

COMMITTEE DATE: [16/10/2018](#)

Application Reference: **18/0471**

WARD: Warbreck
DATE REGISTERED: 09/08/18
LOCAL PLAN ALLOCATION: Defined Inner Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: Mr Kelly

PROPOSAL: Erection of a part four/ part five storey building of 30 apartments plus basement with associated access and egress from Knowle Avenue, car parking for 25 vehicles, turning area, landscaping and boundary treatment, and provision of revised access and car parking layout to Ma Kelly's Showboat.

LOCATION: LAND TO THE REAR OF MA KELLY'S, 44-46 QUEENS PROMENADE
FY2 9RW

Summary of Recommendation: Refuse

CASE OFFICER

Mr M Shaw

BLACKPOOL COUNCIL PLAN 2015 -2020

This application does not accord with Priority one of the Plan - The economy: Maximising growth and opportunity across Blackpool or Priority two of the Plan - Communities: Creating stronger communities and increasing resilience.

SUMMARY OF RECOMMENDATION

The proposal has been the subject of fairly protracted pre-application discussions relating to the principle of development on part of the car park for residential use, the appropriate scale of any such development, the design concepts and its impact on the character of the street, car parking, vehicle access, proximity and relationship with the adjoining Ma Kelly's building, the footprint of the building relative to the plot size and space around the proposed building and the relationship with neighbouring properties in terms of privacy, overlooking, overshadowing issues.

Whilst some improvements have been made to the initial submission, much more fundamental changes and reductions in the scale of the development are considered necessary to achieve a proposal which is anywhere being supportable in addressing a range of concerns which are set out below. Accordingly, the proposal is recommended for refusal.

SITE DESCRIPTION

The application relates to land to the rear of the former Uncle Tom's Cabin public house which has recently undergone an extensive refurbishment and re-opened as Ma Kelly's cabaret bar providing live entertainment and is open until 3am. The detached building is situated at the junction with Knowle Avenue and has front and rear entrances and to the rear of the building is a smoking shelter and an extensive car parking area. This recently cleared area to the rear of Ma Kelly's is an unsurfaced car parking area which isn't formally marked out with two access points onto Knowle Avenue and measures 65m x 37m. The site has a third access/ exit recently formed onto Northumberland Avenue via a service road. The land also includes an electricity sub-station and a United Utilities underground pumping station granted planning permission in 2004 under 04/ 0916. Both these facilities are located at the rear of the site. The Queens Promenade frontage consists primarily of hotels whilst Knowle Avenue and Northumberland Avenue have a more residential character.

DETAILS OF PROPOSAL

Detailed application for the erection of a part four/ part five storey block of 30 apartments comprising 21 x two bed flats, 8 x one bed flats and 1 x three bed flat. The proposed development would have a basement providing 13 car parking spaces with a further 12 parking spaces laid out around the building. The basement also includes a swimming pool and gym. The application site takes up the majority of the existing Ma Kelly's car park and measures 57m x 37m leaving approximately 8m at the rear of Ma Kelly's to provide car parking for the venue plus some new parking spaces provided to the side of the building.

The application is accompanied by a Design and Access Statement, a Noise Assessment and a Planning Policy Statement.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle of Residential Development
- Design, Scale and Impact on Surrounding Area
- Impact on Residential Amenity
- Means of Access, Parking and Servicing Arrangements
- Other Issues

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

CONSULTATIONS

Head of Highways and Traffic Management:

