

COMMITTEE DATE: 02/04/2019

**Application Reference:** 19/0056

WARD: Bloomfield  
DATE REGISTERED: 30/01/19  
LOCAL PLAN ALLOCATION: Resort Core  
Central Promenade and Seafront  
District centre  
Defined Inner Area

APPLICATION TYPE: Full Planning Permission  
APPLICANT: EasyHotel UK Ltd

**PROPOSAL:** Erection of part four, part five-storey hotel to provide 97 guest bedrooms an ancillary cafe/restaurant unit at ground floor level and parking to the rear with vehicular access taken from Commercial Street following clearance of the site.

**LOCATION:** 429 -437 PROMENADE, BLACKPOOL, FY1 6BQ

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**Summary of Recommendation:** Grant Permission

#### **CASE OFFICER**

Miss S. Parker

#### **BLACKPOOL COUNCIL PLAN 2015 -2020**

This application accords with **Priority One of the Plan** - The economy: Maximising growth and opportunity across Blackpool as it would introduce a new, national multiple hotel chain to the town.

#### **SUMMARY OF RECOMMENDATION**

The application seeks to redevelop a prominent, vacant site on Blackpool Promenade to provide modern visitor accommodation. The design of the scheme is considered to be acceptable as is the provision of an ancillary café/restaurant unit. The proposal would help to regenerate this area of the Promenade and the wider resort as a tourism destination and this weighs significantly in favour of the scheme. The scale of the building would inevitably have some impact on the residential amenities of neighbours to the rear through over-shadowing and a potentially over-bearing impact. This weighs against the proposal. No other issues that weigh notably in the planning balance have been identified. In this case and on balance, the benefits of the scheme in terms of redevelopment and regeneration are considered to be significant and sufficient to outweigh any impact on residential amenity. As such the proposal is judged to represent sustainable development and Members are,

therefore, respectfully recommended to grant planning permission subject to the conditions listed at the end of this report.

## **INTRODUCTION**

The application is before Committee as it is a major-scale proposal for a new hotel use on the Promenade and is therefore considered to be of significant public interest. It has been subject to pre-application discussions and amendments have been made to the proposed scheme. It was also subject to pre-application consultation with local residents.

## **SITE DESCRIPTION**

The proposal relates to the former Tudor Rose site that fronts the Promenade. The site is now cleared with the exception of the existing Commercial Street Garage. It was formerly occupied by poor quality holiday and permanent accommodation and café and take-away uses. The site is bound by a fish and chip restaurant to the south with Commercial Street and The Dutton Arms beyond. The south-east corner of the site has an access point onto Commercial Street. To the north is another fish and chip restaurant/take-away. Properties fronting Bolton Street bound the site to the rear. These are generally in permanent residential use with some retail units at ground floor level. There is an alleyway to the rear of the site but this does not provide vehicular or pedestrian access to the site.

The site falls within the Resort Core as defined on the Proposals Map to the saved Local Plan, and within a designated Main Holiday Accommodation Area as defined in the Council's Holiday Accommodation Supplementary Planning Document (SPD). It also falls within Flood Zone 3. There are no trees or ecological features on site. The site falls within the setting of The Dutton Arms which is a locally listed building.

## **DETAILS OF PROPOSAL**

The application seeks planning permission for a part four-, part five-storey hotel to provide 97 guest bedrooms with the hotel lobby and an ancillary café/restaurant unit at ground floor level. Vehicular access would be taken from Commercial Street following demolition of the existing Commercial Street Garage. Ten parking spaces including two accessibility spaces would be provided to the rear along with a service yard and refuse and cycle stores. At the front of the building a forecourt with some limited seating and planters would be created along with additional cycle stands.

The building would present a frontage of some 27.4m width. The four-storey elements would be 13.2m high and the five-storey elements would be 16.1m in height. Plant would be positioned on the roof and this would be screened by a louvered fence to a total height of 18m.

Internally, thirty-one of the bedrooms would be positioned centrally and so would lack external windows. The café/restaurant unit would measure 272sqm.

The application has been supported by the following documents:

- Design and access statement
- Heritage statement
- Planning statement
- Sustainability and energy statement
- Noise impact assessment
- Transport statement
- Travel plan
- Flood risk assessment

### **PLANNING HISTORY**

13/0497 – outline planning permission granted for the demolition of the buildings on site and the erection of a five-storey building to provide two bar/restaurant units at ground floor level with fifteen permanent self-contained flats above with vehicular access from the Promenade and Bolton Street.

16/0786 – reserved matters application withdrawn for the scheme above.

16/0845 – outline planning permission granted for the demolition of the buildings on site and the erection of a five-storey building to provide two bar/restaurant units at ground floor level with fifteen permanent self-contained flats above with vehicular access from the Promenade and Bolton Street. This permission will remain extant until 3 April 2019. The current proposal differs from this scheme in that the site is slightly larger and access would be taken from Commercial Street rather than Bolton Street.

