

COMMITTEE DATE: 17/07/2018

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: Grant Permission

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.

SUMMARY OF RECOMMENDATION

Given that the applicant has demonstrated that there are no sequentially preferable sites available that are suitable for the development proposed, and the design of the bingo hall has been amended and is considered to be satisfactory, it is recommended that the application be approved subject to conditions.

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.

When initially submitted, the application failed to provide sufficient evidence to demonstrate compliance with the sequential test and the design of the bingo hall was still considered to be unacceptable. As a result, the application was placed on the agenda for the Committee meeting on 20 June 2018 with a recommendation for refusal. However, following the publication of the agenda, a meeting was held between the applicant party and officers from the Council to discuss the outstanding issues. At this meeting the applicant committed to providing additional information with regard to the sequential test and to reconsider the design of the bingo hall. The recommendation was therefore changed to one of deferral and Members resolved to defer the application for further work and reconsideration at this meeting. As will be set out below, the applicant has addressed the concerns raised and the proposal is now supported by officers.

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 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 McDonalds 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 for 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 the 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 building 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 including follow-up information
- 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: (initial) 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 at 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.

Head of Highways and Traffic Management: (follow-up) in response to previous comments, further survey work has been undertaken at appropriate times. Overall the results of this survey work and the conclusions drawn are accepted as reasonable and the parking provision is now considered to be acceptable. It is considered that the other matters raised could be adequately dealt with through conditions. A traffic management plan should be agreed through condition with access via Rigby Road. A condition survey would be required. Stockpiles of crushed material should be sheeted and limited in height. The demolition management plan should state when sweeping of the site would be triggered and achieved. If

the LPA or LHA deem that sweeping is required when the site is unattended, the works should be carried out and the contractor invoiced. Officer comment - the revised Demolition Management Plan addresses these comments and adherence to this plan could be secured through condition.

Service Manager Public Protection: (initial) 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.

Service Manager Public Protection: (follow-up) the relocation of the entrance door to the western elevation is an improvement although the use of pedestrian access for collection/drop-off and any associated noise is still a concern. Use of the smoking shelter is not anticipated to cause nuisance but a condition should be imposed to require materials and levels of acoustic attenuation to be agreed. The demolition management plan is accepted but arrangements on access to water for dust suppression should be clarified and permit details must be provided for any mobile crushers on site. Works should be limited to 8am-6pm Monday to Friday and 8am-1pm on Saturdays. The bingo hall should close at 11pm before working days and midnight before weekend days.

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 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, (ref. 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 (ref. 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.

Notwithstanding the Council's stance on disaggregation, 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. 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. The Festival Park site is not particularly extensive and already offers two food/drink establishments. It is also some 340m from the edge of the town centre. However, the location of a bingo hall of the scale proposed on this site would reinforce the existing role and function of the park and strengthen the critical mass of leisure uses. The shortest route to the town centre is through the back of the site and through residential streets which may not be enticing to patrons and could introduce new activity thereby affecting the character of this residential area. Routes along Rigby Road and Central Drive, or along Rigby Road and the Promenade would exceed the accepted reasonable walking distance of 800m. As such, the likelihood of patrons making linked trips on foot to the town centre is relatively low. It is noted that many typical occupants of out-of-centre drive-thru facilities also maintain representation in the town centre. In this circumstance, given the scale of the drive-thru proposed and on balance, it is accepted that it could constitute a supporting, ancillary use to the wider park. The key issue is therefore whether or not the proposed bingo hall can pass the sequential test.

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 because, as stated above, 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. However, this is contested by the applicant who claims that modern bingo patrons expect free parking, that all new bingo halls offer free parking, and

that the existing facility in Preston is soon to close in favour of the brand's out-of-centre branch.

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.

When the application was presented to the Committee on 20 June 2018, six sequentially preferable sites within the defined Town Centre boundary had been identified. These were 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. At that meeting it was confirmed that the former Apollo 2000 site on Talbot Road is currently under offer and so is no longer available for the development proposed. As such it can be discounted. 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. This leaves the basement of the former BHS unit as the only sequentially preferable alternative.