The proposed dwellings are 8 No 1 bed and 22 No 2 bed. The parking requirement would be 8x1 and 22x2 which gives 52 spaces. The proposal includes 12 around the block of flats and 13 in a basement. The provision is, therefore, less than 50% of the requirement. The dimensions of ramps and the one way system are substandard and not acceptable. I would

expect the vehicular access and egress to reflect the numbers of dwellings rather than to be at the scale of a single private drive. The public house has a gross floor area in excess of 550 sq.m. The parking requirement would be of the order of 70 spaces. The proposal includes 10 spaces. Of these only four are of a standard, in terms of size and accessibility that we would accept. Whilst this may reflect the existing use of the forecourt areas it is unacceptable. There is little point in commenting on the layout of the pub forecourts since the arrangement is wholly unacceptable and the number of spaces is wholly inadequate. The public house presently has a significant area available for parking. There is no indication of the present use of the area in terms of car numbers and, therefore, no reasoning behind the reduction in available spaces. Whilst I do not see any reason to oppose the uses proposed I must object to the present proposal on the basis of the lack of parking provision and the unacceptable layout.

Service Manager Public Protection:

I have read through the noise report, and in my professional opinion the proposed mitigation measures for the new development would not address the noise emanating from Ma Kelly's to an acceptable level, therefore resulting in statutory nuisance. Ma Kelly's is open until 3am with Karaoke up until this time, the smoking area and the access and egress are situated at the back of Ma Kelly's directly next the proposed development, therefore affecting the owners/occupiers own enjoyment of their homes. The only way the site would be suitable for residential purposes would be if the operational times of Ma Kelly's were significantly reduced.

Environmental Protection Manager (Contaminated Land) - No issues.

United Utilities (Water): With regards to the above planning application; we have noticed the applicant has included Knowle Avenue WWPS on their plans for this development. Please can we request the applicant re-submits their plans excluding the pumping station as this will be unacceptable to United Utilities.

Electricity North West Ltd: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the Update Note.

Waste Services Manager: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the Update Note.

PUBLICITY AND REPRESENTATIONS

Press notice published: 9 August 2018

3 site notices displayed: 14 August 2018

Neighbours notified: 9 August 2018- letters of objection have been received from the following addresses:-

14A Northumberland Avenue, Blackpool -We comment upon the submitted application as follows;

1. the application is misleading in a number of ways. First the site is shown as level, however there is approximately 1.0m fall along Knowle Avenue. It also shows the proposed development as being the same height as Ma Kelly's, which is only three storeys, whereas the proposal is five storeys. The Doric Hotel opposite is five storeys and is much higher than Ma Kelly's. It would assist if a cross section was produced to show the proposed development in relation to properties opposite on Knowle Avenue and Northumberland Avenue.
2. No shadow diagrams have been submitted. The proposal will cause overshadowing to the lounges of the properties on the opposite side of the road along Knowle Avenue and also to the properties to the East boundary along Holmfield Road. The height of the proposal will create a tunnel affect along Knowle Avenue.
3. With regard to architectural design the materials are incongruous with the wider street scene. The design conflicts with the setting of a listed building and dominates that listed building. There is a lack of vertical emphasis to the elevation treatment - we think it looks like a Victoria sponge cake. There is a loss of visual amenity to the residents.
4. The amount of car parking shown is 13 in the basement and 12 around the grounds. This is less than 1 for 1 parking. Blackpool's policy is, outside the inner wards, 1.5 spaces per flat, requiring a total of 45 spaces. This is insufficient parking for development which will lead to parking on the highway which is already congested with inherent parking issues.
5. There is no disabled parking shown. Parking standards require 10% disabled parking.
6. There is no motorcycle parking provided, again required for Blackpool Standards.
7. The development is built on the existing car park for Ma Kelly's. This has parking for more than 40 cars. The proposal shows 10 parking spaces for Ma Kelly's, which does not meet minimum standards for a public house of this size outside town centre. We have observed that particularly at weekends this car park is well patronised, regularly being used by more than 30 vehicles - substantially more than would be available in the proposed development.
8. The existing exit at the junction of Queen's Promenade and Knowle Avenue has currently been subsumed into the front outside seating for Ma Kelly's. It is now proposed to be the main exit for Ma Kelly's. We are advised that this is a poor design and will increase vehicle conflict at an already heavily congested junction.
9. There is no private amenity space for the residents.
10. The landscaping around the perimeter of the property is of inadequate width to allow plants to survive.
11. We are further advised that whilst not a planning issue, the design of the fire escape would not meet with Building Regulations - the lift projects into the basement, the means of smoke extraction from basement, excessive travel distances, height of penthouse above ground level. We are advised that the design as proposed will eventually need significant modification to meet Building Regulation standards. In conclusion we believe that the development will lead to increase in on street parking which is already an issue, vehicle conflicts which prejudice traffic safety, loss of visual amenity due to unsympathetic treatment of elevation, loss of sunlight to

