

COMMITTEE DATE: 27/09/2016

Application Reference: **16/0074**

WARD: Claremont
DATE REGISTERED: 18/04/16
LOCAL PLAN ALLOCATION: Resort Neighbourhood
Defined Inner Area

APPLICATION TYPE: Outline Planning Permission
APPLICANT: Mr I Rayaz

PROPOSAL: Erection of four storey building to form two self contained, permanent flats and two maisonettes, with associated boundary treatment, bin and cycle stores and plant room, following demolition of existing building.

LOCATION: 3 BANKS STREET, BLACKPOOL, FY1 1RN

Summary of Recommendation: Grant Permission

CASE OFFICER

Mr M Shaw

SUMMARY OF RECOMMENDATION

The proposal is considered an exception to the main holiday accommodation area protection due to its long-standing vacancy, poor structural condition and not being considered viable to re-develop for holiday use. Therefore a conditional approval of the application is recommended.

SITE DESCRIPTION

The property is currently a vacant boarded up hotel with scaffolding around it due to its unsound structural condition. It is a three storey end terraced building with basement accommodation located close to the Promenade and Filey Place adjoins the side boundary of the property beyond which is a surface level car park. This section of Banks Street is within one of the protected Holiday Accommodation areas (one of two on Banks Street) although the character of the street is mixed with both holiday and permanent residential accommodation, including Regent Court a high rise residential block of flats, within close proximity of the application site.

DETAILS OF PROPOSAL

Outline planning application involving the demolition of the existing vacant hotel which is structurally unsound and the re-development of the site with a four storey building creating

two permanent self contained flats and two permanent maisonettes. The application seeks approval for the means of access, site layout and scale of development. The two flats would each have two bedrooms and occupy the ground and first floors, the two maisonettes would occupy the two upper floors and each maisonette has two bedrooms and one has a balcony which has been re-located from the side elevation to the rear elevation in order to reduce height of the building at the rear. The rear ground floor would accommodate a bin store and cycle store.

The application is accompanied by viability report setting out why the site cannot be re-developed for holiday use, necessary given the current protected holiday status of the area, and a bat survey.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle of Permanent Residential Accommodation
- Acceptability of the Proposed Scheme
- Other Issues

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

CONSULTATIONS

Head of Highways and Traffic Management: The proposal site is on the edge of the Town Centre and seeks to develop residential accommodation. The previous use will have generated more regular vehicle trips if compared to the current proposal. No parking is available and given its proximity to the Town Centre and other modes of transport I have little concern with this.

The plant room and bin store is shown on the side elevation with doors opening out onto highway, this is contrary to the Highways Act 1980 and must be reversed.

Filey Place is public highway and given the nature of the works, which includes demolition and construction, it is likely that damage may be caused to the fabric of the highway. Normally I would not request this for a proposal of this nature but on this occasion given the tight confines of the site and proximity to neighbouring properties, a Construction Management Plan condition should be included if permission is granted.

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 (Water): No objections

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 26 April 2016

Neighbours notified: 22 April 2016

Support

10 General Street- we hereby support the proposal given that 3 Banks Street has been empty for far too long. Upgrading into flats would be very nice and be much more appealing for visitors to this area. There are too many empty properties many of which are in this area of Blackpool.

The Studio, 10 Banks Street- the proposal is exactly the same as 6 Banks Street which is next to a hotel and was converted into flats. 6 Banks Street is excluded from the holiday zone and Regent Court which comprises 43 flats is also across the street. A viability report carried out six months ago showed re-build costs to a hotel or holiday flats to be in excess of £300,000. Some hotels on Banks Street have been selling for between £50,000 and £130,000. A number of hotels are not trading and those that are trading close in winter. There is flexibility within the holiday zones to convert to residential and this takes into account whether the hotel is vacant, how many properties are up for sale or vacant and the condition of the properties. The proposal involves accommodation of a very high standard and the holiday zone is not meant to prevent such development. It is recommended that Banks Street is excluded from the holiday zone to allow such development.

10 Banks Street- have also written in support of the proposal on behalf of the Regent Court Management Committee. The current building has been derelict and vacant for a number of years and the building is also structurally defective and currently supported by scaffolding. The proposal would be an improvement to the street. There is little or no prospect of anyone successfully investing in holiday accommodation. The empty property has blighted the street for a number of years now.

A survey has been submitted indicating that the retention of a holiday use is not viable. There is no evidence that that high quality flats and hotels do not get along and the proposal should be considered to be exceptional circumstances, 3 Banks Street has not contributed in any way to the holiday zone for 10 years

19 General Street- Upgrading into flats would be very nice and be much more appealing for visitors to this area. There are too many empty properties many of which are in this area of Blackpool.

