce the rate of surface-water discharge by 50% to 12 litres per second. This would be achieved through the installation of an attenuation tank below ground underneath the car park along with a flow-control device.

Given the existing use and nature of the site, the proposed drainage strategy is considered to be appropriate and the betterment in discharge rate welcomed. Foul drainage would be discharged into the combined sewer as per the current arrangement. In light of the above and subject to the imposition of a condition requiring compliance with the proposed drainage strategy, no unacceptable drainage or flood risk issues are anticipated.

Environmental Impacts

BREEAM is a scheme that is used to assess the sustainability of a building. There are five BREEAM ratings of 'pass', 'good', 'very good', 'excellent' and 'outstanding'. Policy CS10 of the Core Strategy requires all new non-residential developments of 1,000sqm or more to achieve a BREEAM rating of 'very good'. This requirement is surpassed by an NHS requirement for new buildings with a capital cost in excess of £2million to achieve a BREEAM rating of 'excellent'. The applicant has submitted a BREEAM strategy which, if followed, should ensure that the building proposed meets this rating. It is therefore recommended that a condition be attached to any permission granted to require adherence to this scheme and confirmation upon completion of the grade achieved. Subject to this condition it is expected that the requirements of Policy CS10 would be satisfied.

There is no reason to suppose that the development proposed would have a detrimental impact upon air or water quality once it is operational. A construction management plan would be required through condition as part of any permission granted to control the generation of dust and odour and to ensure that measures are put in place to prevent contamination from surface-water runoff during construction.

The site is previously developed and so there is potential for land-contamination to be present and pose risk to the environment and human health through the redevelopment process. A geo-environmental site assessment has been submitted by the applicant in support of this application but, at the time of writing this report, no comments have been received from the Council's Environmental Protection team. Consequently it is recommended that the standard condition relating to potential land contamination is attached to any permission granted. This requires the submission of a desk-study and the subsequent agreement and implementation of any necessary site investigation and remediation. In the event that a consultation response from the Environmental Protection team is received prior to the Committee meeting, the comments will be reported through the update note and a revised condition proposed as appropriate.

The existing buildings on site would be demolished as part of the scheme. These buildings have the potential to be used by roosting bats or nesting birds. As the Council is a Responsible Authority, it must be certain prior to determination that no unacceptable harm would result to protected species as a result of the development. To this end the applicant has submitted a bat survey that has been carried out by a suitably qualified and experienced ecologist. The survey concludes that the buildings are generally in good condition offering only localised potential for bat ingress. No evidence of use was recorded and it is noted that the surrounding area offers no foraging habitat. On this basis, the potential for bat use is considered to be negligible. Nevertheless, in accordance with the precautionary principle it is

recommended that the demolition be overseen by a suitably experienced bat handler. Given the limited potential ingress for bats, it is considered reasonable to assume that the buildings offer equally limited potential for use by nesting birds. However, a condition should be attached to any permission granted to require any demolition carried out during the main bird nesting season to be supervised by a suitably qualified ecologist.

Other

It is understood that the pharmacy attached to the medical centre would store prescription drugs and could potentially be a target of crime. Equally, the landscaping and boundary wall around the building could provide concealment and encourage congregation and thereby be a focus of anti-social behaviour. It is therefore proposed that a condition be attached to any permission granted to require the agreement of a planting and management plan for the landscaping, to ensure that shrubs are low level and tree crowns are elevated. Further conditions would require the agreement of details of the boundary wall around the site to ensure that it would not encourage sitting or climbing, and to require the agreement of a scheme of external lighting and CCTV provision. Subject to these conditions, the development would not be expected to increase crime or fear of crime in the area.

Sustainability and Planning Balance Appraisal

Sustainability comprises economic, environmental and social components.

Economically, the site is not safeguarded for employment use but the scheme would create some employment opportunities during both the construction and operational phases. The redevelopment of the site would improve the quality of a main approach into the Town Centre and thereby provide some support for its vitality and regeneration. The site is in an edge-of-centre location and so could generate some linked-trips to the Town Centre. Otherwise the proposal would have relatively little economic impact.

Environmentally, and subject to the imposition of appropriate conditions, no unacceptable impacts on biodiversity, trees, drainage or environmental quality are anticipated. The design of the scheme is considered to be of a high standard and it is felt that the development would make a strong, positive contribution to the appearance and quality of the area. Given the location of the site, there is no reason to suppose that users would be dependent upon private car use.

Socially, the scheme would deliver a modern health facility within a deprived area that would better meet the current and future health needs of the local population. No unacceptable impacts upon residential amenity are anticipated. The heritage value of the nearby statutorily and locally Listed Buildings and the Town Centre Conservation Area would be sustained. Proposed parking provision on-site is limited but, given the location of the site, the limited availability of on-street parking and the established restrictions in place, and the availability of public car parking within the Town Centre, this is not anticipated to cause undue inconvenience to local residents or visitors. No unacceptable impacts on flood risk or highway safety are expected.

In terms of planning balance, the provision of a modern, fit-for-purpose medical facility to meet current and future health needs in a very deprived area of Blackpool is considered to weigh overwhelmingly in favour of the application. None of the issues discussed above and no other material planning considerations have been identified that weigh notably against the scheme. On this basis the proposal is considered to constitute sustainable development and Members are respectfully recommended to grant planning permission.

CONCLUSION

The development proposed is considered to be high-quality and would deliver a much-needed medical facility providing substantial community benefit in a deprived area of Blackpool. The application is therefore judged to represent sustainable development and no material planning considerations have been identified that would outweigh this view. The Committee is therefore respectfully recommended to grant planning permission for the scheme subject to the conditions listed below.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

The applicant may be required to enter into a legal agreement under Section 278 of the Highways Act in order to provide a new access from the public highway on South King Street into the site.

FINANCIAL BENEFITS

No financial benefits to the Council have been identified and there are no financial considerations that impact upon the assessment of the application.

HUMAN RIGHTS ACT

Under Article eight and Article one of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. It is not considered that the application raises any human rights issues.

CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the Council's general duty, in all its functions, to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998

BACKGROUND PAPERS

Planning Application File(s) 18/0612 which can be accessed via the following link:

<https://idoxpa.blackpool.gov.uk/online-applications/>

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:

Proposed site layout plan ref. 645-18-DAY-XX-00-AL-A-90001 Rev P1

Ground floor GA plan ref. 645-18-DAY-XX-00-AL-A-20001 Rev P2

First floor GA plan ref. 645-18-DAY-XX-01-AL-A-20002 Rev P2

Second floor GA plan ref. 645-18-DAY-XX-02-AL-A-20003 Rev P2

Proposed north and south elevation drawing ref. 645-18-DAY-XX-AE-20102 Rev P1

Proposed east and west elevation drawing ref. 645-18-DAY-XX-XX-AE-20101 Rev P1

The development shall thereafter be retained and maintained in accordance with these 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. The building hereby approved shall be used as a medical centre within Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) only and for no other purpose.

Reason: In order to ensure that the Local Planning Authority retains control over the long-term use of the site in order to ensure that the health needs of the local population are adequately met and in the interests of the character of the area, the amenity of nearby neighbours, and the safe and efficient operation of the highway network in accordance with the provisions of Policies BH3, BH21 and AS1 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS15 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. Notwithstanding the information shown on the approved plans, full details of the materials to be used on the external elevations and roof of the building hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of construction of the building.

Reason: In the interests of the appearance of the locality and the quality of the setting of local heritage assets, in accordance with Policies LQ10 and LQ14 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. Notwithstanding the information shown on the approved plans, full details of the surfacing to be used on the external areas of the site shall be submitted to and agreed in writing by the Local Planning Authority prior to the laying down of any final surface finishes.

