

COMMITTEE DATE: 05/04/2016

Application Reference: 15/0451

WARD: Waterloo

DATE REGISTERED: 25/09/15

LOCAL PLAN ALLOCATION: Resort Neighbourhood

APPLICATION TYPE: Outline Planning Permission

APPLICANT: Waldorf, Kimberley and Henderson Hotels

PROPOSAL: Erection of part 5 /part 7 storey block of 99 self-contained permanent flats with car parking for 94 vehicles, access and associated works following demolition of existing hotels.

LOCATION: 585-593 PROMENADE AND 1 WIMBOURNE PLACE, BLACKPOOL, FY4 1NQ

Summary of Recommendation: Defer for Legal Agreement

CASE OFFICER

Gary Johnston

SUMMARY OF RECOMMENDATION

The application proposes a loss of holiday accommodation in an area of protected holiday accommodation and its replacement with permanent accommodation - a mixture of one bedroom, two bedroom and three bedroom flats. The protection was first instigated in 2006 through the Blackpool Local Plan and subsequently in 2011 through the Holiday Accommodation Supplementary Planning Document. Since 2011 the Crescent has been significantly affected by the closure and boarding up of hotels and the fire damage at the Palm Beach Hotel. This represents a significant material change in circumstances since 2011. The replacement of the Palm Beach Hotel with a Hampton by Hilton Hotel will represent significant holiday accommodation investment in the area and whilst it is not directly linked to that proposal this proposal would provide for a new residential offer envisaged by Policy CS23 of the Blackpool Local Plan : Part 1 - Core Strategy. If members are minded to grant planning permission on this basis it is recommended that the application be delegated to the Head of Development Management to issue the decision subject to -

- (a) the completion of a Section 106 Agreement in relation to the payment of a commuted sum in lieu of on site provision of 30% of the flats as affordable housing.
- (b) the receipt of amended plans showing an acceptable transition between the proposed development and the remainder of the Crescent to the north and with the Ocean Bay Hotel to the north.

INTRODUCTION

Bourne Crescent fronts onto New South Promenade, from Burlington Road West in the north to Harrowside West in the south and is bisected by Wimbourne Place. The present application site involves approximately one quarter of the Crescent, immediately north of Wimbourne Place and comprises the Kimberley, Waldorf and Henderson hotels.

Planning permission was refused for the erection of residential development on the site of between 3 and 11 storeys, comprising 166 apartments, with leisure facilities and associated car parking, servicing and landscaping on 21 December 2009 for the following reasons (9/0815 refers)

- 1 The proposal fails to make any significant provision for holiday accommodation within the scheme and an absence of holiday accommodation here would set an adverse precedent for other similar applications elsewhere along the Promenade driven by high residential values, which could undermine the wider ambitions to revitalize Blackpool's staying holiday market. As such, the proposal is contrary to Policy RR9 of the Blackpool Local Plan 2001 - 2016.
- 2 The plans are insufficient to accurately assess the impact of the proposal on the residential amenities of existing residents in Clifton Drive to the east, in terms of loss of privacy, loss of light, overbearing impact and the Human Rights Act. In the absence of accurate drawings, the proposal would be contrary to Policy BH3 of the Blackpool Local Plan 2001-2016.
- 3 Notwithstanding reason 2, the proposal fails to provide any accessible Public Open Space provision on this site to meet the needs directly arising from this development and is therefore contrary to the requirements of Policies BH10 and BH3 of the Blackpool Local Plan 2001-2016.
- 4 Notwithstanding reason 2, the proposal makes insufficient provision to meet the needs of Blackpool residents for affordable housing and is therefore contrary to Policy HN8 of the Blackpool Local Plan 2001 - 2016.

A subsequent application was submitted for the erection of residential development of between 6 and 10 storeys above ground, comprising 146 apartments, with leisure facilities and associated car parking, servicing and landscaping - 10/0476 refers. This application has never been determined in part because of the changed circumstances regarding the Crescent. There have been lengthy discussions with the applicant's agent regarding the proposed site and the height of development which may be acceptable on the site.

Recently, planning permission (15/0271) was granted for redevelopment of the Palm Beach Hotel (immediately to the south of this site) for the erection of a 130 bedroom hotel of four storeys in height, with associated car parking at ground level and servicing. Outline planning permissions 09/0616 and 09/0617 have also been granted in principle by Committee (subject to a Section 106 Agreements relating to various issues) for mixed use

hotel/permanent flat developments on the north and south extremities of the Crescent but these have not progressed because the Section 106 Agreements have not been signed.

