

COMMITTEE DATE: 20/06/2018

Application Reference: 18/0202

WARD: Bloomfield
DATE REGISTERED: 30/03/18
LOCAL PLAN ALLOCATION: Defined Inner Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: Valad European Diversified Fund (Jersey) 14 Limited

PROPOSAL: Demolition of the existing public house, relocation of the vehicular access and erection of a bingo hall (Use Class D2) and a drive-thru cafe/restaurant (Use Class A3) with associated reconfiguration of the existing car park and provision of new landscaping.

LOCATION: LAND AT ODEON CINEMA, RIGBY ROAD, BLACKPOOL, FY1 5EP

Summary of Recommendation: Refuse

CASE OFFICER

Miss. S. Parker

BLACKPOOL COUNCIL PLAN 2015 -2020

The application would accord with Priority One of the Plan - The economy: Maximising growth and opportunity across Blackpool in so far as it would create additional employment, but it would conflict with national and local planning policies and guidance.

SUMMARY OF RECOMMENDATION

Refusal on the basis that the development fails to satisfy the sequential test and on the grounds of poor design.

INTRODUCTION

Pre-application advice was sought in respect of this scheme in January 2018. Two meetings were subsequently held and written advice was issued. The principle of the proposal was discussed including the need for the applicant to demonstrate compliance with the sequential test and show that the development would not have an unacceptable impact on the health of the town centre. The design of the two buildings but particularly the bingo hall was discussed. Concern was raised over the scale of the building, its detailing and its position relative to the site boundaries.

SITE DESCRIPTION

The application relates to the Festival Leisure Park that is bound to the south by Rigby Road, the west by Seaside Way, the north by Princess Street and to the east by Kent Road and Salthouse Avenue. At present the site is occupied by a large Odeon multiplex cinema, a Bannatynes Fitness Centre, a McDonald's drive-thru, a Frankie and Benny's restaurant, and the Swift Hound public house. Vehicular access to the site is taken from Rigby Road between the Frankie and Benny's and the Swift Hound. There is a telecoms tower in the north-western corner of the site and this is served by a second vehicular access from Princess Street. Informal pedestrian access to the wider site is available from this point. A wall demarcates the boundary of the site with a strip of planting behind. There are more substantial areas of landscaping on either side of the site entrance, along Seaside Way, and in pockets along the northern and north-eastern boundaries.

The buildings on site vary in scale and design. The Odeon and Bannatynes buildings are of a similar style with flat roofs and cream-coloured cladding set above a buff brick base. The buildings echo art deco design and the main entrance points have been made into visual focus points through the use of raised brick piers, curtain glazing and central feature panels to bear signage. The McDonald's drive-thru is faced in a red brick with a green panel-clad roof that is typical of that company's branding. The Frankie and Benny's restaurant continues the art deco theme and uses a mix of render and buff brick above a grey brick plinth. Canopies are in place over the windows to define the brand with high level signage in front of wooden-panelled central focal features. The most traditional building on site is that of the Swift Hound. This is constructed of red brick with buff brick detailing and a grey slate roof. The building varies in scale between single and two-storey and the varied roofscape breaks up its massing.

With the exception of a retail unit at the corner of Rigby Road and Salthouse Avenue, the site is bound by residential properties on all sides. The site is elevated above Rigby Road by some 0.7m.

The site is not designated on the Proposals Map to the Local Plan. A small section of the north-western corner of the site falls within Flood Zone 2 and the very edge of the entrance to the site falls within Flood Zone 3. The site falls outside of any Conservation Areas and there are no heritage assets in close proximity. There are no trees of significant amenity value on the site and, aside from the small areas of landscaping, there are no areas of habitat. No other designations or constraints are identified.

DETAILS OF PROPOSAL

The application proposes the demolition of the existing Swift Hound pub to enable the erection of a bingo hall in the south-eastern corner of the site. This building would be largely rectangular in shape with projections on the western elevation to form the main entrance foyer and a smoking area, and a third projection on the northern elevation to form a bin store. The building would be single level aside from a mezzanine to accommodate plant. It would be some 33m in width and 70m in length and would provide around 2,330sqm of

floorspace. Four square towers are proposed to the corners with a shallow hipped roof set between. The maximum height of the building to the ridge would be 7m. The eaves would be 5.5m high with the towers rising to 6.5m. Some 8.5m would separate the building from the back of pavement on Rigby Road. The separation to the back of pavement on Salthouse Avenue would be around 8.5m with a pinch point of 3.8m between the north-eastern corner of the building and the Kent Road boundary. It is proposed that the bingo hall would be operated by Bingo 3000.

The application also proposes the erection of a new drive-thru cafe/restaurant to the west of the existing Frankie and Benny's building. This would sit at a right angle to Rigby Road and would have a frontage of some 20m and a depth of 12m. It would sit away from the boundary with Rigby Road by around 9.5m. The building would have a mono-pitch roof sloping up from east to west. Vertical features defining the main entrance point and drive-thru servery would punch up through this roof to heights of 7.3m and 6.3m respectively. The roof itself would have a minimum height of 4m rising up to 5.2m. At the time of writing, no end-user is identified.

The provision of these new buildings in the positions proposed would require the relocation of the existing vehicle access and the reconfiguration of the car park. It is proposed that the access be relocated some 82m to the west. Ramped pedestrian access would be provided in place of the existing vehicular access along with some additional landscaping. The resulting space between the Frankie and Benny's and the bingo hall would be laid out as car parking. The car parking area that currently exists between Frankie and Benny's and the McDonalds would be reconfigured to accommodate the drive-thru road layout and the new access. A new vehicular access point is proposed in the northern site boundary onto Princess Street. It is suggested that this would be a managed, exit-only point to reduce congestion at peak times. In total the number of parking spaces available on the site would be reduced from 631 to 497.

It is proposed that the bingo hall would operate 11:00-00:00 seven days a week and that the drive-thru would be open 24 hours a day all week.