residents opposite and causing harm to listed building and inadequate car parking provision.

6 Knowle Avenue, North Shore, Blackpool - I wish to lodge an objection to the above application. The proposed application will be an over development of the existing site and a loss of existing car parking to the existing use of Ma Kelly's.

The building proposed will not fit in to the existing street scene due to it being 4/5 storeys, the existing properties in Knowle Avenue are houses or flats of 2/3 floors and the colour of the building being grey will not fit in with the existing surrounding properties of North Shore which are of red brick built circa 1900's. The size and planned balconies will also cause overlooking and loss of light to the surrounding properties. The apartments will also be affected by noise from the existing Ma Kelly's as the surrounding properties already are affected by its existing use.

The planned parking on the 30 apartment site is also inadequate as 25 spaces does not meet existing planning guidelines, which are 1 bed require 1.25 to 1.5 spaces per apartment, 2 bed 1.5 to 1.75 and 3 bed 1.75 to 2, on this criteria they need at least 37.5 spaces.

The proposed parking at Ma Kelly's of 10 is also inadequate as on a normal weekend they would need at least 40/50 spaces on site, any loss of the existing parking on site will add to the already existing car parking problems in Knowle Avenue and the surrounding streets. They need at least 1 space per 2/3 sq metres of the pub and they also need to allocate parking of 1 space per 3 employees. There is also no provision for delivery or refuse vehicles to access the existing use, which at present vehicles calling to the venue drive onto the existing parking area.

Uncle Tom's always had existing off street parking on its own site, which was separate from the rest of the site by a red brick wall which was recently demolished and numbered a lot more than the 10 plus parking planned for around the existing building under the submitted plans.

The site also has utilities within the site plan, United Utilities has a water facility on the site which had been walled off with a gate but was taken away. There is also an electric substation on site.

The highway access and exits are also inadequate for the site, the rear exit on to Northumberland Avenue is a back street which is only used by surrounding properties and rear access to a hotel, not a general public thoroughfare. The planned exit on to the corner of Knowle Avenue and the Queens Promenade is also a highway safety issue as it is near a pelican pedestrian crossing and is accessing from a corner on to the busy main road.

In conclusion the development will be over development of the site causing a lack of sufficient car parking which will add to the existing Knowle Avenue and surrounding streets parking problems. The design and colour of the building will have an effect of the architectural and historic character of North Shore. Also causing overlooking and loss of light to existing and surrounding properties.

66 Holmfield Road, Blackpool - I would like to object to the proposed erection of 30 apartments at the rear of Ma Kelly's Showboat , 44-46 Queens Promenade.

I consider the scale and height inappropriate for the land available. There will I believe be a considerable loss of light and privacy at the rear of my property as the proposed building will directly overlook my house. There will be a possibility of more noise and disturbance and I don't think the proposed 25 parking spaces will be adequate and I anticipate an overspill of cars parking on the available street parking, especially in the summer season when the surrounding hotels are full.

64 Holmfield Road, Blackpool - We welcome the proposal to build dwellings on this land, as more good quality accommodation is needed in Blackpool. We're very disappointed, though, that no social housing is included in the proposal, presumably because this wouldn't give the rate of return the developers are hoping for.

However, we're registering our objection to the proposed development of a 4/5 storey building of 30 apartments on the area to the rear of 44-46 Queens Promenade. This would be adjacent to the rear of our property, separated by just a narrow rear alley.