SITE DESCRIPTION

This 0.4 hectare site is on New South Promenade to the south of Blackpool Pleasure Beach, and consists of a block of holiday accommodation premises comprising the Henderson, Waldorf (trading) and Kimberley (boarded up) hotels, immediately north of Wimbourne Place. The Palm Beach Hotel is to the south (across Wimbourne Place) and other hotels to the north. The properties were built in the 1920s / 1930s within a uniform terraced arc, set back behind Bourne Crescent, to the front of which is a walled area of public open space directly on the Promenade frontage. To the rear of the existing hotels is a service road, across which are two storey houses and flats fronting Clifton Drive.

The Crescent is within the Pleasure Beach Promenade Frontage (Main Holiday Accommodation Promenade Frontage) in the Holiday Accommodation Supplementary Planning Document.

DETAILS OF PROPOSAL

The submitted proposal is in outline with access, layout, appearance and scale currently applied for; landscaping is a reserved matter. The application is for demolition of the existing buildings within the application site and replacement with 99 residential apartments spread over between three and seven storeys.

Over the whole development, the height would gradually increase towards the south end of the site and would taper towards to the properties to the rear. The building would have a distinct base and there would be two entrances to the flats on the New South Promenade frontage. There would be a curved glazed elevation to the New South Promenade/Wimbourne Place corner of the building. The corner would also be built up to give it some prominence. The top floors would be glazed to give the building a lighter appearance. A high proportion of the flats would have balconies to make the most of the sea view. The building would be set back on a similar building line to the existing Crescent. The projecting wings at the rear of the building would taper to three storeys and one wing would extend to the back street and one would be offset by some 8 to 10 metres from the back street. The flats would comprise 23 one bedroom flats, 68 two bedroom flats and 8 three bedroom flats.

Vehicular access to the site is proposed from a new accesses formed to the back street, which would lead into the car parking spaces. The total parking on site would amount to 83 cars. In addition cycle parking would be provided. Bin storage would also be provided to the rear of the building and the car parking area would incorporate some landscaping. The proposal is supported by a Design & Access Statement, Flood Risk Assessment, Transport Statement, Bat Survey and viability report regarding the hotels

MAIN PLANNING ISSUES

The key issues relate to the principle of the development in terms of managing holiday bed spaces in the town (Policy CS23 of the Core Strategy) and the Holiday Accommodation Supplementary Planning Document (SPD); design Policies LQ1, LQ2, LQ3 and LQ4 (and CS7 of the Core Strategy), amenity policy BH3; and accessibility policies AS1 and AS2.

Key specific issues relate to:

- principle of the proposal
- comprehensive redevelopment of the site
- scale and impact on residential amenity
- traffic/transportation issues

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

CONSULTATIONS

United Utilities Plc (Water)

Drainage Comments

In accordance with the National Planning Policy Framework and Building Regulations, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. Building Regulations H3 clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

- a) an adequate soak away or some other adequate infiltration system, (approval must be obtained from local authority/building control/Environment Agency); or, where that is not reasonably practical.
- b) a watercourse (approval must be obtained from the riparian owner/land drainage authority/Environment Agency); or, where that is not reasonably practicable) a sewer (approval must be obtained from United Utilities).

Drainage Conditions

United Utilities will have no objection to the proposal provided that the following conditions are attached to any approval:

Foul Water

- Prior to the commencement of any development, details of the foul drainage scheme to serve the development shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. This development shall be completed maintained and managed in accordance with the approved details.

Surface Water

- Prior to the commencement of any development, details of the surface water drainage scheme to serve the development shall be submitted to and approved in writing by the Local Planning Authority. Surface water shall be drained on a separate system. This

development shall be completed maintained and managed in accordance with the approved details.

Police Architectural Liaison Officer

The Crime Impact Statement is formed based on local crime figures and trends, incidents reported to the police and community knowledge gathered from local policing teams. It is with this knowledge and policing experience that the recommendations made are site specific, appropriate and realistic to the potential threat posed from crime and anti-social behaviour in the immediate area of the development.

Observations

This type of development at this location creates multiple targets for property crime of burglary, theft and damage, which will have a substantial bearing on the types of security required to maintain a sustainable development.

Recommendations

This prestigious development should be built to Secured by Design standards.

Consideration should be given to the installation of laminated glazing to all doors and windows to the ground floor aspects and others deemed to be easily accessible or vulnerable.