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. This is due to the number of columns and the fact that 58% of the unit would have no direct view of the main stage. It is noted that much of the 58% of floorspace that would not have a view of the stage could be used to provide the toilets, bar, cafe, arcade area and staff facilities that would form part of the hall. 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. However, it is accepted that an open-plan arrangement is typical of modern bingo operations and is important to the user experience. The agent to the application has advised that it would only be possible to remove

every other column as the resultant spans of wholesale removal would be unsupportable. It has been estimated that the physical works to remove the columns would cost in the region of £600,000. However, as the works would affect the upper floors, it is likely that they would have to close for around six months, affecting other businesses and the Council car park. The cost of this disturbance in terms of necessary compensation has been estimated at £1.5million. The Council's Asset Management team has been asked to consider these figures. Their comments are expected but are not available in time for inclusion in this report and so will be included in the update note.

It is understood that the number of users estimated in the bingo hall would require the provision of two means of escape in order to meet fire regulations. This would also affect the ground floor businesses. Notwithstanding the potential for compensation, the agent has questioned if the existing businesses would be prepared to agree to works that would affect their premises and business continuity to this degree. This concern is considered to be reasonable. The Council's Building Control team has been asked to confirm the escape requirements. Their comments are expected but are not available in time for inclusion in this report and so will be included in the update note.

The size of the unit is also deemed to be insufficient at 2,098sqm rather than the 2,327sqm currently proposed. This would equate to a reduction of less than 10% floor area. That said, it is accepted that this available floorspace would be further reduced through the provision of escalators that would be necessary to enable safe mass egress, and the number of escape stairs that would be required to serve the scale of use proposed.

The lack of potential to provide a smoking shelter is also put forward as a reason for discount. Whilst it is acknowledged that it would not be possible to provide a sizeable covered smoking area, there may be some scope to create a small, covered, open area adjacent to the main entrance. The lack of a dedicated smoking facility, as evidenced by the existing Odeon cinema, Coral Island and town centre bowling alley, is not uncommon for leisure uses. The desire for a large covered smoking area to be provided is again considered to be an operator preference.

Finally, the lack of free, level car parking is cited as an issue. The applicant has provided information on the parking provision associated with the other Bingo 3000 premises around the country. The Preston city centre branch depends upon shared, multi-storey parking that is charged. It is accepted that business is declining at the Preston branch but it must be recognised that a purpose-built, out-of-centre unit was opened in 2012 to replace the city centre bingo hall and that this has understandably impacted upon turnover of the city-centre site. As stated above, the provision of free, level parking is considered to be an operator preference rather than a use requirement and so is not accepted as a reason to discount town centre locations.

When considered overall and on balance, and assuming that the Council's Asset Management and Building Control teams can validate the claims made with regard to the costs of the internal works and the fire regulations requirements, it is felt that the sequential test can be met. The alterations required to the former BHS unit to make it compatible with modern bingo expectations and current regulations would be expensive and would require the co-

operation of third parties. Given the level of disruption that would be caused, it is accepted that these third parties may not agree to the works without a level of compensation that would render the scheme unviable. Whilst it is understood that the costs of reasonable reconfiguration could be covered by the owner of the building in order to secure a long-term lease as part of a standard landlord-leasee contract, in this case the costs are likely to be prohibitive for either the building owner or the tenant. As such, the sequentially preferable former BHS unit is not considered to be suitable for the use proposed. Thereby the proposal passes the sequential test.

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.

In light of the above and on balance, it is considered that the proposed bingo hall passes the sequential test. As such, the provision of a drive-thru cafe/restaurant as proposed can be considered to be an ancillary supporting use to the wider Festival Park and no separate sequential appraisal for this element is necessary.

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 basic and limited in its scope but it is accepted that available information is limited. The town centre does include a leisure offer in the form of the theatres, amusement arcades, gyms, bowling alley and Coral Island complex. It is possible that the proposed bingo hall could draw trade from these uses and thereby impact on the health of the town centre. However, the bowling alley, gyms and theatres offer a very different form of leisure opportunity to a bingo hall and are therefore more likely to be complementary rather than competing offers. The amusement arcades and Coral Island complex are considered to be more comparable. That said, the amusement arcades are far smaller in scale, predominantly appeal to town centre users, and are used in conjunction with the shops and other services. The Coral Island complex is on the Promenade and is well-established as a visitor attraction that is popular with tourists. As such, it is considered to appeal primarily to a different market than a local bingo hall. On this basis, no significant or unacceptable trade draw from the existing town centre leisure sector is anticipated.