17/0460 – reserved matters approval withdrawn for the scheme above.

17/0866 – pre-application advice sought regarding the provision of a hotel and two restaurants on the site.

18/0788 – pre-application advice sought regarding the current proposal.

### **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- Principle of redevelopment
- Amenity impact
- Visual and heritage impact
- Access, highway safety and parking

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

## **CONSULTATIONS**

**Environment Agency:** no comments have been received in time for inclusion in this report. Any comments that are received in advance of the meeting will be reported through the update note.

**United Utilities:** conditions should be attached to any permission granted to require foul and surface water should be drained separately; to require the agreement of a drainage strategy in accordance with sustainable principles; and to require the agreement of a management strategy for the implemented drainage scheme. The Lead Local Flood Authority should be consulted. With regard to water supply, as the proposal is for a multi-storey development, the applicant is advised to install and pump and storage of 24hr capacity. The applicant should contact United Utilities at the earliest opportunity. All fittings must be to current standards. If a sewer is discovered during construction, a Building Control body should be consulted. Any wastewater assets intended for UU adoption must be agreed by United Utilities and early consultation is recommended.

**Blackpool Airport:** initially responded to advise that additional information was required, namely the maximum height above ground level. Following the provision of this information, the airport has confirmed that no objection is raised. The airport must be notified at least 28 days in advance of any construction equipment of greater height than the approved development being brought onto the site. The equipment must be operated in accordance with relevant standards.

**Head of Highways and Traffic Management (Local Highway Authority):** the hotel would be large by Promenade standards but would not have forecourt parking which would reduce its impact on the highway. A boundary treatment would be required to prevent vehicle access. Rear access and some rear parking is proposed which would reduce casual, short-term parking to the front. The management statement for the rear yard is helpful and the transport assessment demonstrates clear understanding of the proposed business. A delivery strategy should be agreed. The Transport Assessment adequately deals with parking and setting-down/picking-up. The swept-paths submitted do not explicitly demonstrate that a 3m wide vehicle could enter, turn and exit the site, but do show that manoeuvres are more critical for the front of a vehicle than the rear and so no issue is raised. The highway is outside of the red edge. A dropped crossing should be provided to define the radius and provide a continuous footpath. There are already waiting restrictions in place. The proposal would not justify a requirement for dedicated coach parking. A highways agreement would be required. The applicant should be aware of the drainage implications arising from blown sand.

**Transport Policy Officer:** although some recommendations for improvement have been provided, overall the framework travel plan submitted is considered to be very good.

**Lead Local Flood Authority:** the submitted Flood Risk Assessment (FRA) is considered to be acceptable as are the proposed finished floor levels subject to the resilience measures indicated. Conditions should be attached to any permission granted to require foul and surface water to be drained separately. Foul water should drain in accordance with

Appendix G of the FRA and surface water should be drained in accordance with Appendix I although this would be subject to acceptance by United Utilities. Future management and maintenance should be conditioned to be in accordance with Appendix I but the model United Utilities condition relating to adoption arrangements should also be imposed.

**Lancashire Constabulary:** planning decisions should promote public safety and take account of wider security and defence requirements. The Local Planning Authority should do what it can to prevent crime, disorder and substance misuse. Policy CS7 of the Core Strategy is relevant. There are records of crime in the area and so the development should be designed to Secure by Design standards. The following security recommendations should be followed. Natural surveillance should be promoted at entrances and exits and these should be well-lit. External pipes should be square, rectangular, recessed or enclosed to deter climbing. Horizontal platforms should be avoided. A secure site boundary treatment would deter trespassers. The service area should be secured with 2m high weld-mesh fencing. Appropriate CCTV should be installed as should an appropriate alarm system. External lighting to appropriate standards should be provided and parking should meet the Park Mark Safer Parking initiative standards. Passive security measures or barriers should be installed to protect vulnerable areas from vehicle attack or traffic incident. Further information can be found on the CPNI website. All doors and windows should be to appropriate standards and external doors should have tamper resistant access controls. Controlled internal doors should be provided to prevent tail-gating. Access fobs can be used to control access. Advice is given in relation to emergency doors, roof access, roller shutters, reception facilities and bins. Any cycle storage must be appropriately secure. Counter-terrorism measures should be considered. The site must be suitably secured during construction.

**Environmental Protection (Amenity):** no comments have been received in time for inclusion in this report. Any comments that are received in advance of the meeting will be reported through the update note.

**Environmental Protection (Land Contamination):** no comment.

**Commercial Waste:** no comments have been received in time for inclusion in this report. Any comments that are received in advance of the meeting will be reported through the update note.

**Service Manager Energy and Sustainability:** no comments have been received in time for inclusion in this report. Any comments that are received in advance of the meeting will be reported through the update note.