The complex should utilise a comprehensive access control system to prevent unauthorised access to the premises. Access to these areas should be restricted to only those that require it to maintain the security and integrity of the complex. A proximity card/fob driven system would be the most appropriate, flexible and sustainable for this type of complex. (Vandal resistant readers are available for external use where required.)

All car parks associated with the development should aim to achieve the Park Mark safer parking award. A comprehensive access control system should also be used to ensure only authorised use of the facility.

CCTV coverage of the site should be considered for all areas and parking facilities.

Consideration should be given to Crime Prevention Through Environmental Design (CPTED). This relates to the layout and landscape features of the development.

Further advice on the requirements of Secured by Design is available from this office or at [www. securedbydesign.com](http://www.securedbydesign.com) which would provide the most cost effective and sustainable long term resistance to crime and disorder.

Blackpool International Airport - no comments received at the time of writing this report. Any comments received will be reported in the Update Note.

Head of Transportation - no comments received at the time of writing this report. Any comments received will be reported in the Update Note.

WASTE- Residential - no comments received at the time of writing this report. Any comments received will be reported in the Update Note.

PUBLICITY AND REPRESENTATIONS

Press notice published: 22 October 2015

Site notice displayed: 9 October 2015

Neighbours notified: 7 October 2015

Representations have been received from the following:

Mrs S Whadcock, OCEAN BAY HOTEL, 583 NEW SOUTH PROMENADE

Concerned about impact on her hotel and access at the rear of her hotel

Mrs J Millard, 52A CLIFTON DRIVE

This development is TOO high, it should mirror the other part of the crescent where Hilton will go. There will be a ridiculous amount of traffic from both alleyways either side of Wimbourne place. I can certainly envisage confrontations, what with people leaving their flats all around the same time for work, plus guests leaving the hotel and residents of Clifton Drive trying to access or leave again via the alleyway , The associated health risks have not been addressed, The overwhelming fumes from the traffic in the alleyway, as no doubt there will be standing traffic attempting to exit both the alley way and Wimbourne place, Clifton Drive is a racetrack during rush hours and traffic will undoubtedly be backed up with noxious carbon monoxide pumped out in to the lungs of the elderly and infirm alike. This development must not go ahead, it will block natural light, cause traffic congestion, will disturb a relatively peaceful area and damage the health of the residents.

Mr P Harrison, 28 CLIFTON DRIVE

I object to the following application. Another year, another planning application. After the years of applications why are there errors? Amended section 17 states 18 (1 bed house) 27 (2 bed house) 24 (3 bed house) This adds up to 69 houses/flats. The application is supposed to be for 99 apartments, what type are the missing 30? There are also no plans listed for the 2nd 6th and 7th floors. The sunpath diagrams relate to a different schemes but with "similar characteristics " This is just not good enough for the residents of Clifton Drive as the sunpath diagrams for the last application left some houses in shadow from the afternoon on the longest day. The financial viability report for the Waldorf under "geographical factors" states "no major attractions in the immediate area" I always thought the Pleasure Beach was a major attraction and it is definitely in the immediate area. The layout statement "naturally sits amongst the development around it in a similar way that the existing development does" The existing development is not seven storeys, in fact the new Hilton hotel next door will only be four storeys. There has to be symmetry to the height of the new buildings in the Crescent so as to maintain a skyline. In the access statement how can it be " anticipated that future residents would use public transport at a significant level" The transport statement says "back street will provide access for vehicle movements to the site" Both Wimbourne Place and the back street are a one car width, and the entrance from Clifton Drive to the back street cannot be widened as there is residential property to both sides. There is also no mention of visitor/disabled parking and are we really to believe that people will only have

one car per apartment? Apartments are to be provided with broadband connections to give options to work from home and Internet shop, where are the delivery vans parking? Balconies to the rear would destroy the residents of Clifton Drive rights to privacy and the quiet enjoyment of their homes.

Everybody is desperate for something to be done in respect of the dilapidated state of the hotels be it either residential or holiday accommodation. The first application was made in 2008, seven years ago and to be presented with this application which has mistakes and old documentation is deplorable. It is essential that a good redevelopment takes place as quickly as this situation cannot continue. The residents were all happy with the proposed plans for the Hilton, unfortunately I believe this one has a long way to go. Fewer apartments less height and a sensible car park exit and entrance would be a really good start.