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 has 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 limitations of the applicant's impact assessment are noted. The potential for an increase in the Odeon's market share at the expense of the proposed IMAX facility also weighs against the scheme. However, even were a full quantitative 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 was 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. However, it is acknowledged that the pinch point would face an open grassed triangle that forms a traffic island. Furthermore, a sizeable landscaped buffer is proposed along the Salthouse Road and Rigby Road elevations. On this basis, the footprint and position of the building is considered to be acceptable and no unduly imposing or over-dominating impact is anticipated.

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 two projecting sections on the longer side elevations have been added. The corner treatment around the main entrance point has also been replicated at the corner of Salthouse Road and Rigby Road. This last feature in particular is considered to represent a significant improvement to the design as it enables the building to better address this prominent corner. The elevation plans show that a reasonably varied materials palette would be used and this would help to break up the massing of the building. The plans also indicate that certain sections of the building would project or be recessed to create visual depth. Both materials and the detailed profile of the building could be agreed through condition. Each corner of the building would have a square tower that would project slightly beyond the adjoining elevations and rise above eaves level.

Reasonably wide landscaping strips are proposed along the Salthouse Road and Rigby Road elevations. This would help to soften the appearance of the building and is welcomed. The species mix could be agreed through condition as could a mix of plant sizes to ensure that some screening is provided in the short-term whilst avoiding plant failure.

Overall, the design of the bingo hall is now considered to be acceptable. By virtue of its use and nature, the building is very large. It is felt that the applicant has gone as far as is practicable to reduce the bulk and massing of the structure through architectural detailing and use of different materials. The use of horizontal bands of differing materials also helps to visually lessen the scale of the building and prevent it appearing unduly imposing when viewed in the context of the nearby terraced housing. The elevated corner towers draw the eye along the elevations and the main entrance point benefits from reasonable visual prominence. The building is suitably legible and the planting would enhance the appearance of the site.

The design of the drive-thru facility is also 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.

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. 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 it is recommended that a condition be attached to any permission granted to require the use to close at 11pm Sundays to Thursdays and midnight on Fridays and Saturdays. Deliveries should be restricted to 0800-1900 in accordance with the submitted noise assessment. A number of conditions are set out at the end of this report to safeguard the amenities of nearby neighbours through the control of demolition and construction, and through the agreement of noise attenuation measures. The provision of a barrier along the pavement by the pedestrian access would also be secured through condition to deter pick-up and collection from Rigby Road as this could lead to late-night noise nuisance. 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 Construction and Traffic Management Plans, 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. The proposal would satisfy the sequential test and no significant adverse impacts on existing centres are anticipated. On this basis the scheme is considered to be economically sustainable.

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. Following the amendments made to the design of the bingo hall, the overall design of the proposal is considered to be acceptable. 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. Nevertheless, on balance the proposal is 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 development would satisfy the sequential test and no unacceptable impact on the health of existing centres is anticipated. As such, the role and function of the centres in the borough's established retail hierarchy as community hubs would be safeguarded. As such, the scheme is considered to be socially sustainable.

In terms of planning balance, the principle of development is now considered to be acceptable and the concerns initially raised with regard to the design of the bingo hall have been satisfactorily resolved. As set out above, on balance the proposal is judged to represent sustainable development and no other material considerations have been identified that would weigh sufficiently against the proposal as to warrant refusal.

CONCLUSION

In light of the above, the development proposed is judged 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 approve the application subject to the conditions set out below.

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: Grant Permission

Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Location plan ref. 7672 (000) 003

Existing site plan ref. 7672 (000) 001 Rev A

Proposed site plan ref. 7672 (000) 002 Rev N

Landscaping plan ref. MR18-042/101

Bingo hall - proposed elevations drawing ref. 7672 (000) 020 Rev O

Bingo hall - proposed ground floor plan ref. 7672 /9000) 010 Rev J

Bingo hall - building section drawing ref. 7672 (000) 035 Rev A

Drive-thru - floor plan ref. 7672 (000) 110 Rev A

Drive-thru - elevations drawing ref. 7672 (000) 120 Rev A

The development shall thereafter be retained and maintained in accordance with the approved details.

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

3. Notwithstanding the information shown on the approved plans and prior to the commencement of construction, the details of the materials to be used on the external faces of the buildings hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and the development shall then proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the locality, in accordance with the provisions of paragraph 17 of the NPPF, saved 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.