We are appealing on the following grounds:-

- Scale, appearance and design of the property. The erection of what is in effect a 5 storey building will dwarf the surrounding area.

In the Planning document attached to the application the contention is made "It does not rise above the predominant height of the surrounding buildings, and does not detract from landmark buildings, which may include the pub adjacent" This is misleading as it is untrue. A quick walk around the surrounding area shows that of the buildings the great majority are 2 or 3 storey (including Ma Kelly's buildings) 3 or 4 are 4 storey and the Doric Hotel, which fronts the promenade is 5 storey.

The application further contends "that current planning policy encourages buildings of four storey or greater in resort neighbourhoods (of which this site lies, however that designation has been revoked by the new Core Strategy, but the principle of allowing taller buildings, above four storeys, in this area remains established form)." However, this surely cannot be to the detriment of buildings in the surrounding area, otherwise why would "scale" be the first item to be listed as a planning consideration to be taken into account?

The proposed development has clearly been designed to make the most intensive use of the site possible- and no doubt to maximise the return for the developer! But this is at the expense of the rest of the area.

The proposed design of the building would only exacerbate the problem, as its modernist appearance is completely out of keeping with the rest of the area, and would effectively stick out "like a sore thumb". We welcome modern buildings in the right place, but we don't feel that site is appropriate for such a building.

- Effect on highway safety and car parking

Parking during the evenings and weekends is already very difficult on the surrounding roads. Recent counts have shown 43, 50 and 54 cars on different evenings on the car park at the rear of Ma Kelly's. If the customer car parking there is reduced to the levels indicated, this will have a direct and profound impact on the surrounding roads. In addition, there's insufficient parking provision in the proposed development for the residents of the apartments, let alone their visitors, and even more on-street parking will be generated.

Keajra Kadampa Buddhist Centre holds evening classes two or three times a week, as well as at weekends, and our visitors already have to park some distance from the Centre. The effects on car parking of this proposal will mean that if visitors can't find anywhere to park, they'll just stop coming with a serious effect on the service we provide for the people of Blackpool.

14 Northumberland Avenue, Blackpool - I wish to register my objections. The application in size is excessive and from the plans I will be overlooked from the left side because of the height of the proposal and will suffer a loss of privacy.

The sheer number of apartments and redesign of the car parking and traffic management arrangements will inevitably lead to a substantial increase in noise and disturbance to the rear of my property. The suggestion on access and egress into the car park will in my opinion not be safe and frankly appears to be an afterthought to fit around the building design. The reduction in car parking spaces to the public house will also cause considerable increase in street parking compounding an already chaotic situation and lead to a direct increase in noise, disturbance and more anti-social behaviour on our door step.

8 Knowle Avenue - the proposal will be an overdevelopment of the site and there will be a loss of existing car parking for Ma Kelly's. The proposed 4/5 storey grey building will not fit into the street scene. Knowle Avenue comprises 2/3 storey red brick houses. The proposed balconies will cause overlooking and there will be a loss of light. The proposed flats will be affected by noise from Ma Kelly's which already affects existing properties.

25 parking spaces for 30 flats is inadequate and does not meet guidelines of 1.25/ 1.5 spaces per one bed flat, 1.5/ 1.75 spaces per two bed flats and 1.75/ 2 spaces per three bed flats translating to 37.5 spaces. The provision of 10 spaces for Ma Kelly's is also inadequate. On a normal weekend they would require 40/ 50 spaces and any loss of existing parking will add to the on street parking problems on Knowle Avenue and surrounding streets. Parking is required for employees and there is no provision for delivery or refuse vehicles. Uncle Toms has always had its own off street parking. United Utilities also have a water facility on the site and there is an electricity sub-station on site.

The site access and egress are inadequate, the exit onto Northumberland Avenue is a back street and the exit at the junction of Knowle Avenue and Queens Promenade also presents highway safety issues located near a pelican crossing and located at a road junction.