Mr P Hyatt, 32 CLIFTON DRIVE

I am registering my objection. In general, I cannot see that the change in use from hotels to self-contained permanent flats fits in with the Local Plan for the neighbourhood. My personal objections to the proposal are as follows:

1. The scale and appearance of the proposed development is wrong. Four storeys seems to be the maximum height for buildings in this neighbourhood and they are generally of a traditional design. I think the proposed building of between 5 and 7 storeys of modern design would ruin the traditional feel of the Promenade.
2. Any increase in height to the existing building - which is 3 storeys (plus partial development of some of the roof space) - would result in more shadowing and loss of light to my property. The 7 storey tower on the corner of the Promenade and Wimbourne Place would be particularly troublesome as I think it would block the late afternoon sun completely.
3. There are small windows at the back of the existing buildings but these would be replaced by a far greater number of large picture windows which, along with the increased height, would increase the amount of overlooking of my property and corresponding loss of privacy.
4. The proposal to have a carpark for 94 vehicles would lead to much more noise, disturbance and car fumes at the back of my property. Very few cars park there at present. I don't think the access road at the back was ever intended to cope with a large number of cars. I also noted that there would be a 'bin store' for refuse on the carpark site - depending on its position this could lead to more noise and disturbance. The houses on Clifton Drive would be sandwiched between noise and fumes from the road at the front and the same from the carpark at the back.
5. The proposal suggests that the development would lead to less traffic in the area. I can't see how this could be so with 99 flats on the site. I'm particularly concerned about the use of the access road at the back of the properties which would concentrate traffic at this point and on Wimbourne Place. I've noticed that there are evening access restrictions to Wimbourne Place at weekends and half-term during the Illuminations so I feel there are

some issues relating to the increased use of this road which may not have been fully explored.

Ms Woodward, 581 NEW SOUTH PROMENADE

We object on the grounds that the build is too high, as none of the current or surrounding buildings are higher than 4 storeys.

There needs to be more consideration to the access of the development for the new residents, the alley way to access the side and rear of the property is narrow, as it is at present two cars struggle to pass, so how is the area to cope with an extra 94+ vehicles to the area. Not forgetting commercial vehicles for deliveries, bin lorries etc.

How will the area cope with the extra traffic, in consideration that the crescent barely copes with the current fall of passing traffic and parking here, especially in the busy holiday periods, is extremely difficult.

At present the alley way behind the hotels, on this half of the crescent is not owned, it is no-mans-land. no one has responsibility for its maintenance or up-keep. When the increased volume of use occurs with the new development who will maintain the access roads; more vehicles means greater wear-and-tear, and they are not currently in a good state, although some hoteliers try to keep the sections near their property usable.

Has there been any thought to the restrictions on the access for the new developments' car park? If it is not secure, day trippers and surrounding hotels who do not have their own private parking will use this site, then forcing the new residents to park in the public spaces outside the front of the existing hotels, this will cause untold stress to the area.

We pride ourselves and our business as being part of a quiet and tranquil community; travellers/holiday makers pick this area for this reason. A vast increase in the population to this area is not in-keeping with the respect the area has built itself. People will choose a quiet place to stay whilst still on excellent transport links for all the hustle and bustle of the busy town centre.

As a resident and business in this area, we are disappointed to have not been invited to discuss the development of these plans.

Mrs J Ladkin, 38 CLIFTON DRIVE

I am writing to express my views regarding this latest application which is not so very different from last years (14/0295). I am of the opinion that seven stories is too tall due to the nearness of the two storey residential housing on Clifton Drive. The seven stories would be at the back of my house. Balconies to the front an excellent idea, but far too intrusive at the rear for the residents of Clifton Drive. There would be no privacy to the rear of our houses. Not to produce a new daylight/sunlight assessment is wrong, but looking at the old ones my house would be in total shadow by 8pm on what is considered to be the longest day of the year. Is this really acceptable? Wimbourne Place is a single car width and there does not appear to be any plan to widen this. My garage and driveway are situated on the corner of Wimbourne Place and the back access road. Anyone entering or leaving my

driveway would have to contend with not only limited vision but a large increase in traffic. There is also no mention of visitor or disabled car parking. I would like to see this matter resolved as it has been ongoing since 2008, not because of the intransigence of the residents of Clifton Drive but because no sensible plan has ever been submitted. A sensible planning application with a height of four stories to match the new Hilton hotel, less apartments as at the moment it is quite intensive for the size of the site, a widening of Wimbourne Place to allow two way traffic to enter and leave the rear car park would be an excellent basis for moving forward.