The application is accompanied by a:

- design and access statement
- planning and retail statement
- transport assessment and technical update note
- flood risk assessment
- noise assessment
- bat survey
- BREEAM assessment
- statement of community involvement
- demolition management plan

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- The impact of the proposal on the health and vitality of the town centre
- The impact of the proposal on residential amenity
- The visual impact and design of the scheme
- The acceptability of the access arrangements and the implications of the parking reduction

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

CONSULTATIONS

Head of Highways and Traffic Management: both the junction capacity calculations and car park use assessments are based on data from February 2018. Data should have been gathered from Frankie and Benny's and the Odeon or the Council and a busier time of year chosen to establish a representative picture. Data from a busier period should be used to demonstrate that the numeric assessments are valid. The new access and works at the mini roundabout would require works to be approved and carried out under a Section 278 agreement. The routing of service vehicles across the busy pedestrian approach to the cinema is questioned. This is where conflict with the largest number of potentially distracted pedestrians is most likely. More details of the management arrangements for the Princess Street access are required. The pedestrian routes across the site from north to south and east to west are questioned. At present there are clear routes across the site linking the smaller facilities and the pedestrian route to the Odeon. Whilst they may not be well used they are nevertheless clear and visible. This relatively straightforward pedestrian orientation would be lost. Given that the main proposal is in the eastern part of the site and the greater area of parking is to the west, it is unclear how this arrangement could deliver any benefit.

Service Manager Public Protection: there is potential for noise disturbance. The pedestrian entrance would be very close to houses on Rigby Road. Vehicles including taxis are potentially more likely to pull up here for drop off/collection than enter the site. Entrance points tend to be a focus of congregation and are therefore often a source of noise. It is reasonable to expect that a large number of customers would seek to leave simultaneously at the end of a session creating a busy and noisy situation. Typical noise sources would be car horns, vehicle engines, car doors closing, car stereos, conversations, telephone use and potentially alcohol fuelled merriment. The design should be reconsidered to move the main entrance further from the housing and remove the pedestrian access from Rigby Road. More space should be created around the main access to enable greater dispersal. A Construction Management Plan should be required. Details of any new lighting would be required and must adhere to the guidance notes on the Reduction of Obtrusive Light produced by the Institute of Lighting Engineers. Deliveries should be restricted to 0800 to 1900 in accordance with the submitted noise assessment.

Head of Coastal and Environmental Partnership Investment: it is recommended that a condition be attached to any permission granted to require demonstration that surface water run-off rates at the point of discharge post development would be less than or equal to surface water run-off rates at the point of discharge pre-development.

PUBLICITY AND REPRESENTATIONS

Press notice published: 26th April 2018

Site notice displayed: 16th April 2018

Neighbours notified: 13th April 2018

Three representations have been received from Nos. 15, 17 and 19 Rigby Road raising the following issues:

- scale excessive for the area
- increase in noise nuisance and disturbance from cars and people
- loss of car-parking unacceptable as existing provision is inadequate on Blackpool Football Club match days, when a new film is released, or when there is an event in town
- the submitted car parking survey is unreliable
- increase in traffic
- impact on highway safety
- existing traffic-calming measures are ignored
- difficulty accessing/egressing driveways
- there are no boundary treatments to provide a buffer between the properties on Rigby Road and an out-of-control vehicle
- traffic speeds are excessive and the relocation of the access would exacerbate this
- the creation of a vehicle access/egress point on Princess Street would compromise highway safety, particularly for children
- anti-social behaviour from use of car park by motorists
- increase in litter and inadequate bin provision
- existing drainage is inadequate
- increase in pollution
- disturbance during construction, particularly in conjunction with other developments in the area

RELEVANT PLANNING POLICY

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

The National Planning Policy Framework (NPPF) was adopted in 2012. It sets out a presumption in favour of sustainable development and identifies twelve core planning principles. The following sections are most relevant to this application:

- 1 - Core principles
- 2 - Ensuring the vitality of town centres
- 4 - Promoting sustainable transport

- 7 - Requiring good design
- 8 - Promoting healthy communities
- 10 - Meeting the challenge of climate change, flooding and coastal change
- 11 - Conserving and enhancing the natural environment

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

The National Planning Practice Guidance (NPPG) expands upon and offers clarity on the points of policy set out in the NPPF. The following sections are most relevant to this application:

- Design
- Ensuring the vitality of town centres
- Flood risk and coastal change
- Health and well-being
- Natural environment
- Noise
- Planning obligations
- Travel plans, transport assessments and statements in decision-taking

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY (2012-2027)

The Core Strategy was adopted by the Council in January 2016 and sets out the strategic planning policy for the borough. The most relevant policies are:

- CS1 - Strategic location of development
- CS4- Retail and other town centre uses
- CS7 - Quality of design
- CS11 - Planning obligations
- CS12 - Sustainable neighbourhoods
- CS15 - Health and education
- CS21 - Leisure and business tourism

SAVED BLACKPOOL LOCAL PLAN (2001-2016)

The Local Plan was adopted in June 2006. A number of policies have now been superseded by Policies in the Core Strategy and these are listed in Appendix B to the Core Strategy. Other policies have been saved for continued use until the Local Plan Part 2: Site Allocations and Development Management Policies is produced and adopted. The following policies are most relevant to this application:

- RR1 - Visitor attractions
- LQ1 - Lifting the quality of design
- LQ2 - Site context
- LQ3 - Layout of streets and spaces
- LQ4 - Building Design
- LQ5 - Public realm design

- LQ6 - Landscape design and biodiversity
- BH3 - Residential and visitor amenity
- BH16 - Shopping development outside of existing frontages
- BH17 - Restaurants, cafes, public houses and hot-food take-aways
- BH21 - Protection of community facilities
- NE6 - Protected species
- AS1 - General development requirements (access and transport)

ASSESSMENT

Principle

Two main aspects of principle must be considered as part of the assessment of this application. The first is the acceptability of the loss of the existing public house; the second is the acceptability of the development of main town centre uses in an out-of-centre location.

Loss of the public house

Saved Policy BH21 of Local Plan states that proposals that would lead to the loss of a community facility will not be permitted unless it can be demonstrated that there is no longer a need for that facility. The supporting text makes it clear that public houses are amongst those community facilities safeguarded by the policy. The continued validity of this approach was reinforced in 2017 when central government amended national legislation to require that planning permission be sought for the loss of a public house, reflecting the importance of such uses as to local communities.

The agent for the application has sought to claim that the bingo hall proposed would function as a replacement community facility. It is also stated that the pub has traded poorly and that this has been raised as an issue by consecutive tenants. The layout is alleged to be too large with excessive upper-floor accommodation and the existing tenant has entered into a binding agreement to terminate the lease. These statements in themselves are not considered sufficient to demonstrate that the existing public house has no viable future as a community facility.