Reason: In the interests of the appearance of the locality and the quality of the setting of local heritage assets, in accordance with Policies LQ10 and LQ14 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. A scheme for the treatment of the windows shall be submitted to and agreed in writing by the Local Planning Authority and this agreed scheme shall be implemented in full and in full accordance with the approved details before the facility hereby approved is first brought into use and shall thereafter be retained and maintained as such. For the purpose of this condition, this treatment must prevent views into the building that could compromise patient/staff privacy and prevent over-looking of nearby properties that would compromise the privacy of neighbours.

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

7. Notwithstanding the information shown on the approved plans, section drawings showing how the various material treatments of the elevations would project beyond or be recessed behind the main face of each elevation shall be submitted to and agreed in writing prior to the commencement of construction of the building, and the development shall then proceed in full accordance with these approved drawings. For the purpose of this condition, all fenestration should be recessed from the main face of the building by at least one brick width.

Reason: In the interests of the appearance of the locality and the quality of the setting of local heritage assets, in accordance with Policies LQ10 and LQ14 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. Notwithstanding the information shown on the approved plans, details of a refuse store, to include its location, size and the materials and finish of its means of enclosure shall be submitted to and agreed in writing, and this agreed refuse store shall be provided in full and in full accordance with the agreed details before the facility hereby approved is first brought into use and shall thereafter be retained and maintained as such.

Reason: In the interests of the appearance of the locality, the quality of the setting of local heritage assets, and the residential amenity of occupants and neighbours, in accordance with Policies LQ1, BH3 and LQ10 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

9. Notwithstanding the information shown on the approved plans, details of a covered cycle store, to include its location, size, means of providing secure cycle storage and the materials and finish of its means of enclosure shall be submitted to and agreed in writing, and this agreed cycle store shall be provided in full and in full accordance with the agreed details before the facility hereby approved is first brought into use and shall thereafter be retained and maintained as such.

Reason: In order to facilitate and encourage travel to and from the site by a sustainable transport mode, and in the interests of the appearance of the locality and the quality of the setting of local heritage assets, in accordance with Policies LQ1, LQ10 and AS1 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. 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

11. a) Notwithstanding the information shown on the approved plans, a landscaping scheme to include the location of soft planting areas, plant sizes, species and numbers/densities and a landscape management plan shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any works relating to the laying out of the site.

b) The details of the position, appearance and finish of any hard-landscaping features such as seating, bollards or decorative artwork shall be submitted to and agreed in writing by the Local Planning Authority prior to installation.

c) The soft landscaping works agreed pursuant to part (a) of this condition 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) and shall thereafter be maintained in full accordance with the management plan agreed pursuant to part (a) of this condition.

d) 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 the quality of the setting of local heritage assets and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall with regards to Policies LQ6 and LQ10 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS8 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

12. Details of CCTV provision to include the position, appearance and finish of any posts, mountings and cameras shall be submitted to and agreed in writing, and this agreed CCTV scheme shall be provided in full and in full accordance with the agreed details before the facility hereby approved is first brought into use and shall thereafter be retained and maintained as such.

Reason: In the interests of crime prevention, the character, safety and appearance of the locality, the quality of the setting of local heritage assets, and the residential amenity of occupants and neighbours, in accordance with Policies LQ1, BH3 and LQ10 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

13. Details of a scheme of external lighting to include the position, appearance and finish of any posts, mountings and lamps and the colour, direction and intensity of light-spill shall be submitted to and agreed in writing, and this agreed external lighting scheme shall be provided in full and in full accordance with the agreed details before the facility hereby approved is first brought into use and shall thereafter be retained and maintained as such.

Reason: In the interests of crime prevention, the character, safety and appearance of the locality, the quality of the setting of local heritage assets, and the residential amenity of occupants and neighbours, in accordance with Policies LQ1, BH3 and LQ10 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

14. (a) The development hereby approved shall proceed in full accordance with the BREEAM Pre-Assessment Stage 2 Target Report Rev 0 prepared by Scott Hughes, dated 09/08/18 and referenced 3389; and

(b) Before the development hereby approved is first brought into use, confirmation of the final BREEAM grade awarded to the building shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to maximise the sustainability of the building in accordance with the fundamental objectives of the NPPF and the provisions of Policy CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

15. Before any boundary treatment is erected on site and notwithstanding the information shown on the approved plans, details of the position, height, design, materials and finish of a boundary wall around the site and any other boundary treatments shall be submitted to and agreed in writing by the Local Planning Authority, and these agreed boundary treatments shall be provided in full and in full accordance with the agreed details before the facility hereby approved is first brought into use and shall thereafter be retained and maintained as such. For the purpose of this condition, any boundary wall around the perimeter of the site shall be designed so as to deter climbing or use as a seat.

Reason: In the interests of the appearance of the locality, the quality of the setting of local heritage assets, and the residential amenity of occupants and neighbours, in accordance with Policies LQ1, BH3 and LQ10 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

16. (a) The development hereby approved including the demolition of the existing buildings shall be carried out in full accordance with the recommendations set out within the submitted bat report prepared by Pennine Ecological and dated February 9th 2018.

(b) No demolition shall take place during the main bird nesting period (March to September inclusive) unless the absence of nesting birds has first been established by a suitably qualified and experienced ecologist or unless the demolition is supervised by a member of the Chartered Institute of Ecology and Environmental Management (CIEEM).

Reason: In the interests of safeguarding protected species in accordance with the requirements of paragraph 170 of the NPPF and saved Policy NE6 of the Blackpool Local Plan 2001-2016.

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

- dust mitigation measures during the demolition and construction period
- control of noise emanating from the site during the demolition and construction period
- measures to ensure that surface-water run-off does not contaminate any surface or sub-surface water bodies or land during the demolition or construction period
- hours and days of construction work for the demolition and construction
- contractors' compounds and other storage arrangements
- arrangements for the disposal of waste during the demolition and construction period
- provision for all site operatives, visitors and demolition/construction loading, off-loading, parking and turning within the site during the demolition and construction period
- arrangements during the demolition and construction period to minimise the deposit of mud and other similar debris on the adjacent highways
- the routing of demolition and construction traffic.

The construction of the development shall then proceed in accordance with the approved Demolition and 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. This condition is required to be discharged prior to the commencement of development on site as it pertains fundamentally to the development works themselves.

18. (a) Notwithstanding the information provided on the approved plans and prior to the commencement of any works to replace or amend the existing vehicle access to the site, full details of the means of vehicular access to the site shall be submitted to and agreed in writing;

(b) The means of vehicular access agreed pursuant to part (a) of this condition shall be completed to at least base course level before any construction commences on site;

(c) The means of vehicular access agreed pursuant to part (a) of this condition shall be provided in full and in full accordance with the approved details before the development hereby approved is first brought into use.

Reason: In the interests of the safe and efficient use of the highway in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

19. The development hereby approved shall not be brought into use until a scheme of highway improvement works has been submitted to and agreed in writing by the Local Planning Authority and implemented in full and in full accordance with the agreed scheme. For the purpose of this condition, the scheme shall include:
- the removal of the redundant crossings on Adelaide Street
 - the provision of a new pedestrian dropped crossing on Adelaide Street

Reason: In the interests of highway safety and to ensure safe and convenient access to the site in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

20. Notwithstanding the interim Travel Plan submitted, the development hereby approved shall not be brought into first use until a final travel plan has been submitted to and approved in writing by the Local Planning Authority. This travel plan shall include the appointment of a travel co-ordinator and a format that consists of surveying, travel audits, a working group, action plans with 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.