Mrs P Greenberg, 24 CLIFTON DRIVE

I am writing to object. The outline planning application for 99 permanent flats is far too high and takes up a larger footprint than the original building. The rest of the Crescent is only four storeys high including the new Holiday Inn development. The additional wing at the back would have a 50/60 ft high brick wall only 40/50 ft from my back windows and the side balconies would invade my privacy. The 94 parking spaces would be fine for holiday accommodation but totally inadequate for permanent accommodation in an area that already has parking problems. The single lane access road is too narrow for utility vehicles, we have already had damage to our back walls with the existing traffic. The plans do not seem to add up and the lack of an overall picture of the finished view does not help. I feel these plans are trying to force the Council's decision as the applicants know how much the Council and us would like to see an end to the eyesore of boarded up properties. Yes we want things done but not at the expense of the surrounding area and residents.

Mr A Fenton, 22 CLIFTON DRIVE

1 The proposed height is not in keeping with the area.

2 The proposed height will cut off sunlight to our living quarters and take sunlight from our rear guest bedrooms, which could damage our business.

3 The proposed height will take sunlight from our private sitting out area and our back yard, where we dry washing.

4 The proposed balconies will overlook our guest bedrooms and our personal outside space, thus invading our and our guests privacy.

Mrs J Benson, 91 Clifton Drive

The planning application is not in keeping in height with the surrounding area: all other buildings are a maximum of 4 storeys as are the plans for the new Holiday Inn which would be adjacent. There would be too much strain on the rear access road due to number of car parking spaces and access for service vehicles. There would be a lot of pressure on car parking spaces due to number of apartments and the likely number of cars they would bring.

Previous planning applications have insisted on holiday/ hotel accommodation rather than apartments.

Mrs J Graham, 34 CLIFTON DRIVE

Seven storeys is too high. Not in keeping with the surrounding area. There are too many apartments for the available space. Too many extra vehicles using such a small access road would be an added hazard.

Mrs R Tindall, 50 CLIFTON DRIVE

I wish to object to the current application due to:

1. Height of the proposed building (7 storeys) if this is to be on Wimbourne Place.
2. Amount of traffic using Wimbourne Place as road is not wide enough for 2 vehicles to pass each other. Safety issues with parking.
3. Loss of light to rear of property.
4. The area is a quiet neighbourhood and the amount of apartments being suggested may incur disturbance due to increased amount of traffic.
5. Parking in this area is difficult and without use of garage would be impossible for residents.

I note that there is not an artists impression of finished building so cannot comment on the overall look of proposed development.

The issues raised will be discussed in the assessment part of this report

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

Paragraph 2 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

Paragraph 11 reiterates this requirement.

Paragraph 12 states that the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless material considerations indicated otherwise. It is highly desirable that Local Planning Authorities have an up to date plan in place.

Paragraph 14 states - at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and

- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as whole; or
 - specific policies in this Framework indicate development should be restricted.

Paragraph 17 sets out the 12 core land-use planning principles which should underpin both plan-making and decision-taking which include to proactively drive sustainable development and secure a high standard of design and a good standard of amenity.

Paragraphs 47-52 deal with the supply of housing.

Paragraph 56 states that good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making places better for people.

Paragraph 61 states that although visual appearance and architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations.

Paragraph 150 emphasises the importance of Local Plans in delivering sustainable development. It reiterates the point that planning decisions should be made in accordance with the 'Local Plan' unless material considerations indicate otherwise.

Paragraph 186 states that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.

Paragraph 187 states that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

Paragraph 196 states that the planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This Framework is a material consideration in planning decisions.

Paragraph 216 of the NPPF allows relevant policies to be given weight in decision-taking according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF.

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

The Blackpool Local Plan: Part 1 - Core Strategy has been adopted by the Council at its meeting on 20 January 2016. The document will be published on the Council's website in due course. In accordance with paragraph 216 of the National Planning Policy Framework significant weight can now be given to the policies of the Core Strategy. Certain policies in the Saved Blackpool Local Plan have now been superseded by policies in the Core Strategy (these are listed in the appendices to the document). Other policies in the Saved Blackpool Local Plan will remain in use until Part 2 of the new Local Plan is produced.

The policies in the Core Strategy that are most relevant to this application are -

CS1 - strategic location for development

CS2 - housing provision

CS5 - connectivity

CS7 - quality of design

CS9 - water management

CS10 - sustainable design

CS11- planning obligations

CS12- sustainable neighbourhoods

CS13 - housing mix density and standards

CS14 - affordable housing

CS23 - managing holiday bedspaces

None of these policies conflict with the provisions of the adopted Local Plan policies listed above.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006 and the majority of its policies saved by direction in June 2009. The following policies are most relevant to this application:

Policy LQ1 Lifting the Quality of Design states that 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.