It is not accepted that the bingo hall would constitute a replacement community facility. Public houses are accepted meeting points for social interaction and are used by a wide cross section of the community with no particular behaviours imposed on patrons. The bingo hall proposed by virtue of its scale would not serve a local function but would instead constitute a leisure facility serving a wider area of the borough. Furthermore, patrons of the bingo hall would either be expected to partake in gambling or would otherwise have their experience on the premises strongly influenced by the prevailing session of play. As such it would appeal to a lesser proportion of the community and would not serve the same function.

Since first submission a letter from the current tenants has been provided. This letter reiterates that the floorspace of the building is too large and is not supported by the level of trade available. The closure of a link to Seaside Way to facilitate nearby development has

also been cited as an issue, although this would not affect local patronage. Information on running costs, sales and trading profit has been provided and it is suggested that the business made small profits in 2015 and 2017 but a loss in 2016. As such, and in expectation of rising costs and steady or declining profits, the tenant will not renew the lease. It is accepted that the unit is not a traditional pub that developed to serve the needs of an established local community. Instead it was located on the park to provide an eating and drinking facility to primarily serve customers of the cinema and other uses on the site. Although it is acknowledged that there will be a growing residential catchment for the public house through the further development of the Rigby Road housing site, on balance it is accepted that the loss of the pub has been justified and that it would not have an undue impact on the health or cohesion of the local community.

Acceptability of the location

Sequential test

Both the bingo hall and the drive-thru restaurant classify as main town centre uses. Paragraphs 24 and 27 of the NPPF, and Policy CS4 of the Core Strategy, seek to direct such uses to the town centre and to the designated district and local centres across the borough. The aim is to protect these centres from unacceptable impact from new development in out-of-centre locations. In order to address this issue, the applicant has undertaken a sequential appraisal and impact assessment.

Relevant case-law has established that applicants must demonstrate some flexibility when searching for suitable, available, alternative sites. Whilst alternative sites must be broadly capable of accommodating the development proposed, sites cannot be discounted purely on the operational preferences of the end-user as this would undermine the purpose of the sequential test. The intention is to make best use of available land in the town centre. Flexibility is understood to mean flexibility in business model, use of multiple-levels, flexible car parking requirements, innovative servicing solutions, and a willingness to depart from standard formats.

The applicant has cited an appeal decision relating to a site in Rushden, Northamptonshire, (reference: APP/G2815/V/12/2190175), where the Secretary of State confirmed that there is no longer a requirement within the sequential test for the applicant to explore disaggregation. However, a more recent appeal decision relating to a site in Hull (reference: APP/V2004/W/17/3171115) arguably overturns this. In this decision, the Inspector notes the requirement set out in NPPG for developers to consider what contribution more central sites are able to make individually to accommodate the proposal. He acknowledges that historically this has been taken to mean that a single site must be able to accommodate the development proposed. However, he also acknowledges that the NPPG is guidance that does not necessarily outweigh the development plan. The Inspector noted that the relevant local planning policy required developers to consider the potential for use of more appropriate sites and highlighted the pluralisation of the word sites. He argued that, as the plan had been tested for soundness through examination, the Inspector in that process must have assessed this wording and found it to be consistent with the NPPF. He concluded that this required the

potential for disaggregation to be considered. Paragraph 3b of Policy CS4 of the Core Strategy relates to the location of main town centre uses and similarly makes reference to necessary consideration of more sequentially preferable, appropriate sites in the plural. On this basis, it is judged that the developer must demonstrate that options for disaggregation have been explored in this instance.

The applicant has disputed the need to consider disaggregation. Whilst they acknowledge that the two elements could be accommodated on separate but nearby sites, they maintain that the two uses are linked as two elements of the same proposal. This is not accepted. The two uses are not functionally inter-dependent and would not be operated by the same company. On this basis, the two uses have been considered separately by officers.

The submitted statement cites appeal decisions to argue that out-of-centre retail parks can perform an ancillary role that effectively precludes them from the sequential test. This is disputed. In the appeal cases presented, the proposed food/drink offer was intended to serve retail parks of significant scale that were some distance from the nearest defined centre. The Inspectors concluded that it would be unreasonable to expect patrons of the retail parks to travel away from the site for food/drink. This is not considered to be comparable to the Festival Park site. In terms of scale, the park would offer only a gym, cinema and, if approved, a bingo hall. There are already two food/drink establishments on the park to serve these uses. On this basis and in this circumstance, it is not accepted that a further food/drink offer would be ancillary. As such, it is considered that the sequential test must apply to the proposed drive-thru cafe/restaurant. It is accepted that a site capable of accommodating some 260sqm of floorspace with additional land to form the drive-thru circulation space would be required. It is noted that many typical occupants of out-of-centre drive-thru facilities also maintain representation in the town centre.

The applicant states that the site falls within 300m of the town centre and 50m of the Resort Core, making it an edge-of-centre site. This is also disputed as the actual walking distance between the town centre boundary and the closest pedestrian entrance to the site is some 340m. The Resort Core is a preferential development for visitor attractions as acknowledged in saved Policy RR1 of the Local Plan and Core Strategy Policy CS21. Whilst it is accepted that the uses proposed could attract some custom from visitors to Blackpool, the dispersal of Bingo 3000 venues across the country away from tourist centres suggests that the majority of their patronage comes from local residents. As such, the use should properly be considered as a typical main town centre use rather than a tourist attraction.

The applicant has looked for sites that offer over 2,000sqm of floorspace on one level with servicing and free car parking for at least 120 cars for the bingo hall. As requested by officers, a schedule of the floorspaces of the other bingo halls operated by Bingo 3000 has been provided. These range in scale between 790sqm and 3,995sqm although the majority are between 2,000sqm and 3,000sqm. On this basis the search threshold is considered reasonable. It is argued that the typical customer profile necessitates level access and free-parking in close proximity, and the existing Mecca Bingo facility on Talbot Road is cited as a prime example. Whilst parking in close proximity is accepted as necessary, the need for free and level provision is disputed as a business model preference rather than a use-driven

requirement. This view is supported by the fact that users of the existing Bingo 3000 facility in nearby Preston are required to pay to park in a nearby multi-storey and are not given any option to reclaim this expenditure.