21. The site shall be drained in accordance with the submitted drainage strategy and associated appendices prepared by MDA Wirral Ltd and referenced 17-0141.

Reason: In order to ensure that foul and surface water is satisfactorily drained from the site in accordance with the provisions of section 14 of the NPPF and the provisions of Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

22. (a) Notwithstanding the information submitted and prior to the commencement of development, a desk-top study into the potential for land contamination on the site shall be submitted to and agreed in writing by the Local Planning Authority;
- (b) In the event that the desk-top study required pursuant to part (a) of this condition indicates a need for site investigation, a scheme of site investigation shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development;
- (c) Any scheme of site investigation agreed pursuant to part (b) of this condition shall be carried out in full and in full accordance with the approved details, and a report of the findings submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any development on site;
- (d) In the event that remediation works are identified as being necessary through site investigation report required pursuant to part (b) of this condition, a scheme of remediation shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any development on site;
- (e) The scheme of remediation agreed pursuant to part (d) of this condition shall be carried out in full and in full accordance with the approved details, and a validation report verifying the remediation shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any development on site.

Reason: In order to safeguard future occupants of the site from potential land contamination in accordance with the provisions of paragraph 178 of the NPPF and Policy BH4 of the Blackpool Local Plan 2001-2016. This condition is required to be discharged prior to the commencement of development as any development on the site could prejudice proper site investigation or remediation.

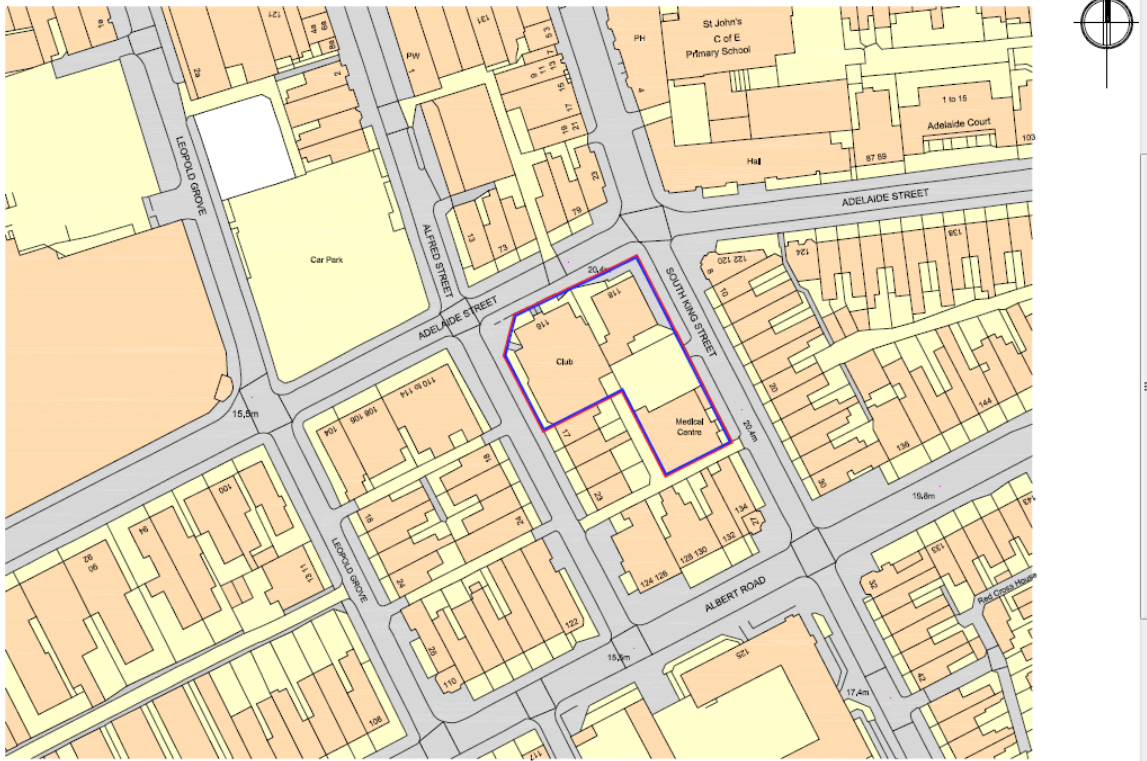
23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no enlargement or other material alteration to the appearance of the building shall be carried out, and no structure shall be erected within the confines of the application site, without the prior written approval of the Local Planning Authority.

Reason: In the interests of the appearance of the site and locality, the quality of the setting of local heritage assets, the residential amenity of occupants and neighbours, and to ensure that adequate car parking, refuse storage and cycle storage is available to meet the needs of the development, in accordance with Policies LQ1, LQ10, BH3 and AS1 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Advice Notes to Developer

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval need to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.
2. The grant of planning permission does not confer right to develop over the public highway and may require the developer to enter into an appropriate Legal Agreement with Blackpool Borough Council acting as Highway Authority. The Highway Authority may also wish to implement their right to design all works within the highway relating to this proposal. The applicant is advised to contact the Council's Highways Department, Layton Depot, Depot Road, Blackpool, FY3 7HW (Tel 01253 477477) in the first instance to ascertain the details of such an agreement and the information provided.

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Blackpool Council

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COMMITTEE DATE: 05/02/2019

Application Reference: 18/0818

WARD: Talbot
DATE REGISTERED: 18/12/18
LOCAL PLAN ALLOCATION: Resort Core
Central Promenade and Seafront
Town Centre Boundary
Leisure Zone / Resort Core
Defined Inner Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: The Sands Venue

PROPOSAL: External alterations and erection of a two-storey side extension and a two-storey extension to the roof to create a 3rd and 4th floor and use of the premises as altered to provide a restaurant, hotel reception and museum reception at ground floor level, a museum and associated facilities at first floor and hotel accommodation on the upper three floors comprising 91 en-suite bedrooms and suites and associated facilities in the basement, including meeting rooms and a spa and a rooftop plant area.

LOCATION: THE SANDS VENUE, PALATINE BUILDINGS, PROMENADE, BLACKPOOL, FY1 4TQ

Summary of Recommendation: Refuse

CASE OFFICER

Mr G. Johnston

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority one of the Plan** - The economy: Maximising growth and opportunity across Blackpool in so far as the proposal will create a new museum and new hotel on a prominent site on the Promenade but not in terms of the colour of the building given its context,

SUMMARY OF RECOMMENDATION

The application raises a number of issues as there are economic, social and regeneration benefits with the proposal. The proposal would create jobs, it would provide an additional attraction for the Town and the Town Centre through the provision of the museum, it would add to the hotel offer of the town and the hotel would be supported by ancillary facilities, it would regenerate a key Promenade site with Blackpool's first 5 star hotel and it would enhance the public realm in the vicinity of the site. These factors weigh in favour of the

proposal. There is no issue with the reduced height of the building as it would sit comfortably alongside the Woolworth building and the Tower. Although reduced in height the design ethos of the building would be the same as the approved (apart from the colour scheme) and hence this is acceptable. The removal of the 55 car parking spaces weighs against the proposal but given the Town Centre location this is not felt to be a determining factor nor is the reduction in the number of bed spaces nor the omission of the retail unit from the scheme. The benefits of the proposal support a key goal of the Core Strategy and Policies CS1, CS17 and CS21 of the Core Strategy.