**Built Heritage Manager:** the site is close to the locally listed Dutton Arms. The proposed design and materials have clearly been given careful consideration. It takes cues from traditional building design, such as the diminishing window heights at upper floors, without being pastiche. The fins, deep window reveals and sloping sills would add visual interest. As such, the application is supported. Originally, all of the hotels along the Promenade will have had front gardens. Consideration should be given to the provision of an appropriate boundary treatment to demarcate the boundaries of the forecourt.

**Blackpool Civic Trust:** no comments have been received in time for inclusion in this report. Any comments that are received in advance of the meeting will be reported through the update note.

**Lancashire Fire and Rescue:** the development must comply with Building Regulations and ensure an adequate water supply.

### **PUBLICITY AND REPRESENTATIONS**

Press notice published: 7 February 2019

Site notice displayed: 1 February 2019

Neighbours notified: 31 January 2019

A representation has been received from the owner of no. 69 Bolton Street requesting that a substantial boundary wall be provided between the application site and his property, that the area to the rear of his property not be used for the storage of refuse, and that adequate drainage is provided. Otherwise the representation is supportive of the scheme.

### **NATIONAL PLANNING POLICY FRAMEWORK (NPPF2)**

The revised National Planning Policy Framework (NPPF) was published in July 2018 and amended in February 2019. It retains the key objective of achieving sustainable development. 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 following sections are most relevant to this application:

- 6 – Building a strong, competitive economy
- 7 – Ensuring the vitality of town centres
- 11 – Making effective use of land
- 12 – Achieving well-designed places
- 14 – Meeting the challenge of climate change, flooding and coastal change
- 16 – Conserving and enhancing the historic environment

### **NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

The 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:

- Conserving and enhancing the historic environment
- Design
- Ensuring the vitality of town centres
- Flood risk and coastal change
- Noise
- Travel plans, transport assessments and statements

## **BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY**

The Blackpool Local Plan: Part 1 - Core Strategy was adopted by the Council in January 2016. The following policies in the Core Strategy are most relevant to this application:

- CS4 - Retail and Other Town Centre Uses
- CS7 - Quality of Design
- CS8 - Heritage
- CS9 - Water Management
- CS10 - Sustainable Design and Renewable and Low Carbon Energy
- CS21 - Leisure and Business Tourism
- CS23 - Managing Holiday Bed Spaces

## **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:

- RR11 - Central Promenade and Seafront
- LQ1 - Lifting the Quality of Design
- LQ2 - Site Context
- LQ4 - Building Design
- BH16 - Shopping Development outside of Existing Frontages
- BH17 - Restaurants, Cafes, Public Houses and Hot-Food Take-Aways
- AS1 - General Requirements (Access and Transport)

## **EMERGING BLACKPOOL LOCAL PLAN PART 2: PROPOSED SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES**

The Blackpool Local Plan Part 2 has been subject to an informal consultation exercise and will be subject to formal consultation later this year. At this point in time limited weight can be attached to the proposed policies. The following policies in Part 2 are most relevant to this application:

- DM10 - Promenade and Seafront
- DM16 - Threshold for Impact Assessment – Retail and Leisure Facilities
- DM18 - Tall Buildings and Strategic Views
- DM21 - Public Health and Safety
- DM25 - Public Art
- DM28 - Locally Listed Buildings and Other Non-Designated Heritage Assets
- DM33 - Biodiversity
- DM39 - Transport Requirements for New Development

## **OTHER RELEVANT DOCUMENTS**

**Holiday Accommodation SPD** – this document was adopted in November 2017. It identifies the protected holiday accommodation areas within the town and provides advice to expand upon the provisions of Policy CS23 of the Core Strategy.

**Blackpool Retail, Leisure and Hotel Study 2018** - this document was approved by the Council's Executive Committee on 16th July 2018.

## **ASSESSMENT**

### **Principle**

The application site falls within a Holiday Accommodation Area as identified in the Council's Holiday Accommodation SPD. Policy CS23 of the Core Strategy makes it clear that, within these areas, proposals for new holiday accommodation will be supported. Although the Blackpool Retail, Leisure and Hotel Study does not identify a quantitative or qualitative need for additional hotel provision beyond those committed in the town centre, in this case the site is a prominent gap on the Promenade and the Main Holiday Accommodation Promenade frontage and the scheme would offer significant regeneration benefits to this part of the Promenade. The hotel element of the proposal is therefore considered to be acceptable in principle.

The scheme has been amended since first submission at officer request. Initially two sizeable café/restaurant uses were proposed at ground floor level with no means of direct access into these units from the hotel. Given this configuration, the units proposed could not possibly have been considered to be ancillary. Cafes and restaurants are main town centre uses and so national and local planning policies direct them to defined and established shopping centres. Ordinarily, a successful application for a café/restaurant use in an out-of-centre location such as the application site would need to demonstrate compliance with the sequential test, and show that it would not have an unacceptable impact upon the vitality and viability of existing centres. In this case, however, the scheme has been changed to propose a single restaurant/café unit with direct access from the hotel lobby.

