

COMMITTEE DATE: [02/07/2019](#)

Application Reference: 19/0149

WARD: Anchorsholme

DATE REGISTERED: 08/03/19

LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission

APPLICANT: Melrose Developments Limited (1996) Pension Fund

PROPOSAL: Erection of a single storey retail store with 21 car parking spaces and associated vehicle access and service access from North Drive including loading bay, service yard, external plant area with associated landscaping and boundary and service yard fencing .

LOCATION: ANCHORSHOLME METHODIST CHURCH, NORTH DRIVE, BLACKPOOL, FY5 3PG

Summary of Recommendation: Grant Permission

CASE OFFICER

Mr Mark Shaw

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with **Priority one of the Plan** - The economy: Maximising growth and opportunity across Blackpool.

SUMMARY OF RECOMMENDATION

Planning application 18/0384 was recommended for refusal on the grounds set out below in the Introduction section of this report, although the application was subsequently withdrawn prior to the Planning Committee meeting on 13 November 2018. The proposal has been revised which has resulted in this current application. This application now solely seeks approval for a single storey retail store (suggested occupant the Co-op) set further back into the site with a single vehicle access from North Drive to a car park with 21 spaces. The servicing area is shown to the rear of the store.

The revised application includes an updated retail impact assessment and sequential test. It is considered, on balance, that the revised submission satisfactorily addresses previous policy concerns regarding the unavailability of suitable alternative premises within established designated retail areas, namely Cleveleys Town Centre, and also addresses the retail impact of the proposal on existing shops within the catchment area, particularly on

East Pines Drive closest to the application site, which is shown to be limited. There is no evidence to suggest the proposal would have a significant adverse impact on nearby local centres.

The third intended reason for refusal of application 18/0384 related to the erection of a two storey building close to the road frontages has been addressed by reducing the building to single storey and setting the proposed building further back from the site frontages.

Accordingly this revised application is recommended for approval subject to a number of conditions.

INTRODUCTION

This application is a re-submission of 18/0384 which involved the erection of a part two storey/part single storey building to form a retail store on the ground floor and 3 x two bedroom apartments above with 26 car parking spaces and associated vehicle access and service access from North Drive and vehicle egress onto Luton Road and including a service yard, trolley and cycle store and landscaping. This application was withdrawn on 12 November 2018. However, the application was to be recommended for refusal at the Planning Committee meeting on 13 November 2018 for the following reasons:-

- The proposed development involves a Class A1 retail use outside a designated town, district or local centre and there are considered to be sequentially more preferable site(s) for such development and hence if approved the proposal would undermine the Council's objectives of protecting the vitality and viability of existing designated centres and set a precedent making it difficult for the Council to resist future applications for other out of centre retail proposals elsewhere in the Borough. The proposal is therefore contrary to Policy CS4 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and paragraphs 86, 87 and 90 of the National Planning Policy Framework.
- The retail development would have a significant adverse impact on existing designated local centres within the catchment area of the application site including the East Pines Drive Local Centre and hence would be contrary to paragraphs 89 and 90 of the National Planning Policy Framework (NPPF) and Policy CS4 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.
- The proposed building would be an overly dominant and incongruous addition which would be out of character within the street scene and significantly detrimental to the appearance of the area due to its size, massing, close proximity to the site frontages and prominent and exposed location of the application site. As such the proposal would be contrary to Policies LQ2, LQ3 and LQ4 of the Blackpool Local Plan 2001-2016, Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and paragraphs 124, 127 and 128 of the NPPF.

SITE DESCRIPTION

The application site measures 1,870 sqm and is rectangular in shape having a frontage onto North Drive in excess of 53 metres and a frontage onto Luton Road of 29 metres. There was a church and church hall on the site which have now been demolished and the cleared site has been enclosed with hoardings. The character of the area is primarily residential although within close proximity of the application site is Anchorsholme Library, East Pines Park, Anchorsholme Academy on East Pines Drive and a designated local centre also on East Pines Drive next to the school, including two convenience stores one of which has a post office.

The junction of North Drive and Luton Road where the application site is located incorporates a mini roundabout, a pedestrian crossing on the south side of the junction, a pedestrian refuge island on each arm of the junction and pedestrian safety railings on each of the four corners. On the other three corners of this junction are residential properties, these houses are set back between 6 and 7 metres from the road frontages. There is a northbound bus stop on North Drive opposite the application site.

DETAILS OF PROPOSAL

This is a detailed planning application for the erection of a single storey building comprising a Class A1, 418 sqm retail store (suggested occupant the Co-op) including a 139 sqm back of house area (net retail floor area of 279sqm). The pedestrian entrance into the store would be situated on North Drive. 21 car parking spaces would be provided to the side of the building up to the rear boundary with gardens of houses which front onto Neville Avenue and a new vehicle access would be provided from North Drive situated to the north of the store. A service yard would be located to the rear of the building with a loading bay sited abutting the rear boundary with Neville Avenue. A 2.5m high acoustic fence would be erected along the boundary with the Neville Avenue houses.