Set against the benefits of the proposal is the proposed colour of the materials for the building. In this case this is considered to be a key determining factor because of the setting of the building immediately to the south of the Tower, Woolworth building and southern boundary of the Town Centre Conservation Area. In addition the site has a frontage of some 45 metres to the Promenade and the building would be 20 metres tall so it would be an imposing building on the Promenade frontage. National and local policy emphasise the need for good design and colour is an integral part of design. National and local policy also emphasise the importance of context which in this case includes the setting of the Tower, Woolworth building and the Town Centre Conservation Area. A largely black building would not enhance or preserve the setting of the Tower, Woolworth building and the Town Centre Conservation Area. This weighs heavily against the proposal. It is acknowledged that Historic England has not made any comments on this matter but has deferred the matter to the Built Heritage Manager, who does not support the application. Given the conflict with elements of National guidance (paragraphs 124,127, 130, 185, 192 and 193) and Local Policy (Policies CS7 and CS8 of the Core Strategy and Policies LQ1- LQ4, LQ7, LQ9 and LQ10 the application is recommended for refusal. Given colour is a central component of the design of the building and given the sensitive nature of the site's location it is not considered that the issue of the colour of the materials could be conditioned without the applicant's agreement.

INTRODUCTION

An outline application (reference 15/0523) was granted permission by the Planning Committee at its meeting on 5 April 2016 for the erection of a single storey side extension and a three-storey extension to the roof to create 3rd, 4th and 5th floors and use of premises as altered to provide a Class A1 retail unit and hotel reception at ground floor level, with hotel accommodation above comprising 96 en-suite bedrooms and associated facilities, with associated rooftop plant area and basement car park for 55 cars and demolition of foot bridge over Bank Hey Street.

Subsequently an approval of reserved matters application was approved on 18 January 2017

Work has commenced on site but this application has been submitted to take account of changes to the proposal. The description of the previous application was:

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

The current application is described as follows:

External alterations and erection of a two-storey side extension and a two-storey extension to the roof to create a 3rd and 4th floor and use of the premises as altered to provide a restaurant, hotel reception and museum reception at ground floor level, a museum and associated facilities at first floor and hotel accommodation on the upper three floors comprising 91 en-suite bedrooms and suites and associated facilities in the basement, including meeting rooms and a spa and a rooftop plant area.

The key changes are -

- reduction in the height of the building by some 8 metres (28 metres to 20 metres)
- reduction in the number of bedrooms from 96 to 91
- introduction of the museum on the first floor
- omission of the retail use
- omission of the car parking
- change in the colour scheme for the building. The originally approved palette of materials - cream, bronze and green was specifically chosen to reference the Woolworth building immediately to the north of the site and in the report on 16/0674 officers commented - ***The proposal reuses the existing building and over-clads it with glazed walls, broken up by projecting columns and external bracing, taking design cues from both the Woolworth building and the structure of Blackpool Tower in terms of design and materials. The design will harmonise with the historic buildings and whilst being taller than both, wouldn't over dominate them given the lightness of the elevations. The glazed elevations on the sides and rear would be broken up by tall sections of cladding which would give the building much needed articulation and vertical emphasis, with some cladding set back and some set forward of the main elevations.*** The proposal is for a reduced monochromatic colour palette - blacks, greys and silver.



SITE DESCRIPTION

The application property, the Palatine building, was a large three-storey detached building with road frontages onto the Promenade to the west, Bank Hey Street to the east and Adelaide Street West to the north. The building is in a very prominent location on the Golden Mile within 45 metres of Blackpool Tower, which is one of the most well-known landmark buildings in the Country.

The Palatine building was a brutalist structure constructed in the 1970's. At its highest point,

(the tallest of the rectangular extrusions) the building was approximately 20 metres tall, although the vast majority of the building's bulk was no taller than approximately 13.6 metres tall (when viewed from the Promenade). It had recently undergone some improvements externally when the current operators opened the 'Sands Venue' which is a music/show bar and restaurant. Formerly the building operated as various nightclubs with retail uses on the ground floor. Recently the ground floor on the Promenade side was a restaurant and the main entrance into the Sands Venue and there was a large discount retail shop which occupied all of the ground floor on the south side of the building, with a presence on the Promenade and Bank Hey Street. A second large discount retail unit fronted Bank Hey Street and Adelaide Street West and there is a disused nightclub in the basement, accessed from the southern side of the Palatine building. The building's main service areas are accessed from Adelaide Street West.

To the south of the building, there was an external staircase in a pedestrianised area between the Promenade and Bank Hey Street, giving access to the first floor of the Palatine Buildings and to a walkway and bridge over Bank Hey Street. The bridge connected to businesses on the east of Bank Hey Street, although the access was only currently used in emergencies and was not publicly accessible. To the south of the pedestrianised area case, is Coral Island amusement centre which is largely one/two storeys in scale.

In the wider area, the Promenade has recently been regenerated, extended and landscaped and the area has received significant investment to upgrade, improve and enhance the visitor offer and visual amenity. Similarly at Blackpool Tower, significant restoration, repair and regeneration works are on-going and the restoration of the Tower Promenade elevation has recently won a commendation by the Royal Town Planning Institute.

The Palatine building stands within the Town Centre and Resort Core on the Proposals Map to the Local Plan. The Promenade frontage is within the Leisure Zone and the Bank Hey Street frontage within the Principal Retail Core on the Proposals Map to the Local Plan. The Town Centre Conservation Area lies to the north of the building.

DETAILS OF PROPOSAL

This is an amended full application for external alterations and erection of a two-storey side extension and a two-storey extension to the roof to create a 3rd and 4th floor and use of the premises as altered to provide a restaurant, hotel reception and museum reception at ground floor level, a museum and associated facilities at first floor and hotel accommodation on the upper three floors comprising 91 en-suite bedrooms and suites and associated facilities in the basement, including meeting rooms and a spa and a rooftop plant area (with a different external colour to the scheme approved under outline planning permission 15/0523 and approval of reserved matters 16/0674).

The building would be set out as follows

Basement Level

- Lettable space
- Hotel facilities, including Business Centre and Spa
- Additional plant, extracts required etc.

Ground Floor

- New hotel reception lobby area with ancillary accommodation
- Associated hotel restaurant
- Expansion to the existing Wild West Diner fronting the Promenade
- New museum entrance
- Service and delivery zone

First Floor

- Approximately 840m² of existing Class A1 retail storage area to be converted into a new museum use
- Hotel café overlooking the ground floor reception lobby area

Second Floor

- Approximately 830m² of vacant former nightclub to be converted into Class C1 hotel use
- Seating/café area located at the foot of a three-storey atrium
- 5 no. Seafront hotel suites
- 5 no. Seaview hotel suites
- 10 no. Town Centre aspect rooms
- 11 no. Internal atrium aspect rooms

Third Floor

- 5 no. Seafront hotel suites
- 5 no. Seaview hotel suites
- 10 no. Town Centre aspect rooms
- 11 no. Internal atrium aspect rooms

Fourth Floor

- 3 no. Seafront hotel suites, including large deluxe suite
- 5 no. Seaview hotel suites
- 10 no. Town Centre aspect rooms
- 11 no. Internal atrium aspect rooms

The application is accompanied by a design and access and heritage statement and a supplementary statement seeking to justify the colour scheme for the building.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- The principle of the development
- The design and appearance of the development
- Parking and Servicing Arrangements

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

CONSULTATIONS

Built Heritage Manager: My main comments are that, by reducing the height of the main building and increasing the height of the side extension, the building has more horizontal than

vertical emphasis than the previous design, which does not sit as comfortably with the adjacent listed and locally listed buildings. In addition, the colour palette appears to have changed to one which does not take account of its context, and this also would have a negative impact on the adjacent Woolworth building and Blackpool Tower.