4. Notwithstanding the information shown on the approved plans and prior to the laying down of any final surface, the details of the surfacing materials to be used on the areas of hard-surface hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and the development shall then proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the locality, in accordance with the provisions of paragraph 17 of the NPPF, saved Policy LQ1 of the Blackpool Local Plan 2001-2016, and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. Notwithstanding the information shown on the approved plans and prior to the commencement of construction, details of the profiles of the elevations of the buildings hereby approved showing the degree of set-back and projection between the different design elements shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to ensure that visual depth is created within the elevations in the interests of the appearance of the buildings and locality and the quality of the streetscene in accordance with the provisions of paragraph 17 of the NPPF, saved Policies LQ1 and LQ4 of the Blackpool Local Plan 2010-2016, and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. (a) Notwithstanding the information shown on the approved plans and prior to the erection of any boundary treatment, the details of the design and materials to be used in the construction of the boundary treatment shall be submitted to and agreed in writing by the Local Planning Authority and the development shall then proceed in full accordance with these approved details.

(b) The boundary wall around the perimeter of the site shall be continued across the redundant vehicular access point to Rigby Road before either of the uses hereby approved are first brought into use and details this continued wall shall have been first submitted to and agreed in writing by the Local Planning Authority in accordance with the requirements of part (a) of this condition.

Reason: In the interests of the appearance of the locality, in accordance with the provisions of paragraph 17 of the NPPF, saved 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.

7.
 - a) Notwithstanding the information shown on the approved plans, no development shall take place until full details of soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed changes to existing ground levels; areas of soft landscaping; and planting plans, specifications and schedules including plant size, species and numbers/densities.
 - b) The landscaping works shall be carried out in accordance with the approved details within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner.)
 - c) Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within five years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason. To ensure the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall with regards to Policy LQ6 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. Before the bingo hall or drive-thru hereby approved are first brought into use, the car parking provision shown on site layout plan ref. 7672 (000) 002 Rev N shall be provided and shall thereafter be retained and maintained as such.

Reason: In order to ensure adequate car parking provision for the uses proposed in the interests of the appearance of the locality and highway safety, in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

9. Notwithstanding the information shown on the approved plans and before the bingo hall or drive-thru hereby approved are first brought into use:
 - (a) Details of the positioning, design and materials of a secure cycle store on the site shall be submitted to and agreed in writing by the Local Planning Authority;
 - (b) The secure cycle store agreed pursuant to part (a) of this condition shall be provided and shall thereafter be retained and maintained as such.

Reason: To enable access to and from the property by sustainable transport mode, in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016 and Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. Notwithstanding the information shown on the approved plans and before the bingo hall or drive-thru hereby approved are first brought into use:

(a) Details of the positioning, design and materials of refuse storage facilities on the site shall be submitted to and agreed in writing by the Local Planning Authority;

(b) The refuse storage facilities agreed pursuant to part (a) of this condition shall be provided and shall thereafter be retained and maintained as such.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended or any future revision or replacement of that document):

(a) The building approved in the south-eastern corner of the site as shown on proposed site layout plan ref. 7672 (000) 002 Rev N shall be used as a bingo hall and for no other purpose, including any other purpose within Class D2 of the Town and Country Planning (Use Classes) Order 1987 (as amended);

(b) The building approved to the east of the new access road into the site as shown on proposed site layout plan ref. 7672 (000) 002 Rev N shall be used as a drive-thru cafe/restaurant and for no other purpose, including any other purpose within Class A4 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: In order to enable the Local Planning Authority to retain long-term control over the use of the buildings in order to safeguard the health and viability of the defined town centre and the defined district and local centres of the borough in accordance with the provisions of paragraph 17 and section 2 of the NPPF, saved Policies BH13 and BH14 of the Blackpool Local Plan 2001-2016, and Policy CS4 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

12. No enabling, demolition or construction works shall take place outside the hours of 0800-1800 Monday to Friday and 0800-1300 on Saturdays.

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

13. The demolition of the existing public house shall proceed in full accordance with the submitted demolition management plan ref. 18-067R_001 Rev P2 dated May 2018.

Reason: In the interests of public safety and the amenities of nearby neighbours in accordance with the provisions of paragraph 17 of the NPPF, saved Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

14. 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
- 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 public safety and the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with the provisions of paragraph 17 of the NPPF, saved Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

15. The development hereby approved shall proceed in full accordance with the submitted noise assessment ref. 101764 dated 28 March 2018.

Reason: To safeguard the living conditions of the occupants of nearby residential premises, in accordance with the provisions of paragraph 17 of the NPPF, Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

16. (a) The bingo hall hereby approved shall not open or operate outside the hours of 1030-2300 Sundays to Thursdays and 1030-0000 on Fridays and Saturdays.