9 Banks Street I have no problems with the proposed construction. As it stands the existing building is an eyesore. Although in a holiday area there is little chance of anybody purchasing the building and turning it back into a hotel and it is sometimes necessary to be pragmatic.

Flat 2, 35 General Street the proposal would enhance the area and make a vast improvement to the street. The current property is ready to collapse.

94 Regent Court, 204 North Promenade supports the application.

Hatton Hotel, 10 Banks Street supports the application as the current building has been empty and dilapidated for a number of years and blights the area. The holiday zone was intended to secure new investment and none of this has been forthcoming due to budget cuts and the recession. 50% of the hotels are no longer trading and a number are up for sale. The proposal would be a vast improvement on the existing building. The holiday zone should not stifle opportunity and involves permanent self contained flats not a House of Multiple Occupation (HMO). The proposal could be a catalyst towards some sustainable recovery for the area.

The Cafe on the Square, 7 Cocker Square supports the application as the building has stood empty for 10 years and attracted undesirables. The flats are of a high standard and located with other residential properties. The proposal would not interfere with the holiday zone and would help the economy.

Objections

8 Banks Street- We have had a successful guesthouse business here for nine years working hard for Blackpool always promoting a feel good factor in the holiday zone, which we fought for a few years ago now. We were shocked to see a notice of change of use application for number 3 which is in the holiday zone. Our great concern is that if consent is given things will change on our street for the worse. If they build these flats and can't sell them to private owners, yet again property moguls will buy them to let and then they won't be able to let them privately, so then let to the Council e.g. HMO yet again. Why not build holiday flats?

Margarets Hotel, 7 Banks Street objects on the basis that this is a protected holiday area and the Core Strategy supports the holiday accommodation areas. The group of hotels in this area whilst small in number are a strong trading cluster and includes 3 and 4 star Visit England rated premises. The conversion of Bank House Hotel to anything other than a hotel would be to the detriment of all the businesses. Other hotel areas have suffered from the consequences of hotel conversions to flats. Another important factor is that banks are less likely to support hotels outside of a holiday accommodation area. The proposal would also have a direct impact on the light received at the rear of their hotel.

The Sunset Hotel, 5 Banks Street the application is seriously flawed as the property is within the designated holiday area. Other holiday areas have suffered with the encroachment of HMO's. As a dedicated holiday area this was Banks Street opportunity to secure the future of their business investment.

Comments

9 General Street- it is better to have the eyesore decaying building built to a habitable standard than stay empty like so many other buildings in Blackpool. The area is designated for bed and breakfast accommodation and hotels not flats. General Street was once a busy hotel business area, but once the Council; in their wisdom allowed properties to be changed to flats the majority of the holiday trade hotels opted to change to flats. I think once the Council grant one hotel to be made into flats it is only a matter of time the rest will follow

suit. This will not help current businesses sell an on going business but it might interest other buyers to purchase properties to be converted into flats; I am sure at a much lower saleable price. I would hope the person having bought the property will make it better than what it is.

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework states that the purpose of the planning system is to contribute towards sustainable development. There are three strands to sustainable development namely economic, social and environmental. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. Of the 12 core planning principles those that are relevant to this proposal are summarised below:

Proactively drive and support economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Always seek to secure high quality and a good standard of amenity for all existing and future occupants of land and buildings; Encourage the effective use of land by re-using land that has been previously developed (brownfield land).

Part 6 - Delivering a wide choice of high quality homes. Housing applications should be considered in the context of the presumption in favour of sustainable development. It is acknowledged that proposals for housing development should be looked upon favourably if a local planning authority is unable to demonstrate a five year supply of housing land. Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

Part 7 - Requiring good design. Planning decisions should aim to ensure that developments respond to local character and history. 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. It is proper to seek to promote or re-inforce local distinctiveness.

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 -

Policy CS7: Quality of Design

Policy CS12: Sustainable Neighbourhoods
Policy CS13: Housing Mix, Standards and Density
Policy CS23: Managing Holiday Bed spaces

None of these policies conflict with or outweigh the provisions of the saved Local Plan Policies listed below.

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:

LQ1 - Lifting the Quality of Design
LQ2- Site Context
LQ4- Building Design
BH3 - Residential and Visitor Amenity
AS1 - General Development Requirements (Access and Parking)

New Homes from Old Places Supplementary Planning Document/ National Technical Housing Standards.

Holiday Accommodation Supplementary Planning Document.