Blackpool Civic Trust: No comments received at the time of writing this report. Any comments received will be reported in the update note.

Head of Highways and Traffic Management: No comments received at the time of writing this report. Any comments received will be reported in the update note.

Service Manager Public Protection: No comments received at the time of writing this report. Any comments received will be reported in the update note.

Blackpool International Airport: No objections in principle subject to an advisory note to request the applicant contact the airport regarding the siting, lighting and height of any crane(s) needed for the development.

Waste Services Manager: No comments received at the time of writing this report. Any comments received will be reported in the update note.

Historic England: On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant. It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Police Architectural Liaison Officer: Wishes to be contacted by the applicant to discuss the crime prevention measures and security measures in more detail. He makes detailed comments on CCTV, access doors, lighting, glazing. The full response can be viewed on the Council's website.

PUBLICITY AND REPRESENTATIONS

Press notice published: 10 January 2019

Site notices displayed: 4 January 2019

Neighbours notified: 19 December 2018

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

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The revised NPPF retains the key objective of achieving sustainable development and hence there is a presumption that planning applications proposing sustainable development will be approved. It provides advice on a range of topics and is a material planning consideration in the determination of planning applications. The parts most relevant to this application are -

2. Achieving sustainable development

- 3. Plan-making**
- 4. Decision-making**
- 6. Building a strong, competitive economy**

Paragraph 80 states

Planning policies and decisions should help create conditions in which businesses can invest, expand and adapt.

- 7. Ensuring the vitality of town centres**

Paragraph 85 states

Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

- 8. Promoting healthy and safe communities**
- 9. Promoting sustainable transport**
- 11. Making effective use of land**
- 12. Achieving well-designed places**

Paragraphs 124, 127 and 130 are particularly relevant and will be discussed in more detail in the assessment section of this report.

- 14. Meeting the challenge of climate change, flooding and coastal change**
- 16. Conserving and enhancing the historic environment**

Paragraphs 185, 192 and 193 are particularly relevant.

PLANNING PRACTICE GUIDANCE (NPPG)

There is a section of the guidance devoted to design and the following extracts from the guidance are considered relevant-

Paragraph 004 - Development proposals should reflect the requirement for good design set out in national and local policy. Local planning authorities will assess the design quality of planning proposals against their Local Plan policies, national policies and other material considerations.

Local planning authorities are required to take design into consideration and should refuse permission for development of poor design. Local planning authorities should give great weight to outstanding or innovative designs which help to raise the standard of design more generally in the area. This could include the use of innovative construction materials and techniques. Planning permission should not be refused for buildings and infrastructure that promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).

Paragraph 007 - Development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, local man-made and natural heritage and culture, while not preventing or discouraging appropriate innovation.

The successful integration of all forms of new development with their surrounding context is an important design objective, irrespective of whether a site lies on the urban fringe or at the heart of a town centre.

Paragraph 020 - Distinctiveness is what often makes a place special and valued. It relies on physical aspects such as:

- the local pattern of street blocks and plots;
- building forms;
- details and materials;
- style and vernacular.

Distinctiveness is not solely about the built environment – it also reflects an area’s function, history, culture and its potential need for change.

Paragraph 021 - The way a place looks, sounds, feels, and even smells, affects its attractiveness and long term success. Streetscapes, landscapes, buildings and elements within them all have an influence. So too can more transient elements – such as the way sunshine and shadows move across an area or the way it is maintained and cleaned. Composition of elements and the relationship between colours, textures, shapes and patterns are all important, as is the depth of views, particularly across roofscapes or between buildings.

Paragraph 028 - Materials should be practical, durable, affordable and attractive. Choosing the right materials can greatly help new development to fit harmoniously with its surroundings. They may not have to match, but colour, texture, grain and reflectivity can all support harmony.

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

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

Policy CS1: Strategic Location of Development

- To deliver the Core Strategy vision the overarching spatial focus for Blackpool is regeneration and supporting growth.
 1. Blackpool’s future growth, development and investment will be focused on inner area regeneration, comprising:
 2. Blackpool Town Centre, including the three strategic sites of Central Business District, Winter Gardens and Leisure Quarter.
 - a. The Resort Core, containing the promenade and the majority of resort attractions and facilities, holiday accommodation and major points of arrival.

Policy CS6: Green Infrastructure

High-quality and well connected networks of green infrastructure in Blackpool will be

achieved by:

- b. Enhancing the quality, accessibility and functionality of green infrastructure and where possible providing net gains in biodiversity.
- Creating new accessible green infrastructure as part of new development and supporting urban greening measures within the built environment.
- Connecting green infrastructure with the built environment and with other open space including the creation, extension or enhancement of greenways, green corridors and public rights of way.
- All development should incorporate new or enhance existing green infrastructure of an appropriate size, type and standard.

Policy CS7: Quality of Design

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

- Be appropriate in terms of scale, mass, height, layout, density, appearance, materials and relationship to adjoining buildings.
- Incorporate well integrated car parking, pedestrian routes and cycle routes and facilities.
- Provide appropriate green infrastructure including green spaces, landscaping and quality public realm as an integral part of the development.

Development will not be permitted that causes unacceptable effects by reason of visual intrusion or any other adverse local impact on local character or amenity.

Policy CS8: Heritage

Development proposals will be supported which respect and draw inspiration from Blackpool's built, social and cultural heritage, complementing its rich history with new development to widen its appeal to residents and visitors.

Proposals will be supported that:

- Enhance the setting and views of heritage assets through appropriate design and layout of new development and design of public realm.
- Strengthen the existing townscape character created by historic buildings.

Developers must demonstrate how any development affecting heritage assets (including conservation areas) will conserve and enhance the asset, its significance and its setting.

Policy CS17: Blackpool Town Centre

To re-establish the town centre as the first choice shopping destination for Fylde Coast residents and to strengthen it as a cultural, leisure and business destination for residents and visitors, new development, investment and enhancement will be supported which helps to re-brand the town centre by:

- Strengthening the retail offer with new retail development, with the principal retail core being the main focus for major retail development.
- Conserving and enhancing key heritage and entertainment assets within the town centre and complementing these with new innovative development.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

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

The following policies are most relevant to this application:

Policy LQ1: Lifting the Quality of Design

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

All planning applications for large-scale developments or smaller developments occupying prominent and/or sensitive locations, such as gateways and activity nodes must be accompanied by an 'Urban Design Statement'.

Sensitive and prominent locations are considered to be those within or adjacent to Conservation Areas, those directly affecting the fabric or setting of a Listed Building, those sites occupying landmark or nodal locations with the Town Centre, and any site within the Resort Core or Resort Neighbourhoods with any elevation fronting onto the Promenade.

Policy LQ2: Site Context

The design of new development proposals will be considered in relation to the character and setting of the surrounding area.

(A) New developments in streets, spaces or areas with a consistent townscape character should respond to and enhance the existing character. These locations include:

- (i) affecting the setting of a Listed Building
- (ii) Conservation Areas

Policy LQ3: Layout of Streets and Spaces

(A) The layout of all new development will be expected to create or positively contribute towards a connected network of streets and spaces that:

- (i) creates direct and integrated routes through the site which provide well signed and easy access to the existing street network, nearby facilities and public transport.
- (iii) creates distinctive useable spaces, including public open spaces, which are well-defined by buildings, boundary treatments and landscaping creating a structure for habitat generation and migration.
- (vi) provides or enhances a visually interesting environment through the creation of new landmarks, views and vistas.
- (vii) assimilates sensitively into the surrounding built form and/or landscape context.
- (viii) where possible, incorporates drainage requirements as features within the design in conjunction with sustainable drainage (SUDS) technology.