It has been stated that the nature of play and the use of a mechanical grid system to support the play tables requires a single-level operation. Modern bingo is increasingly understood to be electronic/automated and played in large format with each point of play linked to central controls. On this basis, the requirement for floorspace predominantly on one level is accepted. It is also appreciated that a large number of patrons would need to be able to leave the premises quickly and safety both at the end of a session and in the event of an emergency.

It is accepted that the scale of development proposed would be inappropriate in a local centre as these are intended to provide day-to-day services to a local walk-in catchment. On this basis, local centres have generally been excluded from the sequential appraisal which has focused only on the town centre and the defined district centres. Consideration has been given, however, to the former Empire bingo hall on Hawes Side Lane.

Six sequentially preferable sites within the defined Town Centre boundary have been identified. These are the former Post Office building on Abingdon Street, the former Apollo 2000 site on Talbot Road, the former BHS unit on Church Street, the first floor of Bickerstaff House on Talbot Road, the car park at Alfred Street/Leopold Grove, and the former Central Station site. The former Post Office has been discounted because it is on multiple levels and is a Listed Building meaning that any redevelopment of this nature would impact upon its heritage value. The use of the first floor of Bickerstaff House was discounted on the basis that it would not accord with the Council's aspirations for the site and because of lack of ground level floorspace. Planning permission has been granted for a hotel on the site at Alfred Street/Leopold Grove and there is another application for a hotel also on this agenda and so this has been discounted as unavailable. Finally, the former Central Station site has been discounted on the basis that it is a strategic site on which the Council is seeking comprehensive redevelopment. It is agreed that these sequentially preferable sites can be discounted from consideration.

The former Apollo 2000 site has been discounted on the basis that it would not be possible to deliver a building of the size required and car parking. Public car parking would be available within the Sainsbury's car park, within the multi-storey car parks over Wilkinsons and on Talbot Road, and the East Topping Street surface level car park. However, it is not felt that the applicant has adequately explored the size of building that could be accommodated on the site or sufficiently demonstrated that the extent of flexibility required to use the site would be unreasonable. On the basis that patrons of the existing Bingo 3000 club pay to park in a multi-storey in Preston, the potential to use existing parking provision is also not accepted as a reason to discount the site. The applicant has not provided any evidence to show that they have approached the operators of the car parks to try and negotiate a parking agreement that would provide Bingo 3000 with certainty with regard to available provision. It has been argued that use of an existing building cannot be compared to the provision of a new-build facility and the investment that would require. However, no information has been presented

to demonstrate that levels of patronage of the Preston bingo hall are materially lower than patronage of other purpose-built facilities or, if this is the case, that the parking arrangement is a key issue. On this basis, the discounting of the former Apollo 2000 site is not accepted.

The former BHS unit has been discounted on five grounds. It is argued that the configuration is unsuitable for the proposed operation and the cost of change would be prohibitive; that the owner is unwilling to allow for the installation of escalators meaning that safe mass egress could not be provided; the size of the unit is insufficient; there would be no potential to provide a smoking shelter; and the lack of free, level car parking is unacceptable. The applicant has refused to submit a detailed internal layout plan for the proposed bingo building but has provided an internal layout of a previous iteration as an indication of the spaces that would be created. It is noted that a number of different areas would be provided including the main gaming space, an arcade area, customer toilets, a dining area and associated kitchen, a lobby and staff facilities.

The applicant has argued that the expense of reconfiguring the former BHS unit would be prohibitive. However, it is understood that the owner has indicated that they would be prepared to cover the cost of any reasonable works in order to secure their long-term lease as part of a standard landlord-leasee contract. Based on knowledge of other bingo operations, it is understood that bingo numbers are displayed on the play table and on screens around the play area and that a direct line of sight with the bingo caller is not essential. On this basis, the extent to which the columns in the former BHS unit present an issue is disputed. The owner of the unit has confirmed that they have no objection to the installation of escalators to provide a safe means of mass egress and the cost of this could be covered as part of the landlord-leasee contract. It is acknowledged that the floorspace would be some 10% less than desired by the operator. This is a matter on which flexibility must be demonstrated. As stated above, the applicant has provided a schedule of the floorspaces of other Bingo 3000 halls. It is understood that the basement of the former BHS unit would provide some 2200sqm of floorspace. This would comfortably fit within the average range of sizes of Bingo 3000 operations and so no unreasonable degree of flexibility on this matter would be required.

It is accepted that it would not be possible for a sizeable designated outdoor smoking shelter to be provided but there may be some scope to create a small, covered, open area adjacent to the main entrance. It is established that flexibility in terms of approach is understood to mean flexibility in business model, use of multiple-levels, flexible car parking requirements, innovative servicing solutions, and a willingness to depart from standard formats. Although it may be desirable for a large covered smoking area to be provided, this is again considered to be an operator preference. It must be acknowledged that other leisure uses within the town centre, such as the bowling alley and Coral Island, do not offer designated smoking areas. Similarly the majority of food and drink establishments lack the outdoor space to create a dedicated smoking area. It is understood that the smoking areas of other Bingo 3000 facilities enable play to continue. In the interests of residential amenity, a condition would be attached to any permission granted to prevent the broadcast of music or bingo calling or the installation of gaming machines outside the building on the application site. On this basis, the provision of a large, designated smoking area may be desirable to the operator as a preference but it is not accepted as a necessary feature of the use proposed.

Finally and as previously stated, the identified requirement for free and level car parking provision is considered to be a business model preference and not a use-driven need. Again the applicant has not approached the Council to secure a parking agreement relating to the provision directly above in West Street car park. Furthermore it must be recognised that the site is at the heart of the town centre and is extremely well served by public transport connections which could lessen reliance on private car use. On this basis, the discounting of the former BHS site is not accepted.

Turning to the defined District Centres and other sites, the only potentially suitable options identified were the Layton Institute in Layton, the Empire Bingo Hall on Hawes Side Lane, and the former Apollo bingo hall on Waterloo Road. The former Post Office on Waterloo Road may have been suitable in terms of scale but, as it is set over multiple levels, this would have been discounted. The Empire Bingo Hall was discounted on the basis that planning permission has recently been granted for housing and the former Apollo bingo hall on Waterloo Road was discounted on the basis of size. This is accepted. The Layton Institute would be of insufficient size to accommodate the bingo hall and the drive-thru but could support the bingo hall although servicing would be very restricted. The district centre would also lack the critical mass of supporting uses necessary to make the bingo hall viable. In this instance there is no significant public car parking in the vicinity and the creation of car parking on the site would necessitate the loss of the existing bowling green which is a community facility and an integral part of the locally listed building. Consequently it is accepted that this site would not represent a suitable alternative.