The application proposes 97 guest bedrooms and this level of provision would support a sizeable dining area. It is recognised that the café/restaurant would have a significant Promenade frontage including external two points of access. As such, the unit is likely to be patronised by customers who are not resident at the hotel. However, it must also be noted that part of the total unit size of 272sqm would have to be given over to kitchen, storage, staff welfare and toilet facilities, thereby reducing the size of the dining area. On this basis, and given the provision of a direct, double-doored access from the main hotel lobby, it is judged that the café/restaurant unit proposed can reasonably be considered to be ancillary to the main hotel use. It is noted that a unit of the size proposed would trigger a requirement for an impact assessment under draft Policy DM16 of the emerging Local Plan Part 2. However, as this document is at an early stage of development little weight can be attached to it, and so it would be unreasonable for the Council to require such an

assessment. As such, the café/restaurant use proposed is considered acceptable in this location as part of the wider development proposed.

## **Amenity**

A key objective of the Council's Core Strategy, as reflected in Policy CS21, is the physical and economic regeneration of Blackpool's Resort Core and Town Centre to strengthen the town's appeal as a visitor destination. It is therefore important to ensure that new visitor accommodation is of a high standard in order to meet modern tourist expectations.

The hotel proposed would be operated by EasyHotel. It is acknowledged that a planning permission is granted in respect of a site rather than a company but the identity of the applicant has driven the format of the proposal in this case. Thirty-one of the hotel bedrooms proposed would not have a window. This was a point of officer concern and the applicant has sought to provide reassurance with regard to quality. It is understood that the EasyHotel brand has a portfolio of 36 hotels and over 3,300 rooms and that window-less rooms are a standard part of their provision. The chain's bedrooms are smaller than other budget brands but the quality is still argued to be high with air-conditioning to all rooms. The EasyHotel approach means that the company can offer prices 33%-50% lower than other budget companies. Within the UK there are EasyHotels in London, Edinburgh, Birmingham, Glasgow, Manchester, Liverpool, Sheffield and Ipswich and planning permission has been granted for schemes in Leeds and Cardiff. The company also operates in Switzerland, the Netherlands, Germany, Hungary, Bulgaria, Belgium and the UAE. Photographs showing the rooms without windows have been provided. Overall, the quality of accommodation is considered to be acceptable.

The site falls within a section of the Promenade safeguarded for holiday use. Given the nature of existing businesses, the area has a lively and active character and background noise levels are significantly higher than would be experienced in a traditional residential area. As such the development of the site as a hotel and ancillary café/restaurant is not anticipated to have an unacceptable impact on the amenities of nearby residents and visitors due to activity.

The building proposed is sizeable and would sit between 18.5m and 19.5m from the main rear elevations of the properties fronting Bolton Street. The Council typically expects two-storey properties to be separated by at least 21m to safeguard levels of light and privacy. The properties fronting Bolton Street are three-storeys in height and the rear elevation of the hotel proposed would be five-storeys in height. The records available to the Council indicate that nos. 55-59 Bolton Street are used as eleven flats and that there is also an upper floor flat at no. 61 Bolton Street. As such the building would significantly over-shadow the existing properties and would have the potential to compromise privacy.

Although the site is currently cleared, it is recognised that it was formerly developed up to the rear boundaries and to a significant height. Historically the area has developed to have a very tight built form with little space between properties. Furthermore, any substantive redevelopment of the site would be likely to impact upon levels of light to the properties at the rear. A condition could be imposed on any permission granted to require the agreement

of a treatment to the rear facing windows to safeguard privacy such as one-way film or glazing or obscure glazing at lower level. Nevertheless, the impact on residential amenity through loss of light weighs notably against the proposal.

### **Visual and Heritage Impact**

The properties along this stretch of the Promenade have been significantly extended and altered over the years such that there is no clear architectural vernacular for any new development to comply with. Nevertheless, Policies CS7 and LQ1 require a high-standard of design and this is particularly important on the Promenade which can be considered to be Blackpool's shop-front. Saved policy LQ4 of the Local Plan requires new buildings on the Promenade to be at least four-storeys in height. The building proposed would be five and so this requirement would be met. Given the prominence of the location, significant consideration has been given to the design and appearance of the building. In particular officers were keen to ensure that the visual bulk of the building was minimised, and that it would not dwarf its neighbours.