Policy LQ4: Building Design

In order to lift the quality of new building design and ensure that it provides positive

reference points for future proposals, new development should satisfy the following criteria: The scale, massing and height of new buildings should be appropriate for their use and location and be related to:

- (i) the width and importance of the street or space.
- (ii) the scale, massing and height of neighbouring buildings.

Design of Facades - The detailed appearance of facades will need to create visual interest and must be appropriate to the use of the building. New buildings must have a connecting structure between ground and upper floors composed of:

- (i) a base, of human scale that addresses the street
- (ii) a middle, of definite rhythm, proportions and patterns, normally with a vertical emphasis on the design and positioning of windows and other architectural elements.
- (iii) a roof, which adds further interest and variety.
- (iv) a depth of profile providing texture to the elevation.

Materials - will need to be of a high quality and durability and in a form, texture and colour that is complementary to the surrounding area.

Policy LQ5: Public Realm Design

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

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

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

Policy LQ6: Landscape Design and Biodiversity

New development will be required to incorporate appropriate landscaping and benefits to biodiversity wherever possible, that:

- enhances the spaces between and around buildings, including new streets provides new planting of appropriate specification, including the use of indigenous species and semi-mature planting, where appropriate.
- avoids the creation of left over spaces.

Policy LQ7: Strategic Views

Development that has a detrimental impact on strategic views will not be permitted.

Views of the following features and buildings are considered to be of strategic importance:

- (a) Blackpool Tower – views from the seafront and along main transport corridors leading into the Town Centre.

- (b) along the seafront and coastline.
- (c) into and within Conservation Areas.
- (d) local views of other Listed Buildings.

Policy LQ9: Listed Buildings

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

Policy LQ10: Conservation Areas

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

Policy LQ11: Shopfronts

Applications for new or alterations to existing shop fronts will be considered having regard to the character of the building and the street scene. Particular attention will be paid to the relationship of the ground floor with the upper floors of the property.

Policy LQ14: Extensions and Alterations

Applications for extensions or alterations will be considered in relation to the existing building, adjoining properties and to the surrounding area. Extensions and alterations must be well designed, sited and detailed in relation to the original building and adjoining properties. Past, unsympathetic alterations and extensions of adjoining properties should not be regarded as a precedent for further similar proposals. Materials will need to match or be complementary to the original building.

BLACKPOOL RETAIL, LEISURE AND HOTEL STUDY 2018 - Members will be aware that the Council has to have a robust evidence base to underpin its Local Plan. To assist with the preparation of Part 2 of the Local Plan the Council commissioned the preparation of a new retail, leisure and hotel study. The findings and recommendations of the Study were endorsed by the Council's Executive at its meeting on 16 July 2018. The study recognises that the proposed hotel is one of a number of commitments in the Town Centre and will qualitatively add to the overall stock of hotel accommodation in the town.

ASSESSMENT

- **Principle**

The principle of altering and extending the property, improving the existing restaurant and creating a hotel and museum is consistent with Policies CS1, CS17 and CS21 of the Core Strategy. The proposal would offer a number of benefits and these are summarised as follows:

- it would provide employment opportunities through the improved restaurant, the hotel (directly and indirectly) and the museum (although there are no figures provided for the restaurant and hotel the museum would provide in the region of 40 jobs), the hotel would offer quality accommodation with ancillary facilities and would support the Council's desire to provide a greater range of hotel offer in the town, the improved restaurant would also add to the qualitative offer in the town, the museum would provide an added attraction for residents and visitors and would sit in an area of other attractions and would be an added attraction within the Town Centre, the proposal would enhance the area around the building

and it would regenerate a key site on the Promenade. These economic and social benefits weigh in favour of the proposal.

- **Design**

The reduced height of the building would not be an issue. The Built Heritage Manager has raised the issue that in reducing the height of the building and adopting a darker palette of materials the design features of the building are less obvious. Policy LQ4 seeks to achieve developments of a minimum of four storeys on the Promenade. This would achieve this and the building would not compete with the Tower and Woolworth building in terms of its height. The design of the building with its vertical and horizontal features and bracing which pays homage to its siting close to Blackpool Tower has been previously accepted through outline planning permission 15/0523 and approval of reserved matters 16/0674 but would be less apparent with the darker palette of materials proposed.

The key consideration in this case is the proposed colour of the materials. Members will be aware that they approved a building with bronze and cream materials and green tinted glazing as the primary colours. Members will also be aware that the application building occupies a prominent position on the Promenade immediately to the south of a block which contains the Grade 1 Listed Blackpool Tower and the Locally Listed Woolworth building and is also immediately to the south of the Town Centre Conservation Area boundary. This is recognised by the applicant's agent in the Design and Access Statement -

The proposed development lies on the boundary of the Town Centre Conservation Area and is neighbour to both the Tower and the Grade II listed, Art Deco style Adelaide Place. The prominence of the site also has an impact on views along the seafront and coastline as well as along main transport corridors leading into the Town Centre.

The starting point in terms of determination of applications and the discharge of conditions is the Development Plan which is the 2016 Core Strategy and the 2006 Local Plan. The NPPF and NPPG are material considerations. The fact that the 2006 Local Plan has a chapter on design (LQ policies) demonstrates the concern the Council has had with design since 2006. The 2016 Core Strategy re-emphasises the importance of design. For the purposes of this application the Core Strategy is up to date having been adopted in the last five years.

The relevant policies are –

Core Strategy - Policies CS7 and CS8

Local Plan - Policies LQ1-4 and LQ9, LQ10

The relevant sections of the NPPF are 12 and 15

Policy CS7 seeks to ensure new development enhances the character and appearance of the local area. It seeks to ensure new development is appropriate in terms of a range of considerations including *appearance, materials and relationship to adjoining buildings*

The justification to the policy states –

High quality design is central to the creation of attractive, successful and sustainable places, which in turn has a positive effect on the health and well-being of the communities who live there. The Council expects high quality, well designed developments that contribute positively

to the character and appearance of the local, natural and built environment (paragraph 5.116).

*it is important that all new development takes account of layout, density, appearance, **materials** and landscaping in order to be sympathetic to their location (paragraph 5.118)*

Policy CS8 seeks to enhance the setting and views of Listed Buildings, Conservation Areas and Locally Listed Buildings through appropriate design (design includes the colour of materials) *The justification to the policy states any new development will be required to protect and enhance the character, quality and setting of Conservation Areas and Heritage Assets (Listed Buildings and Locally Listed Buildings) (paragraph 5.128).*

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

The justification to the policy states –

There is a clear need to promote higher standards of design across Blackpool. Good design not only improves the appearance of a place but also attracts and retains investment and visitors and promotes civic pride. In Blackpool, a significant amount of past development has not met these standards and there are relatively few good quality reference points. (paragraph 4.8).

Policy LQ2 deals with site context and requires new development to **respond to and enhance the existing character**.

The justification to the policy states that consideration should be given to respecting and enhancing a number of criteria including the materials of neighbouring buildings (paragraph 4.11).

Policy LQ3 deals with the layout of streets and spaces and has three criteria (A) to (C). As part of (A) there is a requirement that **new development assimilates sensitively into the surrounding built form**.