NATIONAL PLANNING POLICY FRAMEWORK

The revised National Planning Policy Framework (NPPF) retains the key objective of achieving sustainable development and hence there is a presumption that planning applications proposing sustainable development will be approved. It provides advice on a range of topics and is a material planning consideration in the determination of planning applications. The parts most relevant to this application are -

- 5 - Delivering a sufficient supply of homes
- 8 - Promoting healthy and safe communities
- 9 - Promoting sustainable transport
- 11 – Making effective use of land
- 12 - Achieving well-designed places
- 14 - Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

The Blackpool Local Plan: Part 1 - Core Strategy has been adopted by the Council on 20th January 2016. In accordance with the National Planning Policy Framework significant weight can now be given to the policies of the Core Strategy. Certain policies in the Saved Blackpool Local Plan have now been superseded by policies in the Core Strategy. Other policies in the Saved Blackpool Local Plan will remain in use until Part 2 of the new Local Plan is produced.

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

Policy CS1: Strategic Location of Development

1. To deliver the Core Strategy vision the overarching spatial focus for Blackpool is regeneration and supporting growth.
2. Blackpool's future growth, development and investment will be focused on inner area regeneration.

Policy CS2: Housing Provision

Provision will be made for the delivery of 4200 new homes in Blackpool between 2012 and 2027. These new homes will be located on:-

- identified sites within the urban area
- windfall sites

Policy CS5: Connectivity

Addressing parking capacity issues by providing sufficient, high quality and conveniently located car parks, to support the town centre and resort economy and address wider issues of parking provision across the Borough.

Changing travel behaviour by pro-actively working with developers and other organisations to increase the proportion of journeys that use sustainable transport, while working with residents and businesses to reduce the need for work related journeys where alternative means or technologies make this possible.

Policy CS6: Green Infrastructure

High-quality and well connected networks of green infrastructure in Blackpool will be achieved by:

- Enhancing the quality, accessibility and functionality of green infrastructure and where possible providing net gains in biodiversity.
- Creating new accessible green infrastructure as part of new development and supporting urban greening measures within the built environment.
- Connecting green infrastructure with the built environment and with other open space including the creation, extension or enhancement of greenways, green corridors and public rights of way.
- All development should incorporate new or enhance existing green infrastructure of an appropriate size, type and standard.

Policy CS7: Quality of Design

New development in Blackpool is required to be well designed, and enhance the character and appearance of the local area and should:

- Be appropriate in terms of scale, mass, height, layout, density, appearance, materials and relationship to adjoining buildings.
- Incorporate well integrated car parking, pedestrian routes and cycle routes and facilities
- Provide appropriate green infrastructure including green spaces, landscaping and quality public realm as an integral part of the development.

Development will not be permitted that causes unacceptable effects by reason of visual intrusion or any other adverse local impact on local character or amenity.

Policy CS9: Water Management

1. To reduce flood risk, manage the impacts of flooding and mitigate the effects of climate change, all new development must:

d. Where appropriate, not discharge surface water into the existing combined sewer network. If unavoidable, development must reduce the volume of surface water run-off discharging from the existing site in to the combined sewer system by as much as is reasonably practicable;

Policy CS12: Sustainable Neighbourhoods

1. To secure a better quality of life for residents and to deliver sustainable neighbourhoods, the Council will support development and investment which:

a. provides high quality housing with an appropriate mix of types and tenures to meet the needs and aspirations of existing and future residents and assists with rebalancing the housing market.

d. creates a healthy, safe, secure and attractive environment and public realm, which promotes local pride and a sense of place.

e. reflects the built heritage of the neighbourhoods and conserves and enhances the significance of heritage and their settings.

f. addresses the need for a balanced provision of resident and visitor parking alongside streetscape enhancement.