To this end the applicant has proposed set-back wings to each side and a set-back top floor. The side wings would be staggered in height with a three-storey element to the front and a four-storey element behind. The side wing to the south would sit partly 1.4m below and partly 1.6m above the immediate neighbour. To the north the three and four-storey elements would sit 2.2m and 5.2m respectively above the adjoining property but would have a similar relationship to the properties beyond as with that to the south. The five-storey elements of the side wings would be set away from the edge of the building. Roof-top plant would be set well away from the edges of the roof and would be screened by louvres. This variety of heights and sections is considered to effectively break up the massing and visual scale of the building.

The ground floor would project forward slightly to the front and five tapered, vertical fins are proposed across the frontage above ground-floor columns. The windows would be well set-back with sloping sills and all of the fenestration would align. Notwithstanding the information submitted, conditions could be attached to any permission granted to agree the details of the materials and detailed sections of the frontage to ensure that recessed features are set-back to a meaningful degree. Considered as a whole it is felt that the building frontage would offer appropriate visual depth and interest. The side and rear elevations proposed are less detailed but the conditions proposed would ensure that they would be visually acceptable.

The Council's Built Heritage Officer has considered the scheme and the potential impact upon the setting of the nearby Dutton Arms public house which is a locally listed building. The design is considered to be acceptable and appropriate in the setting and no objection is raised. As such the scheme is judged to sustain the value of the Dutton Arms as a heritage asset. Both the Built Heritage Officer and the Council's Head of Highways and Traffic Management have requested that the front forecourt be enclosed to reflect the original built form of the Promenade and to prevent vehicle access. An appropriate forecourt enclosure could be secured through condition. Conditions could also be imposed to require

the agreement of appropriate landscaping features on the forecourt, boundary treatments to the rear and a lighting scheme for the building.

The scheme includes the demolition of the existing garage on Commercial Street. This is a period building of art-deco design which has some architectural merit. It has, however, been amended at ground floor level to accommodate the current commercial use and has not been considered of sufficient value to be locally listed. As such, whilst its loss is unfortunate, it does not weigh notably against the proposal.

In light of the above and on balance, the design of the building is considered to be acceptable. Subject to the conditions listed below, no unacceptable visual impacts or impacts on the heritage value of nearby assets are anticipated.

### **Access, Highway Safety and Parking**

The scheme has been considered by the Council's Head of Highways and Traffic Management and Transport Policy team. The submitted Transport Assessment, framework Travel Plan and Management Strategy are considered to be of a good standard. The proposed access to the rear is considered to be acceptable but a delivery strategy should be agreed through condition. A number of highway works would also be required and these could be secured through condition.

The application proposes only ten parking spaces to the rear of the site to serve the development. Two of these would be accessibility spaces. The Council's adopted standards would require maximum provision of between 67-88 spaces based on the site being considered to be highly accessible. It is recognised that this could not practicably be provided on site. Public car parking is available in the wider area, including along Seaside Way to the east, and the site is easily accessible by bus and tram. The future connection of Blackpool North train station to the tram network would further improve accessibility. Customers of the hotel would be made aware of the lack of on-site parking when booking and so could reasonably be expected to make alternative parking arrangements if required. The Head of Highways and Traffic Management has reviewed the information submitted and has raised no objections with regard to parking. On this basis the limited parking provision on site is considered to be acceptable.

### **Flood Risk and Drainage**

The site falls within flood zone 3. As required the applicant has submitted a site-specific flood risk assessment (FRA) but no compliance with the sequential or exceptions tests has been demonstrated. However, even if sequentially preferable sites were available for the development proposed, the Council would nevertheless support development on the application site given its prominence and in order to secure the regeneration benefits that would come from bringing it back into active, beneficial use. On this basis, it is not considered necessary or reasonable to expect the developer to undertake a full sequential appraisal. The type of development proposed falls into the classification of 'more vulnerable' and it is for this reason, given the site's flood zone 3 location, that the exceptions test must be met. It is less vulnerable uses would be acceptable in this location on planning

policy grounds. As stated, the redevelopment of the site is considered to be desirable in order to deliver wider regeneration benefits and support the town's visitor economy. The benefits of the scheme are therefore considered to be sufficient to outweigh the identified flood risk and so the scheme would pass the first part of the exceptions test. As the submitted FRA is considered to be acceptable, and as the proposed development could be made safe from flood risk, the second part of the exceptions test is met. As officers have undertaken this assessment, no additional work on the part of the applicant is considered necessary.

Within the submitted FRA the applicant has proposed foul and surface-water drainage schemes for the site. Foul drainage is not a matter for planning consideration and is instead managed by United Utilities. The surface water drainage scheme and management proposals contained within the FRA have been considered by the Council's drainage officer and are judged to be acceptable. Appropriate conditions could be imposed on any permission granted to secure the necessary drainage works. A condition could also be imposed to ensure that the development proceeds and is operated in accordance with the flood resistance and resilience measures recommended in the FRA. On this basis and subject to the imposition of appropriate conditions, no unacceptable flood risk or drainage issues are identified.