Policy LQ4 deals with the specific design of buildings and has four criteria (A) to (D). (D) relates to materials and states that they will need to be of high quality and durability and in a form, texture and **colour** that is complementary to the surrounding area.

Policy LQ9 relates to Listed Buildings and part B of the policy states that development which **adversely affects the character or appearance of a listed building or its setting will not be permitted**.

Policy LQ10 deals with development within Conservation Areas. There is however a widely held view that development on the boundary of a Conservation Area can affect its character and appearance.

It is acknowledged that policies LQ9 and LQ10 pre-date the NPPF and hence do not align with paragraphs 196-197 of the NPPF. Nevertheless the policies still attract some weight. The NPPF has three strands to sustainable development - economic, social and environmental. Whilst we recognise the economic and social benefits of the proposal, this does not mean we have to set aside the environmental strand. The importance of design is recognised in that section 12 of the NPPF is devoted to design. The importance of the historic

environment is recognised in section 15 of the NPPF and this includes locally listed buildings as well as Listed Buildings and Conservation Areas.

There is a common theme in section 12 regarding context of a development and integration. In this respect the weight attached to the setting of the site adjacent to the Tower and the Woolworth building is greater than that attached to relationship to Coral Island. This is why the colour and quality of the materials is so important in this case.

Paragraph 124 states

The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 127 states

Planning policies and decisions should ensure that developments:

- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *are **sympathetic to local character and history, including the surrounding built environment** and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.*

In addition paragraph 130 states:

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, taking into account any local design standards or style guides in plans or supplementary planning documents;

and

Local Planning Authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

Paragraphs 185 and 192 deal with context in terms of the setting of Listed and Locally Listed Buildings and state –

*The desirability of **new development making a positive contribution to local character and distinctiveness.***

In this case the context of the Building is particularly sensitive, with three heritage assets in close proximity and the proposed development being located on a prominent and busy frontage onto the Promenade. The issue is whether the design is good enough to approve in

this sensitive location.

The appearance of a building is influenced by its colour and materials. Colour is therefore an integral part of the design of a building. National and local policy each require a judgment to be made as to whether the proposed colour and materials are sympathetic to the site's context and whether the design response takes the opportunities to improve the character and appearance of an area. In this case, it is noteworthy that the previous application was found to be acceptable by officers and Members of the Planning Committee alike since it reflected and was sensitive to the architecture in its immediate context. The colour palette of the previous approval is sympathetic to the Woolworth building. The question with the current proposal is whether the new black design draws its cue from the local context and whether it is sympathetic to it. National policy makes it very clear that 'poor design' should not be approved. In this case it is considered that the revised design with its largely black facades represents poor design and hence the instruction from national policy is clear.

In addition there is a statutory duty (s.66(1) Listed Buildings Act 1990) to give considerable importance and weight to the desirability of preserving the setting of listed buildings. The building proposed on the application site falls within the setting of Blackpool Tower. It is considered that there would be an adverse effect on the setting of the Tower and hence its setting would not be preserved.

The rationale for the change in colour of the building is not explained in the Design and Access Statement that was submitted with the application. The applicant's agent has therefore been asked to provide justification for the change from the approved colour scheme and has submitted a supplementary statement. The document includes text and photographs of sections of the Promenade and areas of the Town Centre. Unfortunately the photographs show that buildings are primarily red brick, white or cream (render or faience tiles) and hence reinforce the view that a largely black building would be out of context. The statement explains the rationale for the approved colour scheme but does not justify the choice of black for the proposed scheme, other than to say it would be in keeping with a modern building and in particular with the style of building proposed.

The statement comments (in terms of the original approval) –

The proposal reuses the existing building and over-clads it with glazed walls, broken up by projecting columns and external bracing, taking design cues from both the Woolworth building and the structure of Blackpool Tower in terms of design and materials. The design will harmonise with the historic buildings and whilst being taller than both, wouldn't over dominate them given the lightness of the elevations. The glazed elevations on the sides and rear would be broken up by tall sections of cladding which would give the building much needed articulation and vertical emphasis, with some cladding set back and some set forward of the main elevations. These material and colour choices were intended to allow the proposed building to sit alongside the conservation area adjacent to the north of the site, by replicating an art deco colour scheme and visually linking the building specifically to its northernmost neighbour.

and in terms of the current proposal -

The proposed glazing system will have black aluminium frames which sit between the

external vertical columns. The use of black exterior cladding panels and black-painted cross bracing will visually emphasise the vertical lines. The reduced monochromatic colour palette has been proposed to be simpler than the previous colour palette and is in-keeping with the contemporary structure proposed and is appropriate to its building type. Whereas the previous design and colour palette aimed to visually link the building specifically with its art deco neighbour the current proposal aims to integrate the building into its context by the use of contemporary design and materials which will significantly improve the appearance of the building itself and the immediate surroundings. Considering the multitude of architectural styles, materials, lighting and signage that prevail along the promenade and in the surrounding town centre context, it is appropriate that the proposed building creates its own identity as a flagship leisure destination.

Clearly the context referred to in the first statement above has disappeared in the second statement above. It is not considered that the submitted statement does adequately justify the choice of black, greys and silver for the materials palette.

Overall the officers' view is that a largely black building would be contrary to the policies listed above and would be contrary to the paragraphs of the NPPF quoted and this conflict outweighs the other material considerations. It is considered that the weight of the policies and relevant paragraphs of the NPPF would justify refusal of the application.

As the colour of the building is the only area of contention officers have considered whether it would be possible to condition the materials for the development. There are a number of difficulties with this approach –

- The applicant has made it clear that that it is his desire for the building to be built in the colours shown in the application and hence there would appear to be no realistic prospect of agreeing an alternative colour scheme.
- Colour is a central component of the design of the building and the sensitive nature of the site's location is highlighted above.
- Work has commenced on site (albeit pursuant to the earlier outline approval/approval of reserved matters) and hence there would be difficulty in framing a condition in terms of timing - normally it is prior to the commencement of development or prior to any above ground structures being erected. Neither would apply in this case.

The Council would be happy to negotiate on the colour scheme for the building but this needs to recognise the setting of the building. It is understood that the applicant has been unwilling to date to move from his current preferred colour scheme.

- **Parking and Servicing Arrangements**

The previous approved scheme proposed 55 car parking spaces in the basement of the building which would have required two hydraulic lifts to provide access and egress. This provision has been omitted from the current scheme and the basement would provide the spa to the hotel and plant facilities for the various uses in the building. Whilst the loss of car parking is regrettable it should be noted that the site is close to the tram services on the Promenade, there is a dropping off area provided close to the hotel entrance and there is a taxi rank on Adelaide Street West/Bank Hey Street. There are also bus services on the Promenade and Bank Hey Street. The lack of car parking is an issue and further commentary on this will appear in the update note. It is understood that the applicant is discussing with

developer of the former Central Station site the possibility of securing 55 car parking spaces within the redevelopment scheme. Servicing would be from Adelaide Street West for all uses via the existing covered servicing bay.

- **Other Issues**

There would not be a significant change in terms of drainage and hence this is not considered to be an issue

CONCLUSION

The application raises a number of issues as there are economic, social and regeneration benefits with the proposal. The proposal would create jobs, it would provide an additional attraction for the Town and the Town Centre through the provision of the museum, it would add to the hotel offer of the town and the hotel would be supported by ancillary facilities, it would regenerate a key Promenade site with Blackpool's first 5 star hotel and it would enhance the public realm in the vicinity of the site. These factors weigh in favour of the proposal. There is no issue with the reduced height of the building as it would sit comfortably alongside the Woolworth building and the Tower. Although reduced in height the design ethos of the building would be the same as the approved (apart from the colour scheme) and hence this is acceptable. The removal of the 55 car parking spaces weighs against the proposal but given the Town Centre location this is not felt to be a determining factor nor is the reduction in the number of bed spaces nor the omission of the retail unit from the scheme. The benefits of the proposal support a key goal of the Core Strategy and Policies CS1, CS17 and CS21 of the Core Strategy.