Policy LQ2 Site Context states that the design of new development proposals will be considered in relation to the character and setting of the surrounding area. New developments in streets, spaces or areas with a consistent townscape character should respond to and enhance the existing character. These locations include locations affecting the setting of a Listed Building or should be a high quality contemporary and individual expression of design.

Policy LQ4 Building Design states that 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:

(A) Public and Private Space - New development will need to make a clear distinction between areas of public and private landscaping utilising appropriate landscaping treatments. Residential developments will be expected to achieve a connected series of defensible spaces throughout the development.

(B) Scale - The scale, massing and height of new buildings should be appropriate for their use and be related to:

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

(C) 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 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.

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

Policy HN4 - Windfall Sites -allows for housing development on vacant, derelict or underused land subject to caveats.

Policy BH3 Residential and Visitor Amenity states that developments will not be permitted which would adversely affect the amenity of those occupying residential and visitor accommodation by:

(i) the scale, design and siting of the proposed development and its effects on privacy, outlook, and levels of sunlight and daylight;

and/or

(ii) the use of and activity associated with the proposed development;

or by

(iii) the use of and activity associated with existing properties in the vicinity of the accommodation proposed.

Policy BH4 - Public Safety - seeks to ensure air quality is not prejudiced, noise and vibration is minimised, light pollution is minimised, contaminated land is remediated and groundwater is not polluted.

Policy BH10 - Open Space in New Housing Developments - sets out the need for open space as part of developments and where full provision is not made a commuted sum should be sought.

Policy NE6 - Protected Species - seeks to ensure that development does not adversely affect animal and plant species that are protected.

Policy AS1 General Development Requirements states that development will be permitted where the access, travel and safety needs of all affected by the development are met as follows:

- (a) convenient, safe and pleasant pedestrian access is provided
- (b) appropriate provision exists or is made for cycle access
- (c) effective alternative routes are provided where existing cycle routes or public footpaths are to be severed
- (d) appropriate access and facilities for people with impaired mobility (including the visually and hearing impaired) are provided
- (e) appropriate provision exists or is made for public transport
- (f) safe and appropriate access to the road network is secured for all transport modes requiring access to the development
- (g) appropriate traffic management measures are incorporated within the development to reduce traffic speeds; give pedestrians, people with impaired mobility and cyclists priority; and allow the efficient provision of public transport
- (h) appropriate levels of car, cycle and motorcycle parking, servicing and operational space are provided, in accordance with standards set out in Appendix B.

Where the above requires the undertaking of off site works or the provision of particular services, these must be provided before any part of the development comes into use.

Supplementary Planning Guidance Note 11: Open Space: provision for new residential development and the funding system.

Holiday Accommodation Supplementary Planning Document - Bourne Crescent together with hotels to the north on the Promenade and the Big Blue hotel at the Pleasure Beach are included in the Pleasure Beach Promenade frontage Main Holiday Accommodation Area.

ASSESSMENT

Principle of the proposal - the whole of the Crescent and the Henderson Hotel fronting Wimbourne Place is within Pleasure Beach Promenade Frontage (Main Holiday Accommodation Promenade Frontage) in the Holiday Accommodation Supplementary Planning Document. The aim of the designation which dates from 2011 is to promote and support new and improved accommodation offer that contributes to resort regeneration.

The intention is therefore to retain the existing floor space of holiday accommodation but at the same time permit redevelopment and improvement proposals which provide a new high quality mixed use seafront holiday accommodation and residential offer. Since 2011 the Kimberley Hotel has ceased trading and has been boarded up as has the Warwick Hotel and the Palm Beach Hotel has suffered extensive fire damage. In 2015 planning permission (15/0271) was granted for redevelopment of the Palm Beach Hotel (immediately to the south of this site) for the erection of a 130 bedroom hotel of four storeys in height, with associated car parking at ground level and servicing. The Palm Beach Hotel and the Warwick Hotel are due to be demolished over the next three- four months. In addition, since 2011 the Henderson Hotel has ceased trading. Whilst the redevelopment of the Palm Beach as hotel accommodation indicates confidence in this location for hotel accommodation the closure of the Warwick, Kimberley and Henderson Hotels suggest that the area is not

bouyant as a destination for holiday makers. The Holiday Accommodation Supplementary Planning Document is to be reviewed in the near future. The applicants are suggesting that they cannot wait for the review to take place and that the circumstances with the Kimberley and Henderson hotels and the trading position of the Waldorf hotel mean that redevelopment for residential purposes is the only realistic option.