Policy CS13: Housing Mix, Density and Standards

New residential development will be required to provide an appropriate mix of quality homes which help to rebalance Blackpool's housing supply and support sustainable communities by:-

1 including a mix of house types and sizes, having regards to the specific character, location and viability of the site.

b. on sites between 0.2 and 1 hectare a mix of dwelling sizes is required within the site, or the proposal should contribute towards a balanced mix of provision in the surrounding area.

c. on all sites new flat developments will not be permitted which further intensify existing over concentrations of flats and conflict with wider efforts for comprehensive improvement of the area. Development of more than 10 flats are unlikely to be acceptable in the inner area away from the town centre and away from the sea front. Where flats are permitted at least 70% should be two bedrooms or more.

2. Providing quality living accommodation which meets the relevant standards for new build development.

3. Making efficient use with an optimum density appropriate to the characteristics of the site and its surrounding area. Higher densities will be supported on public transport corridors.

Policy CS14: Affordable Housing

All market housing developments of three dwellings or more will be required to provide affordable housing (either on site or off site) or to make a financial contribution towards affordable housing provision. Developments within the defined inner area are exempt from this requirement.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006. A number of policies in the Blackpool Local Plan (2006) have now been superseded by policies in the Core Strategy (these are listed in Appendix B of the Core Strategy). Other policies in the Blackpool Local Plan are saved until the Local Part 2: Site Allocations and Development Management Policies is produced.

The following policies are most relevant to this application:

Policy LQ1: Lifting the Quality of Design

All new development will be expected to be of a high standard of design and to make a positive contribution to the quality of its surrounding environment.

All planning applications for large-scale developments or smaller developments occupying prominent and/or sensitive locations, such as gateways and activity nodes must be accompanied by an 'Urban Design Statement'. This statement will need to set out the design principles of the development covering the following:

(a) site appraisal and context

- (b) layout of street and spaces
- (c) activity and movement patterns
- (d) building design
- (f) landscape design, including wildlife and biodiversity issues
- (g) energy and resource conservation
- (h) other relevant design issues.

Sensitive and prominent locations are considered to be any site within the Resort Core or Resort Neighbourhoods with any elevation fronting onto the Promenade.

Policy LQ2: Site Context

The design of new development proposals will be considered in relation to the character and setting of the surrounding area.

(A) New developments in streets, spaces or areas with a consistent townscape character should respond to and enhance the existing character.

Policy LQ3: Layout of Streets and Spaces

(A) The layout of all new development will be expected to create or positively contribute towards a connected network of streets and spaces that:

- (i) creates direct and integrated routes through the site which provide well signed and easy access to the existing street network, nearby facilities and public transport.
- (iii) creates distinctive useable spaces, including public open spaces, which are well-defined by buildings, boundary treatments and landscaping creating a structure for habitat generation and migration.
- (vii) assimilates sensitively into the surrounding built form and/or landscape context.
- (viii) where possible, incorporates drainage requirements as features within the design in conjunction with sustainable drainage (SUDS) technology.

Policy LQ4: Building Design

In order to lift the quality of new building design and ensure that it provides positive reference points for future proposals, new development should satisfy the following criteria: The scale, massing and height of new buildings should be appropriate for their use and location and be related to:

- (i) the width and importance of the street or space.
 - (ii) the scale, massing and height of neighbouring buildings.
- Materials - will need to be of a high quality and durability and in a form, texture and colour that is complementary to the surrounding area.

Policy LQ6: Landscape Design and Biodiversity- New development will be required to incorporate appropriate landscaping and benefits to biodiversity.

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

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

- (i) the scale, design and siting of the proposed development and its effects on privacy, outlook, and levels of sunlight and daylight; and/or
- (ii) the use of and activity associated with the proposed development; or by
- (iii) the use of and activity associated with existing properties in the vicinity of the accommodation proposed.

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

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

Policy AS1: General Development Requirements

New development will only be permitted where the access, travel and safety needs of all affected by the development are met as follows:

- convenient, safe and pleasant pedestrian access is provided
- appropriate provision exists or is made for cycle access
- appropriate access and facilities for people with impaired mobility (including the visually and hearing impaired) are provided
- safe and appropriate access to the road network is secured for all transport modes requiring access to the development
- appropriate levels of car, cycle and motorcycle parking, servicing and operational space are provided, in accordance with standards.