Although it is not accepted that the development proposed would primarily be a tourist attraction, the sequential test has also taken sites within the Resort Core into account. Specifically, Coop Street car park, three sites on the Promenade, the Rigby Road tram depot and two sites on Station Road were considered. These were all variously discounted on the basis of size or, in the case of the tram depot, lack of availability and this is accepted.

As stated, the applicant does not accept the need to consider disaggregation and has therefore sought sites to accommodate the bingo hall with the drive-thru in close proximity. Consequently, no independent sequential appraisal has been carried out in respect of the drive-thru. As set out above, it is not accepted that, in this instance, the drive-thru facility proposed would be ancillary in nature or functionally or operationally linked to the proposed bingo hall. As such, it is considered that the use should be subject to a full sequential appraisal and no such has been carried out.

In light of the above, it is considered that the proposal fails the sequential test. The former Apollo 2000 site on Talbot Road and the former BHS site are sequentially preferable and the reasons for which the applicant has sought to discount them are not considered to be reasonable. The lack of a sequential appraisal in respect of the drive-thru use is not considered to be acceptable. Paragraph 27 of the NPPF is clear that, where a development fails to satisfy the sequential test, planning permission should be refused.

Impact assessment

In accordance with the NPPF and given the scale of the proposal, an impact assessment has been undertaken. As a restrictive condition could be applied to any permission granted to limit the use of the buildings to a bingo hall and cafe/restaurant, the impact assessment has been carried out on the basis of these proposed uses. In terms of the impact of the proposed bingo hall, the only comparable bingo facilities are the Mecca Bingo on Talbot Road and similar facilities in Preston. The latter are considered to be sufficient distance away for any impact to be insufficient to justify refusal. The former is not in a designated centre and so any impact would simply be a matter of commercial competition and would not constitute a valid reason to resist the application.

Whilst the NPPG does require impact to be assessed on a like-for-like basis, it does state that this should be undertaken in respect of the particular sector of town centre uses in which the proposed use would sit. The intention is to safeguard the health, vitality and viability of the town centre. The assessment submitted is very basic and limited in its scope. It is considered that the proposed bingo hall could draw trade from other town centre recreational leisure uses such as the bowling alley and the Coral Island complex. No consideration of the potential impact of the bingo hall on the wider leisure offer of the town centre has been provided.

With regard to the drive-thru cafe/restaurant, the applicant has argued that it would primarily draw custom from users of Festival Park, passers-by on the highway network, and local residents. It is noted that all of the operators of out-of-centre drive-thru facilities within the borough also maintain representation within the town centre. The proposed use could have an impact on the nearby local centre on Central Drive. However, the applicant has argued that the size and form of the units in this centre are not comparable to that proposed. The operators in the centre are largely independent. The inference is that the local centre caters to a different market to that envisaged for the drive-thru. The Central Drive local centre is relatively large and does include a number of vacant and seasonal uses. Originally it would have been supported by both local residents and local hoteliers and visitors. The decline of holiday accommodation in nearby streets and the establishment of chain convenience stores have affected the health of this centre. The surrounding residential areas are recognised as being deprived with many households on relatively low income. On this basis, and in terms of potential impact, it is accepted that the drive-thru facility proposed is likely to appeal to a market that would not otherwise make use of the local centre. Furthermore, it is recognised that a significant degree of custom would be likely to take place before or after evening cinema showings or bingo sessions when similar facilities in the local centre may well be closed.

Consideration has been given to the potential impact on future investment. Whilst the proposals in the town centre are noted, along with the aspirations for development on strategic sites, it is suggested that the development proposed would not compromise the viability or deliverability of these schemes. However, officers are mindful that the development of these uses in this location would create a stronger critical mass of main town centre leisure uses in an out-of-centre location. The proposal to develop an IMAX cinema within the town centre could be undermined if the increase and variation in facilities on the

Festival Park site increases dwell-time and strengthens the market share of the existing Odeon.

Paragraph 27 of the NPPF states that planning permission for main town centre uses should be refused where the proposal fails the sequential test or would have a significant adverse impact on the health of existing centres or planned investment. The applicant's failure to properly assess the potential impact of the bingo hall on the wider leisure offer of the town centre is a material consideration that weighs against the proposal. Equally, the potential for an increase in the Odeon's market share at the expense of the proposed IMAX facility weighs against the scheme. However, even were the requisite impact assessment to be carried out, it is not anticipated that any identified impact would qualify as significant. On this basis, and subject to the imposition of a condition to restrict the use of the premises were the Council minded to support the application, it is not considered that a reason for refusal based on impact on the health of the town centre could reasonably be defended.

Design

Paragraph 17 of the NPPF sets out twelve core planning principles, including the need for the planning system to always seek to secure high quality design and take account of the different roles and characters of different areas. Section 7 builds on this. Paragraph 56 states that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development. Paragraph 64 makes it clear that planning 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.

The NPPG also includes a section on design. Paragraph 001 recognises that planning should drive up standards across all forms of development and explains that good design means creating buildings that work well for everyone and responds to the identity of a place. Policy CS7 makes it clear that new development in Blackpool must be well-designed and enhance the character and appearance of the local area. Similarly saved Policy LQ1 requires all new development to be of a high standard of design and to make a positive contribution to the quality of the surrounding environment.

A number of concerns regarding the footprint, positioning, scale and design of the bingo building have been raised since pre-application advice stage and the proposal has been amended in response. Although the footprint of the building has not materially changed, the building has been set away further away from the boundaries of the site. It would now sit some 8.5m from the boundary with Salthouse Avenue and around 8.5m from the boundary with Rigby Road. The side elevation fronting Rigby Road would broadly align with the rear elevation of the Frankie and Benny's building.

In order to soften the appearance of the building and enable it to better respond to the context of the site, it was recommended that the corners be rounded to reflect the contours of the boundary wall at the junctions of Rigby Road / Salthouse Avenue, and Salthouse Avenue / Kent Road. This option has not been followed and so the two corners would form

pinch points with separation distances of around 8.3m and 3.8m respectively. The existing Odeon building sits some 6.5m from the back of pavement at the closest point. It is understood that the building cannot be pulled further from the road due to the presence of an easement but some internal floorspace could be sacrificed to provide a greater landscaped buffer. It is acknowledged that the pinch point would face an open grassed triangle that forms a traffic island. Nevertheless, it is considered that the proximity to the back of pavement would make the building appear unduly imposing and over-dominating in the streetscene.