Set against the benefits of the proposal is the proposed colour of the materials for the building. In this case this is considered to be a key determining factor because of the setting of the building immediately to the south of the Tower, Woolworth building and southern boundary of the Town Centre Conservation Area. In addition the site has a frontage of some 45 metres to the Promenade and the building would be 20 metres tall so it would be an imposing building on the Promenade frontage. National and local policy emphasise the need for good design and colour is an integral part of design. National and local policy also emphasise the importance of context which in this case includes the setting of the Tower, Woolworth building and the Town Centre Conservation Area. A largely black building would not enhance or preserve the setting of the Tower, Woolworth building and the Town Centre Conservation Area. This weighs heavily against the proposal. It is acknowledged that Historic England has not made any comments on this matter but has deferred the matter to the Built Heritage Manager, who does not support the application. Given the conflict with elements of National guidance (paragraphs 124,127, 130, 185, 192 and 193) and Local Policy (Policies CS7 and CS8 of the Core Strategy and Policies LQ1- LQ4, LQ7, LQ9 and LQ10 the application is recommended for refusal. Given colour is a central component of the design of the building and given the sensitivity of the site's location it is not considered that the issue of the colour of the materials could easily be conditioned without the applicant's agreement.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

None

FINANCIAL BENEFITS

None relevant to the consideration of this application.

HUMAN RIGHTS ACT

Under Article eight and Article one of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. It is not considered that the application raises any human rights issues.

CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the Council's general duty, in all its functions, to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998

BACKGROUND PAPERS

Planning Application File(s) 16/0674 and 18/0818 which can be accessed via the link below:

<https://idoxpa.blackpool.gov.uk/online-applications/>

Recommended Decision: Refuse

Reasons for Refusal

1. The proposed development would by reason of the proposed colour palette of materials be contrary to paragraphs 124, 127, 130, 185, 192 and 193 of the National Planning Policy Framework, Policies CS7 and CS8 of the Blackpool Local Plan Part1: Core Strategy 2012-2027 and Policies LQ1, LQ2, LQ4, LQ7, LQ9 and LQ10 of the Blackpool Local Plan 2001-2016 given the size of the building, the width of the site frontage and its prominent position on the Promenade.
2. The proposed development would by reason of the proposed colour palette of materials be contrary to paragraphs 124, 127, 130, 185, 192 and 193 of the National Planning Policy Framework, Policies CS7 and CS8 of the Blackpool Local Plan Part1: Core Strategy 2012-2027 and Policies LQ1, LQ2, LQ4, LQ7, LQ9 and LQ10 of the Blackpool Local Plan 2001-2016 given its setting immediately to the south of the Grade 1 Listed Blackpool Tower, the locally listed Woolworth building and the Town Centre Conservation Area and the adverse effect it would have on the setting of these heritage assets.

3. **ARTICLE 35 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK
(paragraph 38)**

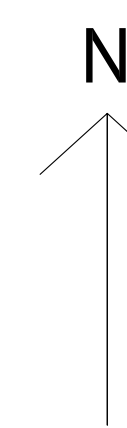
The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors which conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan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

Advice Notes to Developer

Not applicable

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IMPORTANT

- © This drawing is copyright and remains the property of this practice
- Do not scale this drawing
- All dimensions to be checked on site
- Positions of existing services to be confirmed prior to proceeding

REVISION STATUS

- S Information issued for feasibility or scheme design
- T Information issued for tender purposes only
- C Information issued for Construction

NB: Only those drawings containing a C revision to be used for construction

NOTES



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Tramline

A584

A5099

P1	01/11/18	Planning Permission Issue
REVISION	DATE	DESCRIPTION

CLIENT
Mr Peter Swann

PROJECT
Proposed Hotel Conversion & Extension at The Sands, Blackpool

DRAWING TITLE
Proposed Site Plan

SCALE	DATE	DRAWN	CHECKED
1:200 @ A1	01/11/18	CAS	BG

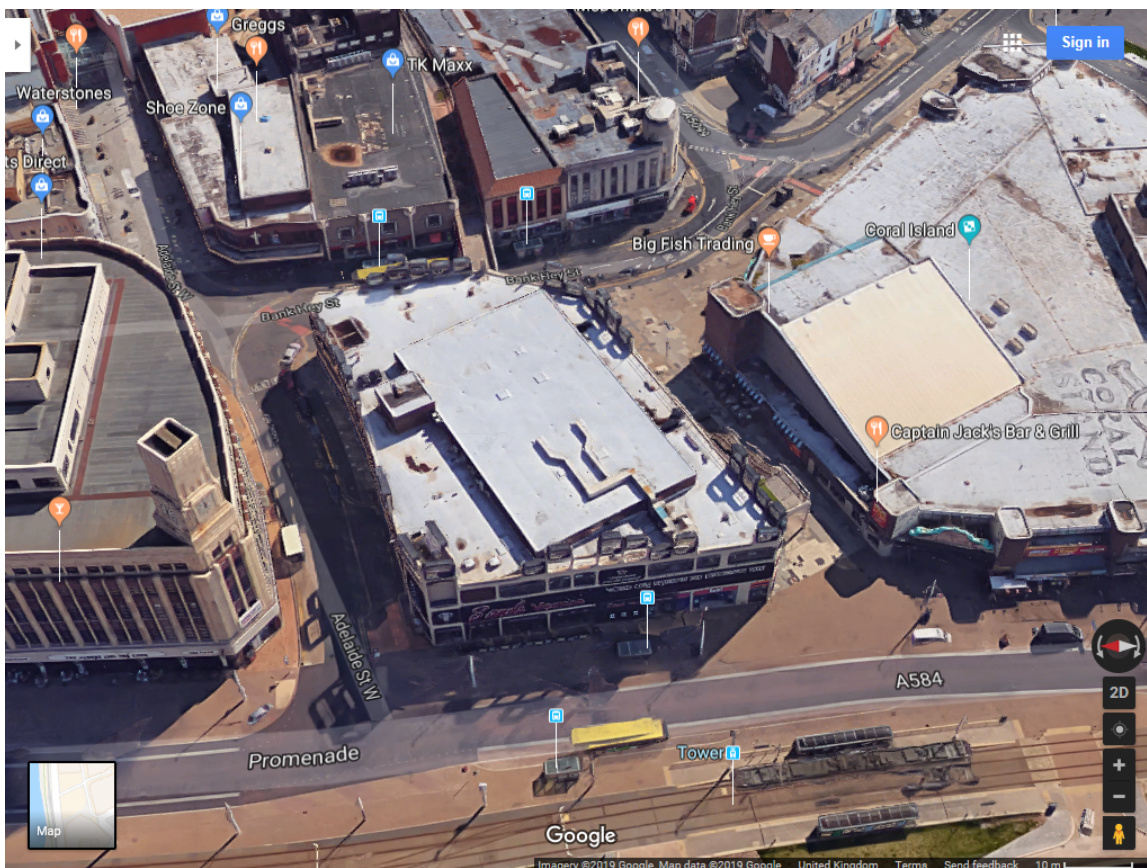
DRG NO.	REVISION
5415 / 102	P1

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Blackpool Council

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