ASSESSMENT

Principle of Residential Development -The application site has no allocation on the Proposals Map of the Local Plan and is within the Defined Inner Area. The site is currently being used as a surface level car park having been cleared to create a larger open parking area. It has historically been used for car parking though the site previously included various outbuildings and was partly enclosed with a number of walls within the site. The use of the site for residential purposes would contribute towards the Council's housing land supply.

Given the scale of the period buildings along Knowle Avenue and the larger hotel buildings nearby on Queens Promenade and the fact that this area does not include an over concentration of flat accommodation it is considered that the principle of erecting a block of apartments on the site is acceptable, notwithstanding Environmental Protection comments regarding the current operation of Ma Kelly's, although due to the scale of this proposal and other matters explained below this particular proposal is not considered acceptable.

Design, Scale and Impact on Surrounding Area - the proposed development has a height of between 12.5m and 14.8m with a maximum height of 16m. It has a solid block like appearance from Knowle Avenue over four floors with a smaller mainly glass block forming the fifth floor on the roof. The building has a width of 41m. There would be a distance of 4.5m to the new rear boundary of Ma Kelly's and there would be a minimum of 11.5m to the eastern boundary and 7m to the rear boundary abutting which is a rear alley and houses fronting Northumberland Avenue.

The character of properties on Knowle Avenue is of two storey buildings some with additional accommodation within the roofspace. These properties are approximately 6.5m to eaves level and 10m to the ridge level. The pitched roofs of these adjacent properties also slope away from the road frontage which takes a considerable amount off the visual massing and there are regular gaps between adjacent properties. Therefore the height, width, large rectangular block shape of the proposed apartment block and its close proximity to two of its boundaries would create a cramped, overly large, bulky and incongruous addition to the street scene which would visually jar and clash with adjacent properties. This would be exacerbated by the modern materials palette comprising grey render, zinc cladding, grey brick and glazing.

The proposal would therefore be contrary to a number of policies including Policy LQ4 of the Local Plan and Policy CS7 of the Core Strategy and paragraph 127 of the NPPF.

Impact on Residential Amenity- the apartment block is considered to be too close to the rear of Ma Kelly's Showboat at 13m with a number of lounge and kitchen windows in the side elevation of the apartment block facing the rear elevation of Ma Kelly's which is open to 3am and has one of its entrances on the rear elevation from the remaining car park. It would be expected that future residents of the apartment block would have significantly reduced residential amenity as a result of coming and goings, use of the smoking area, cars, including taxis, dropping of and picking up fares particularly at weekends and late evening and in the early hours of the morning. In addition to being an unreasonable imposition on the future residents it is also considered to be an unfair and unreasonable imposition on the operation of the business itself and the hours of opening may, for example, be under question via the Licensing of the premises if complaints arise due to noise and disturbance at unsocial hours. There have already been amenity complaints from Knowle Avenue residents due the operation of this Ma Kelly's business.

The five storey apartment block is considered to be too close to its rear boundary at 7m and is less than 11m from the residential gardens of properties on Northumberland Avenue and approximately 22m from the rear elevations of those same properties. 14 of the 30 apartments on the first to fifth floors would have a direct outlook from lounge and bedroom windows towards Northumberland Avenue. It is considered that this would result in overlooking and loss of privacy for residents of Northumberland Avenue. Loss of light is not considered to be a significant issue either relative to properties on Knowle Avenue or Northumberland Avenue due to the distances involved and the orientation of the building to the north of Northumberland Avenue.

The proposal would therefore be contrary to a number of policies including Policy LBH3 and BH4 of the Local Plan and Policy CS7 of the Core Strategy and paragraph 127 and 182 of the NPPF.