(b) The drive-thru cafe/restaurant hereby approved shall not open or operate:

(i) outside of the hours of 0500-2330 Mondays to Thursdays and 0500-0000 on Fridays or

(ii) between the hours of 0030-0630 on Saturdays, and 0030-0630 and 2330-0000 on Sundays.

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

17. Notwithstanding the information shown on the approved plans, detailed schemes for the provision of vehicular access/egress points from the site onto Rigby Road and Princess Street shall be submitted to and agreed in writing by the Local Planning Authority. These schemes shall then be implemented in full and in full accordance with the agreed details before either of the uses hereby approved are first brought into use.

Reason: In the interests of highway safety in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

18. Notwithstanding the information shown on the approved plans, a detailed scheme for the provision of off-site highway works shall be submitted to and agreed in writing by the Local Planning Authority. This scheme shall then be implemented in full and in full accordance with the agreed details before either of the uses hereby approved are first brought into use.

For the purpose of this condition, this scheme shall include the following:

- provision of public footpath and kerb edging in place of redundant vehicular crossing points around the site;
- provision of an edge of pavement barrier along Rigby Road adjacent to the proposed pedestrian access point;
- the provision of a pedestrian refuge to the west of the proposed Rigby Road access;
- the provision of a pedestrian refuge in the access road to the site;
- the recovery and retention of existing cobbles and sets and their reuse elsewhere on Rigby Road to provide appropriate traffic calming measures.

Reason: In the interests of highway safety in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

19. (a) Notwithstanding the information provided and before the vehicle access point onto Princess Street as hereby approved is provided, a management plan for the operation of this vehicle egress point shall be submitted to and agreed in writing by the Local Planning Authority.

(b) The vehicle access point from the site onto Princess Street as hereby approved shall be used for egress only and for no other purpose and shall operate in full accordance with the management plan approved pursuant to part (a) of this condition.

Reason: In the interests of highway safety in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

20. (a) The development hereby approved shall proceed in full accordance with the submitted BREEAM assessment prepared by eb7 Ltd and dated 26 March 2018;

(b) Before either of the uses hereby approved are first brought into use, a statement demonstrating their compliance with BREEAM 'very good' criteria shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to secure sustainable design to mitigate the impacts of climate change in accordance with the provisions of paragraph 17 of the NPPF and Policy CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

21. Surface water run-off rates from the site following the construction of the development hereby approved shall not exceed the surface water run-off rates from the site prior to commencement.

Reason: In order to ensure that existing drainage arrangements are able to cope with future surface water discharge in accordance with the provisions of paragraph 17 of the NPPF and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

22. Notwithstanding the information provided on the approved plans and in the submitted noise assessment, details of the materials and acoustic attenuation to be used in the construction of the smoking area hereby approved shall be submitted to and agreed in writing by the Local Planning Authority before the commencement of construction of this part of the building. The development shall then proceed in full accordance with these approved details and shall thereafter be retained and maintained as such.

Reason: To safeguard the living conditions of the occupants of nearby residential premises, in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016

and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

23. Prior to the commencement of construction, a scheme for the provision of external illumination shall be submitted to and agreed in writing by the Local Planning Authority. This agreed scheme shall then be implemented in full and in full accordance the the approved details before either of the uses hereby approved are first brought into use. For the purpose of this condition, the scheme shall include details of the position, design, appearance, level of luminance and area of light-spill of the lights.

Reason: In the interests of the appearance of the site and to safeguard the residential amenities of nearby neighbours in accordance with the provisions of paragraphs 17 and 125 of the NPPF, Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, and saved Policies BH3 and LQ1 of the Blackpool Local Plan 2001-2016.

24. Prior to the first use of the buildings hereby approved, a scheme for the provision of public refuse bins within the application site shall be submitted to and agreed in writing by the Local Planning Authority. This agreed scheme shall be implemented in full and in full accordance the approved details before either of the uses hereby approved are first brought into use. For the purpose of this condition, the scheme shall include details of the position, design and appearance of the bins and the arrangements for waste collection and removal.

Reason: In the interests of the appearance of the site and to safeguard the residential amenities of nearby neighbours by reducing litter in accordance with the provisions of paragraph 17 of the NPPF, Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027, and saved Policies BH3 and LQ1 of the Blackpool Local Plan 2001-2016.

Advice Notes to Developer

Not applicable