Policy CS23 of the Blackpool Local Plan : Part 1 - Core Strategy states that (within the main holiday accommodation areas) change of use from holiday accommodation or loss of sites last used as holiday accommodation will be resisted unless - exceptional circumstances are demonstrated or in relation to a Promenade frontage the proposal would provide high quality holiday accommodation alongside a supporting new residential offer. In terms of the Crescent the Palm Beach site would provide 'high quality holiday accommodation' in the form of a new 130 bed hotel. Whilst not strictly supporting the Palm Beach redevelopment this proposal would provide for a new residential offer. Having regard to the changed circumstances of the Crescent since 2011, it is considered that the principle of residential development in this location is acceptable.

Comprehensive redevelopment of the site - the Council has sought to achieve a comprehensive redevelopment of the Crescent in the past but Members will note that it has effectively been subdivided into four quarters. The redevelopment of the Palm Beach site will represent one quarter and the application site would represent another quarter. It is not felt that the Council could at this stage seek to resist development on the basis a comprehensive approach is required.

Scale and impact on residential amenity - the proposal for the Palm Beach site would be four storeys high and would have an overall height of 14.6 metres. This proposal would have an overall height of 19 metres at the corner of Wimbourne Place and New South Promenade with the bulk of the New South Promenade elevation being 16 metres high.

Officers have suggested that the 'corner' should be higher to give it some presence and to make it a feature of the development. Indeed in the case of the Palm Beach site the suggestion was made that the corner should be higher but the applicant declined to do this.

Officers have suggested that the original concept for redevelopment of the Crescent up to 11 storeys in height is no longer realistic and that any redevelopment is likely to be in the range of five-seven storeys to reflect the height of the Crescent, the amenities of residents to the rear and to accord with the requirements of Policy LQ4 which seeks to achieve development of a minimum of four storeys in height on the Promenade.

Officers also suggested that any wings at the rear should taper in height towards the properties to the rear which front Clifton Drive. This proposal seeks to achieve this with development tapering to 8 metres in height where it is nearest the properties fronting Clifton Drive. One of the rear wings would be 6 metres from the rear boundary of the properties and the other would be between 12.5 metres and 16 metres from the rear boundary (The Palm Beach proposal would be 14.6 metres high and 11 metres away by comparison). The scale of development is considered acceptable. However there are two unresolved issues with the proposal - one is the relationship to the remainder of the

Crescent to the north and one is the relationship to the hotel to the north. Officers have said that the transition between the proposal and the remainder of the Crescent needs to be better and less abrupt than shown on the submitted plans. Officers have also said that greater consideration needs to be given to the relationship with the hotel immediately to the north of the application site. These issues are as yet unresolved and hence if the Committee is minded to support the principle of the development the application should be deferred to the Head of Development Management to approve subject to the satisfactory resolution of these issues.

Local residents have referred to the proposed development being too high and consider the Palm Beach proposal at four storeys to be the benchmark against which this proposal should be assessed. As mentioned above, the height difference between this proposal and the Palm Beach proposal would not be significantly different. Balconies on the rear elevation of the proposed building would be approximately 29 metres away from the rear boundaries of properties fronting Clifton Drive and this distance is considered acceptable to safeguard the privacy of the occupiers of properties fronting Clifton Drive.

Traffic/transportation issues - the proposal would provide 83 car parking spaces for the 99 proposed flats. This represents less than one car parking space per flat but given the location opposite the tram services and bus services on the Promenade it is considered acceptable. In addition, cycle parking is to be provided. Bin storage would be provided at the rear and bin lorries can use the rear alley between Burlington Road West and Harrowside West. It is acknowledged that Wimbourne Place is narrow at approximately 4 metres in width but the back alley is approximately 5 metres wide and is capable of accommodating two way traffic.

Other matters - no on site public open space would be provided and hence a commuted sum would be required. Given the breakdown of flats proposed the sum required would be £66,908. Similarly the proposal makes no provision for affordable housing. Policy CS14 of the Blackpool Local Plan: Part 1 - Core Strategy requires 30% of the properties to be affordable i.e. 30. As no on site affordable housing is to be provided a commuted sum in lieu of on site provision is required. Based on the mix proposed this should equate to 6 one bed flats, 22 two bedroom flats and 2 three bedroom flats. This sum should be secured via a Section 106 Agreement.

The one bedroom flats would exceed the national standards in terms of overall floorspace requirements (51.5 square metres compared to 50 square metres) and in terms of the internal arrangements. Similarly the two bedroom flats (82 square metres compared to 70 square metres) would exceed the standards but the three bedroom flats would be marginally below (92 square metres compared to 93 square metres). Overall the flats are considered acceptable.