### **Other Issues**

Refuse would be stored at the rear of the site and would be collected from the rear access point.

There are no trees or other features of ecological value and so no impacts on biodiversity would result.

Policy CS10 of the Core Strategy requires all non-residential developments of 1,000sqm or more to achieve a BREEAM rating of 'very good'. A Sustainability and Energy Statement that includes a BREEAM pre-assessment has been submitted with the application and identifies the proposal as having the potential to achieve the requisite 'very good' rating. A condition could be attached to any permission granted to require evidence of compliance to be submitted.

Given the scale of development, no unacceptable impacts on air quality are anticipated. Geo-technical reports have been submitted with regard to potential land contamination and the Council's Environmental Protection team have considered these and raised no comment. This document recommends that a phase II intrusive geo-environmental assessment is carried and this could be secured through condition. Water quality would be safeguarded through the agreement of a Construction Management Plan.

### **Sustainability Appraisal and Planning Balance**

Sustainability comprises economic, environmental and social components.

Economically the proposal would redevelop a prominent, vacant site on the Promenade for visitor accommodation and would therefore support the regeneration and improvement of Blackpool as a tourism destination. This weighs strongly in favour of the scheme. Some limited employment would be generated during construction and some employment would be created through the operation of the hotel and café/restaurant use.

Environmentally the design of the proposal and the scale of development in this location is considered to be acceptable. No unacceptable impacts on biodiversity, drainage or environmental quality would result. The site is in a reasonably accessible location and so there is no reason to suppose that future users would be dependent upon private car use.

Socially the building proposed would have some impacts on residential amenity by virtue of over-shadowing and a potentially over-bearing presence and this weighs against the proposal. However, the redevelopment of the site for modern visitor accommodation would have wider social benefits through regeneration. No unacceptable impacts on highway safety are anticipated and no issues of flood risk are identified. As the proposed café/restaurant use would be ancillary to the hotel use proposed, no undue threat to the vitality and viability of the town centre is anticipated.

In terms of planning balance, the benefit to the regeneration of the resort as a tourist destination that would arise from the redevelopment of this prominent site to provide modern visitor accommodation, is considered to be significant and sufficient to outweigh the identified impacts on residential amenity. In reaching this view officers are mindful that any redevelopment of the site would be likely to have an impact on amenity through over-shadowing and that the previous buildings on the site would have similarly had an impact on the neighbours to the rear. On this basis and on balance, the proposal is judged to represent sustainable development.

## **CONCLUSION**

In light of the above, the proposal is judged to constitute sustainable development and no material planning considerations have been identified that would outweigh this view. As such, Members are respectfully recommended to grant planning permission subject to the conditions listed below.

## **LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION**

An agreement under s278 of the Highways Act would be required to secure the resurfacing of the footpath on Commercial Street and the provision of an appropriate dropped crossing.

## **FINANCIAL BENEFITS**

The development would generate some business rates but this consideration carries no weight in the planning balance.

## **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. This application is not considered to raise any human rights issues.

## **CRIME AND DISORDER ACT 1998**

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

## **BACKGROUND PAPERS**

Planning Application File(s) 19/0056 which can be accessed via the following link:

<https://idoxpa.blackpool.gov.uk/online-applications/>

**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:

Site location plan ref. 4764-P2

Proposed site layout plan ref. 4764-P4 Rev B

Proposed ground and first floor plans ref. 4764-P5 Rev C

Proposed second and third floor plans ref. 4764-P6 Rev B

Proposed fourth floor and roof plans ref. 4764-P7 Rev C

Proposed elevations drawings ref. 4764-P8 Rev D

The development shall thereafter be retained and maintained in accordance with these 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, prior to any above ground construction taking place, the details of the materials to be used on the external faces of the building hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the locality, in accordance with Policies RR11, 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. Details of the surfacing materials to be used in the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the laying down of any final surface finishes and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the locality, in accordance with Policies RR11 and 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 any above ground construction taking place, detailed section drawings to show the degree of projection and recess of the different architectural features of the building, including the windows, doors, cills, columns and fins, shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with these agreed details.

Reason: In order to provide visual depth and interest in the interests of the appearance of the site and locality in accordance with Policies RR11, LQ1 and LQ4 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. (a) The windows to the rear elevation of the building hereby approved shall be obscure glazed to a level of 5 (where 1 is entirely transparent and 5 is entirely opaque) to a level of 1.8m above internal floor level and shall be non-opening.

(b) Prior to the commencement of any above ground construction, details of window treatments, including the provision of any internal blinds, nets or curtains, to protect the privacy of the occupants of the hotel bedrooms shall be submitted to and agreed in writing by the Local Planning Authority, and the development shall thereafter proceed in full accordance with these approved details.

(c) No external or internal window treatments, including the installation of blinds, nets or curtains, shall take place without the prior written approval of the Local Planning Authority.

