

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 1 DECEMBER 2015

### Present:

Councillor L Williams (in the Chair)

Councillors

I Coleman	Hutton	Stansfield
Critchley	Maycock	

### In Attendance:

Mrs Bernadette Jarvis, Senior Democratic Services Adviser  
Mr Gary Johnston, Head of Development Management  
Mr Latif Patel, Group Engineer, Traffic Management  
Mr Mark Shaw, Principal Planning Officer  
Mrs Carmel White, Chief Corporate Solicitor

### 1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

### 2 MINUTES OF THE MEETING HELD ON 3 NOVEMBER 2015

Resolved: That the minutes of the meeting held on 3 November 2015 be signed by the Chairman as a correct record.

### 3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

The Committee considered a report outlining details of planning appeals lodged since the last meeting.

**Resolved:** To note the planning appeals lodged.

Background paper: (1) Letters from the planning inspectorate dated 27<sup>th</sup> October 2015.

### 4 PLANNING ENFORCEMENT UPDATE REPORT

The Committee considered a report summarising planning enforcement activity within Blackpool during October 2015.

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

### 5 PLANNING APPLICATION 15/0223 - FYLDE COAST ICE ARENA, BRISTOL AVENUE

The Committee considered application 15/0223 to seek changes to four of the conditions imposed on planning permission 12/0485 as follows:

1. Variation of condition 01 attached to planning permission 12/0485 to allow a

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 1 DECEMBER 2015

- longer period of time (12 months from the date of this application) for the marking out of the car, motorcycle, coach and cycle parking;
2. variation of condition 04 to allow the ice rink to open between the hours of 06.00 to 0.00 seven days a week;
  3. variation of condition 08 to allow a longer period of time (12 months from the date of this application) for the submission and implementation of a scheme for the external treatment of the exposed sections of the building;
  4. removal of condition 07 to remove the requirement for a surface water drainage scheme.

Mr Shaw, Principal Planning Officer reminded the Committee that at its meeting on 8<sup>th</sup> September 2014 planning permission had been granted for planning application 12/0485 subject to a number of conditions. He explained that the application before the Committee today was to seek changes to four of those conditions as outlined above.

Mr Shaw presented the Committee with a brief overview of the application and the site layout plans.

In relation of the request to vary condition 04 to extend the opening hours of the ice rink, Mr Shaw advised Members of two recent planning applications that had been received for housing developments on the land immediately to the west of the ice rink, one of which had been refused and the other subsequently withdrawn. He suggested that due to the uncertainty regarding the future of the adjoining land, a temporary extension of hours for a period of three years would be more appropriate and would be in accordance with the National Planning Policy Framework and relevant local policies.

The Committee was also advised that the removal of the surface water drainage scheme requirement could not be undertaken until the marking out of the car, motorcycle, coach and cycle parking had been completed.

Mr Shaw reported that no objections to the application had been received from the nearest residential properties. However representation had been received from Walsingham Planning on behalf of the Property Alliance Group, details of which were contained within the report.

Responding to questions from a Member of the Committee regarding the extension of the opening hours, Mr Shaw reported that the applicant had requested this variation for the benefit of serious skaters rather than the general public.

**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 upon the applications.

### 6 PLANNING APPLICATION 15/0394 - 138 STONY HILL AVENUE

Mr Johnston, Head of Development Management presented the Committee with a brief overview of planning application 15/0394 for the erection of 10 x two and two and a half storey semi-detached dwelling houses with associated access road, car parking, landscaping and boundary treatment, following demolition of existing building.

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 1 DECEMBER 2015

Mr Johnston reported that a previous outline application, reference 14/0036, for the re-development of the site for three pairs of semi-detached houses had been submitted by the Council and planning permission had been subsequently granted. At the time, this application had not raised serious concerns by local residents, with only one representation received thereby suggesting that the residents broadly accepted that the re-development as outlined in the application had been reasonable.

The Committee was presented with the site layout plans for the proposed development and was advised that the main planning issues were the intensity of the development and the impact on residential amenity and highway safety. Mr Johnston reported that a number of representations from local residents had been received and were outlined within the report. He also referred to the additional representation from Gordon Marsden MP as detailed in the Update Note.