The bat survey has not indicated the presence of bats in the roofspace/eaves of the buildings.

CONCLUSION

The application proposes a loss of holiday accommodation in area of protected holiday accommodation and its replacement with permanent accommodation - a mixture of one bedroom, two bedroom and three bedroom flats. The protection was first instigated in 2006 through the Blackpool Local Plan and subsequently in 2011 through the Holiday Accommodation Supplementary Planning Document. Since 2011 the Crescent has been significantly affected by the closure and boarding up of hotels and the fire damage at the Palm Beach Hotel. This represents a significant material change in circumstances since 2011. The replacement of the Palm Beach Hotel with a Hampton by Hilton Hotel will represent significant holiday accommodation investment in the area and whilst it is not directly linked to that proposal this proposal would provide for a new residential offer envisaged by Policy CS23 of the Blackpool Local Plan: Part 1 - Core Strategy. If members are minded to grant planning permission on this basis it is recommended that the application should be delegated to the Head of Development Management to issue the decision subject to -

- (a) the completion of a Section 106 Agreement in relation to the payment of a commuted sum in lieu of on site provision of 30% of the flats as affordable housing
- (b) the receipt of amended plans showing an acceptable transition between the proposed development and the remainder of the Crescent and with the Ocean Bay Hotel to the north

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

Policy CS11 of the Blackpool Local Plan: Part 1 - Core Strategy relates to planning obligations and is relevant in terms of the affordable housing contribution required.

The public open space requirement (£66,908) is as follows and this would be secured by condition -

23 one bedroom flats x £516 per flat = £11868

68 two bedroom flats x £688 per flat = £46784

8 three bedroom flats x £1032 per flat = £8256

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) 15/0451 which can be accessed via the link below:

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

Recommended Decision: Defer for Legal Agreement

Conditions and Reasons

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

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

2. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority on 06 July 2015 including the following plans:

Location Plan stamped as received by the Council on 06 July 2015

Drawings numbered: A715/1c ,A715/2c, A715/3c, A715/4c, A715/5c, A715/6c, A715/7b, A715/8c, A715/9c, A715/10

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

3. Prior to the construction of any above ground structures details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority. The approved materials shall then be used as part of the development.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ4 of the Blackpool Local Plan 2001-2016.

4. Prior to the construction of any above ground structures details of the surfacing materials to be used in the construction of the development shall be submitted to and agreed in writing by the Local Planning Authority. The approved materials shall then be used as part of the development.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ1 of the Blackpool Local Plan 2001-2016.

5. 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.

6. The development authorised by this permission shall not begin until the Local Planning Authority has approved a scheme to secure the provision of or improvements to off site open space together with a mechanism for delivery, in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development"(SPG11).

Reason: To ensure sufficient provision of or to provide sufficient improvements to open space to serve the dwellings in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development"(SPG11).

NOTE – The development is of a scale to warrant a contribution of £66,908 towards the provision of or improvement to off site open space and management of the open space provision, in accordance with Policy BH10 of the Blackpool Local Plan 2001-2016 and SPG 11 . The Applicant(s) should contact the Council to arrange payment of the contribution.

7. 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.

8. 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.

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

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

10. 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.

11. 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 routeing 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.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no change of use from Use Class C3 (the subject of this permission) to Use Class C4 shall take place without the written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and to prevent the further establishment of Houses in Multiple Occupation which would further increase the stock of poor quality accommodation in the town and further undermine the aim of creating balanced and healthy communities, in accordance with Policies BH3 and HN5 of the Blackpool Local Plan 2001-2016.

13. Before any of the approved flats are first occupied details of the boundary treatment to New South Promenade, Wimbourne Place and the back alley between Burlington Road West and Harrowside West shall be submitted to and agreed in writing by the Local Planning Authority. The agreed boundary treatment shall then be erected and shall thereafter be retained.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ1 of the Blackpool Local Plan 2001-2016.

14. No development approved by this permission shall be commenced until details of the finished floor levels of the proposed building and any alterations to existing land levels have been submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed in accordance with the approved levels unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with Policy CS7 of the Blackpool Local Plan: Part 1 - Core Strategy and Policies LQ1, LQ2, LQ4 and BH3 of the Blackpool Local Plan 2001-2016.

15. Foul and surface water shall be drained on separate systems. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with paragraphs 103 and 109 of the National Planning Policy Framework, Policy CS9 of the Blackpool Local

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.