Means of Access, Parking and Servicing Arrangements- the application seeks to essentially retain one existing access point from Knowle Avenue and to create a second access which would access the basement parking area via a ramp. The surface level car parking spaces around the apartment block would be accessed via a one way circulation of traffic around the building. The second existing vehicle access from Knowle Avenue would be retained by Ma Kelly's to access their 10 space car park with egress shown directly onto Queens Promenade and onto Northumberland Avenue via a side alley.

The number of car parking spaces at less than 100% is considered insufficient given the noted congestion on Knowle Avenue due to a combination of residents, visitors and business parking demands and in addition Ma Kelly's will lose most of their existing car parking provision leaving a small number of useable spaces and a small area for taxis dropping off and collecting customers. This is a sustainable location with trams and buses accessible nearby and shops and other amenities within walking distance however the ramp into the basement is not suitable for the number of spaces being provided and the access route for the surface parking spaces around the building is narrow at approximately 2.6m wide so a number of spaces shown are not readily useable.

The access issues and the lack of useable car parking is a reflection, like the other matters discussed, of the number of flats being excessive and the size of building being too large for the site. As submitted the proposal would therefore be contrary to a number of policies including Policy AS1 of the Local Plan and Policy CS12 of the Core Strategy and paragraph 109 of the NPPF.

Other Issues - final comments on the relationship of the proposal to the United Utilities facility within the application site are being sought and any further comments will be reported via the Update Note. No open space is proposed as part of the development and hence should the application be approved a commuted sum would be required and could be secured by condition. No affordable housing would be required as the site is within the defined inner area.

CONCLUSION

This is a brownfield site however it provides car parking for the Ma Kelly's. Whilst the provision of housing on the site would contribute towards the Council's housing supply the disbenefits in this case outweigh the benefits. The proposal is considered deficient and sub-standard in a number of respects and contrary to both local and national planning policy and guidance and accordingly the application is recommended for refusal.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

None

HUMAN RIGHTS ACT

Under Article eight and Article one of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. It is not considered that the application raises any human rights issues.

CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the Council's general duty, in all its functions, to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998

BACKGROUND PAPERS

Planning Application File 18/0471 which can be accessed via the link below:

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

Recommended Decision: Refuse

Conditions and Reasons

1. The proposal would result in an incongruous and visually intrusive addition to the Knowle Avenue streetscene and would be detrimental to the character of the street and of the surrounding area due to the size of the proposed apartment block, including its height and width and depth, its close proximity to two of the site boundaries and its cramped appearance, the intended materials palette, and the lack of space, including amenity space, around the building.

As such, the proposal would be contrary to paragraph 127 of the National Planning Policy Framework, Policies CS7, CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ2 and LQ4 of the Blackpool Local Plan 2001-2016.

2. The proposal would have an unacceptable impact on the future residential amenities of the apartments by virtue of the close proximity to the adjacent Ma Kelly's Showboat and the access arrangements, car parking, collection and pick up point, rear smoking area and late night opening and the levels of activity and entertainment associated with Ma Kelly's. As such it would be contrary to paragraphs 127 and 182 of the National Planning Policy Framework, Policies BH3 and BH4 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

3. The proposed development provides insufficient and unsatisfactory car parking facilities and vehicular access points for both the proposed apartment block and the adjacent Ma Kelly's Showboat and would therefore result in on-street parking and additional congestion in the surrounding area to the detriment of pedestrian and highway safety and the residential amenities of adjoining residents. As such it would be contrary to paragraph 109 of the National Planning Policy Framework, Policies AS1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.
4. The proposal would have an unacceptable impact on the residential amenities of occupants of properties on Northumberland Avenue with respect to overlooking, loss of privacy, an overbearing impact and visual intrusion by virtue of the close proximity of the building to its rear boundary, its height and layout and fenestration detailing. As such it would be contrary to paragraph 127 of the National Planning Policy Framework, Policy BH3 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.
5. **ARTICLE 35 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK paragraph 38)**

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