Reason (a): In order to safeguard the privacy of the occupants of the properties to the rear and the occupants of the hotel bedrooms in accordance with the provisions of Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy BH3 of the Blackpool Local Plan 2001-2016.

Reason (b) and (c): Window treatments, including the use of blinds, nets and curtains can have a significant effect on the external appearance of a building. As the application site is in a prominent position on the Promenade within the Resort Core, this condition is considered necessary in the interests of the appearance and quality of the building and streetscene in accordance with the provisions of Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies RR11, LQ1 and LQ4 of the Blackpool Local Plan 2001-2016.

7. Prior to any part of the building hereby approved being first brought into use, details of the following shall be submitted to and agreed in writing by the Local Planning Authority, installed in full accordance with the approved details, and thereafter retained and maintained as such:

- (a) a means of enclosure to the front forecourt to prevent vehicle access and demarcate the boundary of the site.

- (b) fencing and gates to the rear area of the site.

Reason: In the interests of the appearance of the site and locality, in accordance with Policy RR11 and LQ1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. Prior to any part of the building hereby approved being first brought into use, details of the following shall be submitted to and agreed in writing by the Local Planning Authority, installed in full accordance with the approved details, and thereafter retained and maintained as such:

- (a) provision of landscaping to the front of the building to include the appearance, dimensions and position of any planters and planting plans, specifications and schedules to include plant sizes, species and numbers/densities.

- (b) the appearance and position of any fixed items of street furniture such as bollards, benches, seating, tables or public art feature.

- (c) Any plants planted in accordance with this condition that are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 5 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: In the interests of the appearance of the site and locality, in accordance with Policy RR11 and LQ1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

9. (a) Prior to the commencement of any above ground construction, details of an external lighting scheme for the site and building shall be submitted to and agreed in writing by the Local Planning Authority.

(b) The lighting scheme agreed pursuant to part (a) of this condition shall be installed in full and in full accordance with the approved details before any part of the building hereby approved is first brought into use and shall thereafter be retained and maintained as such.

Reason: In the interests of the appearance of the site and locality, in accordance with Policy RR11, LQ1 and LQ4 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. Prior to any part of the building hereby approved being first brought into use details of covered, secure cycle storage as shown on the approved site layout plans shall be submitted to and agreed in writing by the Local Planning Authority, installed in full accordance with the approved details and thereafter retained and maintained as such.

Reason: To enable access to and from the site by a 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.

11. Prior to any part of the building hereby approved being first brought into use, the parking provision shown on the approved site layout plan shall be provided and shall thereafter be retained as such.

Reason: In order to ensure the provision of car parking on the site to meet the needs of the development in the interests of highway safety, in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

12. (a) Notwithstanding the information shown on the approved plan, no works shall commence until full details of the proposed vehicular and pedestrian access from Commercial Street into the site have been submitted to and agreed in writing by the Local Planning Authority.

(b) The access agreed pursuant to part (a) of this condition shall be provided to at least base course and in full accordance with the agreed details before any construction commences on site.

(c) The access agreed pursuant to part (a) of this condition shall be completed in full and in full accordance with the approved details before any part of the building hereby approved is first brought into use.

Reason: In order to ensure that safe and satisfactory access exists to the site during the construction period and during the lifetime of the development in accordance with the provisions of paragraph 108 of the NPPF and Policy AS1 of the Blackpool Local Plan 2001-2016.

13. Notwithstanding the information shown on the approved plans, no unit hereby approved shall be occupied until a scheme for the provision of off-site highway improvement works has been submitted to and agreed in writing by the Local Planning Authority and implemented in full and in full accordance with the approved details. For the purpose of this condition, this scheme shall include:

- new, amended or upgraded road markings
- provision of dropped kerbs
- any necessary resurfacing of the carriageway and footway
- review of streetlighting and provision or relocation of any necessary columns and lamps

Reason: In order to ensure that safe and satisfactory access exists to the site during the construction period and during the lifetime of the development in accordance with the provisions of paragraph 108 of the NPPF and Policy AS1 of the Blackpool Local Plan 2001-2016.

14. (a) Notwithstanding the information submitted, no part of the building hereby approved shall be first brought into use until a final travel plan has been submitted to and approved in writing by the Local Planning Authority. The travel plan shall include the appointment of a travel co-ordinator and a format that consists of surveying, travel audits, a working group, action plans with timescales and target setting for the implementation of each element.

(b) No part of the building hereby approved shall be brought into use prior to the implementation of the those parts of the Travel Plan approved pursuant to part (a) of this condition that are identified as being capable of being implemented prior to occupation first use.

(c) Those parts of the Travel Plan approved pursuant to part (a) of this condition that are identified therein as being capable of implementation after first use shall be implemented in accordance with the timetable therein and shall continue to be implemented as long as any part of the building hereby approved is in use.