Prior to consideration of the application by the Committee, Mr Johnston circulated to Members comments on the application that had been received from the Head of Transportation. Mr Hadwin, agent, acting on behalf of the applicant raised concerns that he had not had sufficient time to consider and respond to this representation. Members expressed serious concerns that the information should have been made available to all parties prior to the meeting to enable sufficient consideration to be given to it. The Committee was of the view that to ensure full and proper consideration of the application including all relevant representations it was appropriate to defer it to the next meeting.

**Resolved:** That consideration of the application be deferred to the next meeting of the Committee to enable full and proper consideration of the application including all relevant representations.

Background papers: Applications, plans and replies to consultations upon the applications.

### **7 PLANNING APPLICATION - 15/0425 - LAYTON MEDICAL CENTRE, 200 KINGSCOTE DRIVE**

The Committee considered application 15/0425 for the erection of two storey rear extension to existing medical centre with amended layout to car park and erection of two metre high paladin fencing to part of site boundaries.

Mr Shaw, Principal Planning Officer presented the Committee with a brief overview of the application and the site layout plans. He highlighted the location of the neighbouring houses in relation to the application site.

Members were advised of two previous extensions that had been built following prior permissions which had resulted in a reduction in the number of car parking spaces from 19 to 16. Mr Shaw referred Members to the concerns raised by the Head of Transportation relating to the potential increase in on street parking and detrimental impact on highway safety. He also made reference to the letters of support for the development that had been received, including the statements from the ward Councillors in support of the proposed extension. Mr Shaw explained the rationale for the recommendation to grant, notwithstanding the Head of Transportation's concerns, which

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 1 DECEMBER 2015

included the increase in patient numbers in the area and the long term viability of the medical centre.

Dr Clark, applicant, spoke in support of the application.

The Committee carefully considered the merits of the application and the concerns that had been raised by the Head of Transportation. Members considered that on balance the need for the extension and the health benefits to be gained from the development outweighed the car parking and highway concerns raised by the Head of Transportation.

**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 upon the applications.

### **8 PLANNING APPLICATION 15/0457 - CO-OPERATIVE SPORTS AND SOCIAL CLUB, PRESTON NEW ROAD**

The Committee considered application 15/0457 outline approval of the erection of a residential development comprising up to 54 dwelling houses, utilising existing access and including car parking and associated works, following demolition of existing buildings.

Mr Johnston, Head of Development Management presented the Committee with a brief overview of the application and the site layout plans for the proposed development. He advised Members that the application was for outline planning permission with all matters reserved with the exception of access.

Members were advised that the application site comprised of a former social club with parking at the front and disused sports pitches to the rear and a sports pavilion. The social club had closed in 2013 and the sports pitches had not been used for several years prior to that. Mr Johnston reported that following consultation undertaken with the Head of Leisure and Catering Services, the loss of sports facilities at the site was not considered a significant consideration as there were adequate sport facilities at other locations in the Town. He also referred Members to the strong objections made by Sport England in relation to the loss of the sports facility although it had acknowledged the benefits of the financial contributions in improving sports facilities at Common Edge Road. Mr Johnston also highlighted the financial contribution to affordable housing within the application which met the legislative tests.

Mr Johnston reported on the Head of Transportation's comments in the Update Note regarding access points for the proposed development and the applicant's Transport Statement where an assessment of accident records had not identified any safety issues in the vicinity of the existing site access and Ribchester Avenue. He confirmed that the issues regarding the road layout within the development could be addressed at the Reserved Matters stage.

In conclusion, Mr Johnston advised the Committee that the material consideration of the loss of a playing field and the strong objection from Sport England was mitigated by the lack of need for the playing field at the site and the financial contributions to improving

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 1 DECEMBER 2015

sports facilities at Common Edge Road which met the legislative tests. He considered that this, together with the financial contribution to affordable housing, outweighed the objections and hence the recommendation was to agree to the application in principle, subject to a Section 106 agreement.

Mr Stone, applicant spoke in support of the application.