The building would essentially sit in open space with housing facing it to the east and south. To the north is parking, Kent Road and additional housing with the main body of Festival Park to the west. As every elevation would be highly visible, each must be designed to a high standard with functional elements such as plant and refuse stores and smoking areas sensitively incorporated. The existing Swift Hound building is traditional in design that includes a varied roofscape and materials that reflect the surrounding built form. It would be inappropriate for this building to be replaced by a structure that would lower the quality of the streetscene and be detrimental in comparison to the appearance of the park. Whilst it is recognised that the existing Odeon and Bannatynes buildings on the site are not of particular architectural merit, these buildings are now around 20 years old. The existence of buildings of limited quality in the vicinity should not justify the perpetuation of poor quality design.

At officer request, additional detailing in the form of vertical fins and central raised sections have been added. Whilst these measures are acknowledged as an improvement, it is felt that more could be done to exploit the opportunities available to improve the appearance and character of the area. The building would lack the architectural merit to justify the loss of the Swift Hound. The proposed use of a varied materials palette is welcomed and, notwithstanding the information submitted, it is considered that appropriate finishes could be agreed through condition should planning permission be granted. It is appreciated that central projecting sections have been introduced to break up the massing of the longer elevations, but these sections in themselves would appear monolithic. The introduction of curtain-wall glazing has been requested to lighten the appearance of the building, break up the elevations and also allow a view into the building in order to create more active and engaging frontages. No such glazing sections are proposed.

Each corner of the building would have a square tower that would project slightly beyond the adjoining elevations. It is considered that the width and height of these features would reinforce the bulky massing of the building and its squat appearance. The submitted plans indicate that the south-eastern tower would be dominated by signage making it an even more imposing feature in the streetscene. There is an opportunity for the context of the site and the line of the boundary to be reflected through the provision of more rounded corner treatments that would soften the appearance of the building and introduce new contours to create visual interest and break up the mass. Again glazing could be used to visually lighten these elements and provide a more engaging and interactive frontage.

The agent has argued that adequate changes have been made. It is contended that the use does not require glazing, that amendments to the corners are unnecessary, and that the

building should be consistent with the other buildings on the site. As set out above, this position is disputed.

The provision of wide landscaping strips would enable the creation of a substantial planting buffer that would help to screen the building and this is welcomed. The species mix could be agreed through condition as could a mix of plant sizes to ensure that some screening is provided whilst avoiding plant failure. However, this landscaping is not considered to be sufficient to overcome the shortfalls in the building design. Officers have indicated that further discussions could take place to agree a more appropriate design solution but, as the applicant has requested that the proposal be determined as submitted, the options available cannot be explored.

In contrast, the design of the drive-thru facility is considered to be acceptable. Although the building would sit further forward than the other buildings on site, its scale and the degree of projection relative to the width of the Rigby Road frontage would not make it appear unduly imposing in the streetscene. The plans submitted show a mono-pitched roof that would rise up and over-hand the front of the building to create a canopy. A central section around the main entrance to the front would punch up through this roof as would an off-centre section to the rear housing the drive-thru window. Together these elements are effective in creating an interesting roofscape that would draw the eye towards the front of the building.

The main entrance would sit somewhat forward of the front elevation marking it as a visual focal point and making the building clearly legible. Well-proportioned brick piers would form each of the corners with secondary piers halfway along the southern side elevation, on either side of the main entrance, and part-way along the rear elevation. These piers would be separated by large, triple-pane windows that would allow a clear view into the building and establish active and engaging frontages on three sides. It is acknowledged that the side facing towards the Odeon would be solid. However, differing materials would be used and the scale of the building would prevent this more basic elevation from appearing over-bearing or monolithic. Appropriate materials could be agreed through condition were the Council minded to support the proposal. Similarly sections could be agreed to ensure that windows would be slightly recessed and materials overlapped to create visual depth. As such and on balance, the design of the drive-thru is considered to be acceptable.

The works to the car park and to create the proposed pedestrian and vehicle access points are minor in scale and would not be expected to have any significant visual interest. Conditions could be used to ensure that any new stretches of boundary wall match what is existing. On officer request some parking spaces have been removed to enable additional planting to be provided to help soften the overall appearance of the site and this is welcomed.

Overall, whilst the design of the proposed drive-thru and site as a whole are considered to be acceptable, it is felt that the bingo hall does not take advantage of the opportunities available to improve the appearance of the site and the character of the area and the way that it functions. The bingo hall as proposed lacks adequate articulation to effectively break up its massing and prevent it from being an overly-imposing and over-dominating feature in the streetscene. The design is not considered to be sufficiently high-quality given the scale of the

building, its prominent position, and its setting in an increasingly residential area. On this basis, the design of the bingo hall is not considered to be acceptable and this weighs notably against the scheme.

Amenity

Festival Park is an established leisure destination and so it is reasonable to assume that local residents are accustomed to a higher level of noise and activity than would be expected in a more typical residential area. On this basis, the development of a bingo hall and drive-thru cafe is not anticipated to have an unacceptable impact on residential amenity subject to appropriate design and safeguards.

A noise report has been submitted with the application and has been considered by the Council's Environmental Protection team. In order to address concerns raised, the main entrance door has been moved and would now face into the site. Although the current set of proposed plans show the entrance as sitting centrally within the main entrance section, the applicant has agreed to move it further from the Rigby Road houses and amended plans are expected or could be secured through condition. Pedestrian access is still proposed from the main road and this is considered necessary as it facilitates easier access by sustainable travel modes. It is accepted that levels of noise and activity would be greatest at the end of a session of bingo play and this may be late in the evening. However, this is also true of the existing cinema use. It is proposed that the bingo hall would open until midnight seven days a week. This is comparable with the operation of the cinema but it is recognised that the entrance to the cinema is much further from the housing on Rigby Road, and that relatively few films are shown late in the evening. As such, fewer customers would be leaving the cinema between 11pm and midnight. It is acknowledged that the existing McDonalds drive-thru operates on a 24hr basis, but there have been identified noise issues associated with this use. On this basis, and was the Council minded to support the proposal, a condition requiring the use to close at 11pm Sundays to Thursdays and midnight on Fridays and Saturdays would be considered appropriate. Deliveries would be restricted to 0800-1900 in accordance with the submitted noise assessment. A condition could be attached to any permission granted to prevent the broadcast of either music or bingo calling externally and to prevent the provision of gaming machines within the external smoking area. On balance, subject to these restrictions, it is considered that any unacceptable amenity impacts from the use of the bingo hall could be avoided.