Reason: In order to ensure appropriate provision exists for safe and convenient access by public transport, cycle, and on foot as well as by car, 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.

15. Prior to any part of the building hereby approved being first brought into use, a Servicing and Management Plan for the use and operation of the area of the site to the rear of the building shall be submitted to and agreed in writing by the Local Planning Authority and the uses hereby approved shall operate in full accordance with this agreed Servicing and Management Plan for as long as any part of the building hereby approved is in use. For the purpose of this condition, this plan shall demonstrate that the development will normally operate without vehicles needing to stand, load or unload on the highway.

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

16. No development shall take place until a Demolition and Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management Plan shall include and specify the provision to be made for the following:

- means of demolition
- hours and days of demolition and construction work for the development
- control of noise emanating from the site during the demolition and construction period
- dust mitigation measures during the construction period
- confirmation that no burning of waste or other materials will take place on site during the demolition and construction period
- means to prevent contamination of land or any surface and sub-surface water bodies from surface-water run-off during construction
- contractors' compounds and other storage arrangements
- provision for the secure storage of materials and equipment
- provision for all site operatives, visitors and demolition/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, dust and other similar debris on the adjacent highways
- the routing of construction traffic
- contact details for out-of-hours road sweeping contractor and an agreement of call-out

The demolition and construction of the development shall then proceed in full accordance with the approved Demolition and Construction Management Plan.

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

17. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

18. (a) Prior to the commencement of construction, the surface-water drainage scheme set out in the Flood Risk Assessment prepared by Simpson Consulting Engineers referenced P18-611 and dated 18 January 2019 shall be implemented in full.

(b) The surface-water drainage scheme set out in the Flood Risk Assessment prepared by Simpson Consulting Engineers referenced P18-611 and dated 18 January 2019 shall be managed and maintained in full accordance with the details set out in that document.

(c) Prior to any part of the development hereby approved being first brought into use, details of the entity responsible for the management and maintenance of the surface water drainage scheme shall be submitted to and agreed in writing by the Local Planning Authority and no change in the identity of this entity shall take place without the prior written approval of the Local Planning Authority.

Reason: To promote sustainable development, secure proper drainage of surface water including appropriate management, and to manage the risk of flooding and pollution in accordance with the provisions of the NPPF and NPPG and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

19. The development hereby approved shall proceed and shall thereafter be operated in full accordance with the flood resistance and resilience measures set out in the submitted Flood Risk Assessment prepared by Simpson Consulting Engineers referenced P18-611 and dated 18 January 2019.

Reason: To safeguard the development against flooding and to ensure the development does not increase the risk of flooding elsewhere in accordance with the provisions of section 14 of the NPPF and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

20. Prior to the commencement of development;

(a) a scheme of site investigation into potential land contamination shall be submitted to and agreed in writing by the Local Planning Authority; and

(b) the scheme of site investigation agreed pursuant to part (a) of this condition shall be carried out in full and in full accordance with the approved details, and a report of the findings submitted to and agreed in writing by the Local Planning Authority; and

(c) In the event that remediation works are identified as being necessary through site investigation report required pursuant to part (b) of this condition, a scheme of remediation shall be submitted to and agreed in writing by the Local Planning Authority;

(d) Any scheme of remediation agreed pursuant to part (c) of this condition shall be carried out in full and in full accordance with the approved details, and a validation report verifying the remediation shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to safeguard future occupants of the site from potential land contamination in accordance with the provisions of paragraph 178 of the NPPF and Policy BH4 of the Blackpool Local Plan 2001-2016. This condition is required to be discharged prior to the commencement of development as any development on the site could prejudice proper site investigation or remediation.

21. (a) The development hereby approved shall proceed in full accordance with the submitted Sustainability and Energy Statement (including BREEAM assessment) prepared by Beechfield Consulting Engineers referenced 2018.252 and dated January 2019 such that the resultant building is capable of achieving a BREEAM rating of 'very good'.

(b) Prior to any part of the building hereby approved being first brought into use, confirmation of the BREEAM rating of the development shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the building is sustainable and energy efficient in accordance with the provision of Policy CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

22. No bins or refuse shall be stored forward of the building hereby approved or taken to the front of the building to be emptied or collected.

Reason: In the interests of the appearance of the locality in accordance with the provisions of Policies RR11 and LQ1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

23. The cafe/restaurant unit hereby shown on the approved plans shall be operated as an ancillary part of the hotel hereby approved and shall at no time be used or operated separately or independently.

Reason: The cafe/restaurant is a Main Town Centre Use in an out-of-centre location but is considered to be acceptable as an ancillary part of a hotel development within the Resort Core. Independent use in the absence of full sequential and impact assessments would therefore be contrary to the provisions of section 7 of the NPPF and Policy CS4 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

**Advice Notes to Developer**

Not applicable