During consideration of the application, the Committee acknowledged the poor condition of the site, the lack of use of the sports facilities in recent years and the need for affordable housing within the town. They commented favourably on the proposed plans for the development. However, Members did consider that the financial contribution could be better utilised for sports facilities within the Clifton ward area due to the need for upgrading the sports facilities in the nearby area. The Committee requested that, should approval be given for the development, the Head of Development Management discuss with the Head of Leisure and Catering Services the option of directing the financial contribution towards sports facilities within Clifton ward rather than at Common Edge Road playing field for the above reason as it was considered that this was a preferred option which would also satisfy the legislative tests. Members also asked that the relevant ward Councillors be invited to take part in the discussions.

**Resolved:** To agree in principle the granting of the application, subject to conditions, and to delegate the issuing of the decision notice to the Head of Development Management subject to a Section 106 Agreement to his satisfaction relating to the payment of sums of money towards replacement sports pitch provision and towards off site provision of affordable housing.

Background papers: Applications, plans and replies to consultations upon the applications.

### **9 PLANNING APPLICATION 15/0625 - UNIT A, PRESTIGE HOUSE, CORNFORD ROAD**

The Committee considered application 15/0625 for the use of premises as an indoor trampoline centre within Use Class D2.

Mr Johnston, Head of Development Management presented the Committee with a brief overview of the application and the site layout plans. He reported that the application had been recommended for refusal due to the lack of a sequential test and the loss of employment land to a D2 use which was contrary to the National Planning Policy Framework, DE1 of the Blackpool Local Plan and CS3 of the emerging Core Strategy. Mr Johnston reported that two sequentially preferable sites within the Town Centre had been identified, namely the former Apollo site and the former Syndicate site but these had been dismissed by the applicant due to their size.

Mr Johnston referred Members to the representations made by the Head of Transportation in the Update Note relating to an inadequate number of parking spaces for the proposed leisure use which in his view would exacerbate the problems with the already oversubscribed on street parking. He also referred Members to the applicant's response to the officer's report and the Head of Transportation's representations that had been circulated to Members under separate cover on 1<sup>st</sup> December 2015, which had included a letter from the site owners of the proposed development.

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 1 DECEMBER 2015

Mr Johnston concluded by acknowledging the applicant's claims that other planning authorities had supported similar applications but reminded Members that each application had to be determined on its merits taking local needs into consideration. Whilst Mr Johnston acknowledged the employment opportunities that the proposed development offered, he considered that the loss of employment land was a material consideration, particularly in light of a shortage of available employment land in Blackpool, as demonstrated by approaches having been made to Fylde Borough Council to secure extra employment land to meet Blackpool's future needs as defined in the emerging Core Strategy.

Mr Bowness, applicant spoke in support of the application.

Councillor Luke Taylor, Ward Councillor, also spoke in support of the application.

During consideration of the application, the Committee noted that the site had been vacant for 19 months and there was no imminent alternative proposal for development despite it being marketed for a significant period of time. Members also commented favourably on the financial long term investment and employment opportunities that the development offered as well as the health benefits for residents in both the local area and the wider locality.

Members discussed at length the merits of continuing to protect employment land, particularly in instances where the land had been vacant for a number of years with little prospect of an alternative development proposal being submitted in the near future. The Committee also considered that the type of use that was being proposed, whilst accepting that it was a loss of employment land to a D2 use, would nevertheless create jobs in an area which was in need of employment opportunities.

The Committee acknowledged that the proposal was contrary to the National Planning Policy Framework, Policies DE1 and BH12 of the Blackpool Local Plan and Policies CS3 and CS4 of the emerging Core Strategy but considered that there were a number of factors that outweighed the conflict with these policies. Those factors included that there was no suitable premises within the Town Centre or edge of Town with sufficient floorspace for the intended use and the employment opportunities that the proposed development would bring. The Committee also considered that the benefits to the community locally and within the Town as a whole that the proposed development would offer both in terms of health and leisure activities was a contributory factor that weighed significantly in favour of the proposed development.

At the request of the Committee, Mr Johnston outlined the range of conditions that would be considered necessary and reasonable for the proposed development.

**Resolved:** That the application be approved subject to conditions and the Head of Development Management be authorised to finalise these conditions and issue the decision notice.

Background papers: Applications, plans and replies to consultations upon the applications.

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 1 DECEMBER 2015

### **Chairman**

(The meeting ended 7.15 pm)

Any queries regarding these minutes, please contact:  
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