Concerns have been raised by local residents regarding the existing use of the car park, the provision of another drive-thru facility, and intensified future use of the car park. Likewise the Council's Environmental Protection officer has identified car horns, vehicle engines, car doors closing and car stereo use as potential sources of problematic noise. A condition could be imposed on any permission granted to require this situation to be monitored over a period of 12 months from the opening of the drive-thru. In the event that noise issues are identified, a scheme of car park barriers and additional planting and acoustic fencing would have to be submitted, agreed and implemented. This condition should be sufficient to address these concerns in the medium to long term and may also help to improve any existing issues.

In terms of amenity impacts from the buildings themselves, the drive-thru would sit over 30m to the north of the nearest residential property on the south side of Rigby Road and have a maximum roof height of 5.2m. As such, no issues relating to over-looking, over-shadowing or an over-bearing impact would result. The bingo building would sit 26.5m to the north of the nearest property on Rigby Road. The height of the raised towers at the corners of the building would be broadly comparable with the eaves heights of the houses. The Council expects to see minimum separation distances of 21m between two-storey properties in order to safeguard residential amenity. As the proposed separation distance would surpass this, no unacceptable amenity impacts on these properties are anticipated. The houses on Salthouse Road would sit to the east of the proposed bingo hall at a distance of some 24.8m. These properties sit at a lower land level and so the raised corner towers would be more comparable with their ridge heights. Nevertheless, given the separation distances involved, no unacceptable impacts from over-looking or over-shadowing are anticipated. Notwithstanding the visual assessment of the scale of development set out above, and again given the degree of separation, it is not considered that the bingo hall would have an unacceptably over-bearing impact on the occupants of these houses.

Highway Safety

The application proposes the relocation of the vehicle access from Rigby Road and reconfiguration of the existing car park. The number of available car parking spaces would fall from 631 to 497. It is also proposed that a new vehicular egress point be formed onto Princess Street and that this would be used to allow managed egress at peak periods to ease congestion within the car park and on local roads.

The proposals have been considered by the Council's highway officers. Some initial queries regarding the survey work underpinning the transport assessment have been resolved. No objections relating to the proposed means of access, the layout of the car park or the creation of a managed egress point onto Princess Street have been raised. Easily legible pedestrian access across the site would be maintained. It is recommended that a number of conditions be attached to any permission granted. These would require the developer to agree a Construction Management Plan, agree the detailed design of the access points, agree a management plan for the use of the Princess Street egress and agree to a scheme of off-site highway works. These off-site works would primarily relate to the provision of a mini-roundabout and pedestrian works around the proposed point of access, works to the footpath along the frontage of the site, and works to remove the redundant existing access post-construction. Based on the information submitted, all highway junctions affected by the proposals would continue to operate well within capacity post-development. The existing highway network has capacity to accommodate any additional traffic generated by the scheme.

If the proposed development is taken into account, the Festival Leisure Park would provide 9,542sqm of leisure floorspace falling within Use Class D2, and 932sqm of cafe/restaurant floorspace falling within Use Class A3. Working on the basis of the site having a reasonably high level of accessibility, this would equate to a maximum parking requirement of 427 parking spaces. The level of provision proposed post-development would comfortably exceed

this. These standards are intended to be maximum allowances but, as the degree of over-provision on site would reduce as a result of the scheme, as parking is an issue that has been raised by local residents, and as the site as a whole would be reasonably well landscaped, the parking proposed is considered to be acceptable.

In light of the above and subject to the imposition of appropriate conditions, no unacceptable impacts relating to the access, highway safety or parking are anticipated.

Drainage and Flood Risk

The vast majority of the site falls within flood zone 1. The only exceptions are the very north-western corner of the site and the area around the existing access point which are in flood zones 2 and 3 respectively. As such, all of the building operations proposed would fall within flood zone 1 meaning that there is no requirement for the developer to demonstrate compliance with the sequential or exceptions tests. By virtue of the size of the site, a site-specific flood risk assessment has been submitted. This has been considered by the Council as part of its function as Lead Local Flood Authority and no objections have been raised. As the site is previously developed it is recommended that a condition be attached to any permission granted to require the developer to demonstrate that surface water run-off post development would not exceed the current situation. Subject to this condition, no unacceptable drainage issues are anticipated. It is not considered that the proposal would be at undue risk of flooding or increase flood risk off-site. As such, no flood risk issues are identified.

Other Issues

It is stated that the development proposed would generate 55 full-time-equivalent jobs. Given the recognised problems relating to deprivation and employment within Blackpool, this consideration weighs notably in favour of the scheme.

Policy CS10 of the Core Strategy sets out a requirement for all non-residential developments of more than 1000sqm to achieve a BREEAM rating of 'very good' or higher. A pre-assessment report has been submitted that demonstrates that the proposal is capable of achieving the required 'very good' rating. A condition could be attached to any permission granted to require the building to achieve this rating and to require the submission and agreement of a report demonstrating this.

The Swift Hound building to be demolished has the potential to support roosting bats that are a protected species. A bat survey has been submitted. This has been carried out by a suitably qualified ecologist to a recognised methodology. Although a couple of potential access points were identified, the building was generally recorded as being in good condition. No evidence of bat use was found either externally or internally. The site is accessed as having negligible roost suitability and no further survey work is considered necessary. The conclusions of this report are accepted and no unacceptable impacts on biodiversity are therefore anticipated.

Sustainability and Planning Balance appraisal

Sustainability comprises economic, environmental and social dimensions.

Economically the scheme would see the replacement of a failing commercial use with a new development representing significant inward investment into the town. The proposal would also create 55 new jobs although some employment would be lost through the loss of the existing use. These considerations weigh notably in favour of the scheme. This must be weighed against the schemes failure to satisfy the sequential test and the inadequacies of the submitted impact assessment. These requirements exist to safeguard the health of town centres as vital economic hubs of local communities. In this case, whilst no significant impact on the health of Blackpool town centre is anticipated, it is considered that the proposal fails the sequential test based on the information provided. Paragraph 27 of the NPPF is clear that planning permission should be refused in such circumstances.