ASSESSMENT

Principle of Permanent Residential Accommodation - The alternative to what is considered to be a good re-development scheme is either a building that will continue to deteriorate, and is not capable of being converted due to its poor structural and increasingly dangerous condition or more likely the building would be demolished and the site left vacant. The demolition of the building and creation of a cleared site in a prominent location would detract from the appearance of the area. The proposal represents a good, maybe the only likely opportunity, for the site to be re-developed and is considered to be an exception to the Holiday Accommodation Supplementary Planning Document (SPD) restrictions to new non holiday uses. The proposal does not contribute to the holiday character of Banks Street but the existing property hasn't contributed for a number of years (suggested to be 10 years) and in fact detracts from the character and appearance of the area and is also readily visible from the Promenade being adjacent to a surface level car park. Whilst the application property is within one of the main holiday accommodation areas there is nevertheless a significant residential presence in the immediate area, including within Regent Court across from the application site, to the rear on Filey Place and planning permission has also been granted in principle for permanent flats on the adjoining former site of Revills Hotel reference 11/0056.

The viability report submitted with the application indicates that it would be prohibitively expensive to re-instate the former hotel use on the site given the existing surplus stock of vacant and non trading hotel accommodation and the lack of appetite for investing in such

projects this is not a viable option. It concludes that a residential development is however a viable option for re-developing the site.

Acceptability of the Proposed Scheme - The application seeks outline approval for the layout, scale and means of access to a four storey end terrace building which is similar in scale to adjoining buildings. The proposed residential accommodation is in accordance with the National Technical Housing Standards and would provide good quality accommodation not HMO type accommodation as suggested by some local hoteliers and this good quality accommodation would not therefore be expected to detract from or undermine the character (both holiday and residential) of the area. There is also nothing to suggest that permanent residential accommodation and hotels cannot exist satisfactorily side by side and the proposal would add to the attractiveness of the area. The use of the accommodation for anything other than two flats and two maisonettes would require planning permission and uses that would detract from the area would not be supported.

Other Issues - There is no off street car parking provided either at present or proposed as part of the proposal. However, given that the site is within easy walking distance of the Town Centre and of public transport facilities the absence of off street parking is not considered to be an overriding issue in this instance.

The proposed building would project 1.5 metres beyond its current rear elevation and 1.5 metres beyond the rear elevation of the adjoining hotel and would also be closer to the adjoining two storey cottage on Filey Place. The cottage on Filey Place is to the south of the application property and the hotel is to the east and whilst there would be additional impact this is not considered overriding and the amendment made to the application in re-location of the balcony to the rear elevation has taken some of the bulk off the rear elevation.

Whilst illustrative elevational details have been provided the appearance of the building will be dealt with as a reserved matter under a subsequent application.

CONCLUSION

The protection of the designated holiday areas is important to retain the character and attractiveness of these areas although good quality holiday accommodation is by no means solely confined to these protected areas. However, in this instance it is considered clear that an exception can be made to the policy as the property needs demolishing and the site is not viable for a holiday re-development and therefore the cleared site in the absence of a suitable alternative development would be left vacant. It is considered that the re-development would add to the attractiveness of the area and will provide good quality residential accommodation, not HMO type accommodation. The approval of this application will not compromise the continued protection of this and other designated holiday areas and given the viability and character issues the proposal accords with relevant local and national planning policy.

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. 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) 16/0074 which can be accessed via the link below:

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

Recommended Decision: Grant Permission

Conditions and Reasons

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

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

2. Details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced.

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

3. 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 future occupants, 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 CS7 and CS13 of the Blackpool Local Plan Part 1: Core Strategy and Policies LQ1, BH3 and HN5 of the Blackpool Local Plan 2001-2016 and the National Technical Housing Standards.

4. 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 including the following plans:
A016/006/P/01 A

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

5. The dwarf wall shall be erected along the frontage of the premises and constructed in accordance with the approved details prior to the development hereby permitted being first brought into use. Such means of enclosure shall thereafter be retained.

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

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 £3096 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. 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.

8. Notwithstanding the submitted plans details of the layout of the plant room, bin and cycle storage areas indicated on the approved plan(s) shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced. The agreed details shall be implemented as part of the development and shall be retained thereafter.

Reason: In the interests of highway safety and the appearance of the site and locality, in accordance with Policies AS1, LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

9. Notwithstanding the submitted plans details of the screening of the balcony indicated on the approved plan(s) shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced. The agreed screening shall be implemented as part of the development and shall be retained thereafter.

Reason: In the interests of residential amenity and the appearance of the site and locality, in accordance with Policies AS1, LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Advice Notes to Developer

Not applicable