Blackpool town centre is the sub-regional hub for the Fylde Coast. As with many town centres, Blackpool has faced mounting pressure in recent years from historic out-of-centre developments, a challenging demographic profile and changing consumer preferences towards online shopping. There is a general recognition that, in order for town centres to successfully adapt to this evolving context, a more mixed town centre offer combining retail, leisure, food and drink will be required. Blackpool is in a unique position to capitalise on its existing tourism appeal and strong leisure offer. It is therefore imperative to ensure that all new main town centre uses, including leisure proposals, are located in strict accordance with the 'town centre first' objectives of the sequential test. Whilst all applications must be determined on their own merits, to relax this approach in this instance would make it much harder for the Council to resist similar proposals in similar circumstances. This could have a far more significant, cumulative impact.

Officers are mindful that the applicant may be able to undertake additional work and provide further information that would demonstrate the sites identified to be unsuitable. It has been suggested that the outstanding matters be set out in writing and additional time allowed to enable them to be properly addressed. In this regard it is considered that the Council has discharged its duty to proactively support sustainable development and look for solutions rather than obstacles. However, rather than defer the application for consideration at the next Committee meeting, the applicant has requested that the application be determined at this meeting in spite of the stated officer recommendation for refusal. In light of the above, on balance and based on the application as submitted, the proposal is not considered to be economically sustainable. This weighs heavily against the proposal.

Environmentally, no unacceptable arboricultural or ecological issues are anticipated and the development would not be expected to unacceptably impact upon air, land or water quality. Equally no unacceptable impacts on drainage or flood risk are anticipated. Although the design of the proposed drive-thru building is considered to be acceptable, the design of the proposed bingo hall is not. Whilst the scale and footprint is now considered to be broadly satisfactory following changes to the scheme, it is felt that the elevations lack detail and visual interest. The features of the building and the proposed materials would result in a structure

that would appear bulky and over-dominating in the streetscene. It would not engage on-lookers. The replacement of the existing building with that proposed would be detrimental to the quality of the appearance of the site and streetscene and this weighs significantly against the proposal. The location of the development as proposed could increase the number of private car trips to the site and this weighs marginally against the proposal. On balance given the design concerns, the scheme is not considered to be environmentally sustainable.

Socially it is considered that adequate safeguards could be put in place to ensure that the development would not have an unacceptable impact on residential amenity. Safe access to and from the site and a safe means of circulation within the site could be provided. Although some parking spaces would be lost, the resulting provision would be adequate to serve the uses on site. On this basis, no unacceptable impacts on highway safety are anticipated. The development would not be at undue risk from flood risk and would not exacerbate flood risk off site. As set out above, the failure of the scheme to comply with the sequential test undermines the 'town centre first' objective of national and local planning policy. A strong town centre offering a range of goods and services, transport links and opportunities for interaction is essential to support a healthy, balanced and coherent local community. Consequently the failure of the scheme to satisfy the sequential test based on the information submitted, and the individual and cumulative harm that would result from an approval in this instance compromises the social sustainability of the proposal.

It is acknowledged that additional information could be provided that would justify the discounting of the sequentially preferable sites identified and satisfy the sequential test. It is also accepted that changes could be made to the design of the building that would overcome the concerns raised. However, the applicant has requested that the application be considered by the Committee in its meeting on 20 June 2018. This recommendation is therefore based on the information available at the time of writing this report.

In terms of planning balance, it is considered that the economic benefits arising from the replacement of a failing commercial use with a new leisure offer and the new jobs that would result would be outweighed by the damage to the health of the town centre in terms of there being sequentially preferable sites and the visual impact of the proposal. An approval in this instance, where the sequential test has not been met, would make it harder for the Council to resist similar proposals in similar circumstance. Both individually and cumulatively this would undermine national and local planning policies that seek to safeguard designated town centres as an economic and community hub. Cumulatively this could have a significant impact on the health of the town centre. No other material planning considerations have been identified that would outweigh this view.

CONCLUSION

In light of the above, the development proposed is not considered to represent sustainable development and no other material planning considerations have been identified that would outweigh this view. As such and in accordance with the provisions of paragraph 14 of the NPPF, Members are respectfully recommended to refuse the application.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

A section 278 legal agreement would have to be entered into in respect of the necessary off-site highway works.

FINANCIAL BENEFITS

The uses proposed would generate business rates. The Council is responsible for collecting business rates and a portion of the business rates collected are grant funded back to the Council by central Government. As such, there is potential for the Council to benefit indirectly through an increased business rates receipt. However, this consideration has no weight in the planning balance and does not influence the recommendation to Members.

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 18/0202 which can be accessed via the following link:

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

Recommended Decision: Refuse

Conditions and Reasons

1. Based on the information submitted, the applicant has failed to adequately satisfy the sequential test by robustly justifying and evidencing their reasons for discounting available and sequentially preferable alternative sites. The grant of planning permission in this circumstance would be contrary to the provisions of paragraph 27 of the NPPF and would undermine the aim of national and local planning policy to safeguard and support the vitality and viability of town centres. Although all applications must be determined on their own merits, an approval in

this instance would make it harder for the Council to resist similar proposals for main town centre uses in out-of-centre locations where the sequential test is not passed. Cumulatively this would further undermine the health of the town centre and compromise ongoing efforts for its improvement including public and private sector investment. On this basis, the proposal is considered to be contrary to the provisions of paragraphs 17 and 27 of the NPPF and Policy CS4 of the Blackpool Local Plan Part 1: Core Strategy (2012-2027).

2. By virtue of the scale and mass of the building in the context of the application site and the lack of architectural articulation and detailing, it is considered that the design of the proposed bingo hall is unacceptable and that the building would have a detrimental impact on the appearance of the site and streetscene. It is not considered that the proposal takes advantage of the opportunities available to deliver high quality design and improve the character of the area and the way that it functions. As such it is considered to be contrary to the provisions of paragraphs 17 and 56-64 of the NPPF, Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy (2012-2027) and saved Policies LQ1 and LQ4 of the Blackpool Local Plan (2001-2016).

3. **ARTICLE 35 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK paragraph 187)**

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

Advice Notes to Developer

Not applicable