A Retail Impact Assessment has been submitted to seek to address concerns regarding the impact on designated local centres nearby namely East Pines Drive, Anchorsholme Lane West/ East and Fleetwood Road. The application is also accompanied by a Planning Statement, an Ecological Survey and Assessment, a Design and Access Statement, a Flood Risk Assessment and Drainage Management Strategy, a Sequential Assessment, a Transport Assessment and a Noise Impact Assessment.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle of Retail Re-development
- Highway and Pedestrian Safety/ Servicing and Car Parking Provision
- Design of the Development and its Impact on the Character of the Area
- Impact on Residential Amenity
- Any Other Matters

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

CONSULTATIONS

Environment Agency: We have no objection to this application, but we wish to make the following comments:-

Flood risk- The application site is located within Flood Zone 3 on the Environment Agency Flood Map for Planning. In the National Planning Practice Guidance (NPPG) to the National Planning Policy Framework (NPPF), Flood Zone 3 is defined as having high probability of flooding. Development proposed in Flood Zone 3 or 2 should be accompanied by a Flood Risk Assessment (FRA) appropriate to the nature and scale of the proposed development. The proposal is for a retail store, which is considered to be 'less vulnerable' development.

We are satisfied that the Flood Risk Assessment prepared by Betts Associates, demonstrates that the proposed development will not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. The proposed development must proceed in strict accordance with the flood risk assessment and the mitigation measures identified as it will form part of any subsequent planning approval. Any proposed changes to the approved Flood Risk Assessment and / or the mitigation measures identified will require the submission of a revised flood risk assessment as part of an amended planning application.

Sequential Test - In accordance with the revised NPPF paragraph 158, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. The Sequential Test is applied to ensure that development is firstly placed in areas at lowest risk of flooding.

Head of Highways and Traffic Management: The Transport Assessment stresses that the parking overspill will be less than the (anticipated) previous levels at times. The 21 spaces are a little below the standard but the car visits are likely to be of relatively short duration given the size of the store.

The layout and Heavy Goods Vehicle turning is not ideal but is workable given a strategy for managing the car park. I suggest that a servicing strategy is requested and the use of it is conditioned. Otherwise I have no objection.

Service Manager Public Protection: the installation of an acoustic barrier (as mentioned) would mitigate any potential nuisance caused, my recommendation would be an acoustic green barrier (i.e. living willow) which would both reduce the impact of the residents and improve the aesthetics.

United Utilities: wishes to provide the following comments:

Drainage Conditions In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. We request standard drainage conditions are attached to any subsequent approval to reflect this approach.

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.

Environmental Protection (Contaminated Land): 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

3 site notices displayed: 18 March 2019

Neighbours notified: 18 March 2019

106 letters of objection from North Drive, Neville Avenue, Luton Road, Anchorsholme Lane East, Kirkstone Drive, Brentwood Avenue, Eastpines Drive, Heritage Way, Portree Road, Rossington Avenue, Rockville Avenue, Beryl Avenue, Hesketh Place, Seabrook Drive, Ellerbreck Road, Hastings Avenue, Tudor Close, Sherwood Place, Valeway, Cumberland Avenue, Warren Drive, Greenfield Road, Broadhurst Road, Wood Green Drive, Kinnerton Place, Maplewood Drive, Conway Avenue, Hillylaid Road, Murchison Road, Belvedere Road, Denvill Avenue, Chatteris Place, Cresswood Avenue, Glenarden Avenue, Hobart Place, Willowdene, Victoria Road West, Warren Manor, Springbrook Avenue, Welwyn Place, Waterloo Road, Idlewood Place, Radnor Avenue, .

The grounds of objection are as follows:-

Traffic/ highway issues

- The adjacent roundabout is an accident blackspot and there has previously been a fatality and the access is too close to the junction.
- This junction has already seen accidents due to the volume of traffic and a shop would only increase this, as well as possible parking problems adding to the risk especially around school times.
- The proposal will only add to the number of accidents in the vicinity.
- Surrounding streets already suffer twice daily during the school runs
- Parking is already difficult with the shops and school on Eastpines Drive and would be made worse.
- Surprised to see how few accidents have been registered in the last five years.
- Parents walk their children across this junction every day on their way to school and nursery and it is already dangerous.
- Insufficient parking in the area and an increase in traffic will cause potential road safety issues.

- When the church was open on street parking made it very difficult for residents to back out of their driveways.
- Comparison with the former church / community building is not appropriate given the site has not been in use for over 24 months.
- There is a well used zebra crossing close to the junction.
- The site is on a busy bus route and not very wide for the volume of traffic.
- There is a very busy school and nursery nearby.
- Would involve HGVs using the roundabout.
- Will there be a limit on the size of delivery vehicles accessing the site?
- North Drive is a main road.
- The area is home to a large number of elderly people.
- On street parking reduces visibility.
- Poor location for a supermarket.

Impact on the character of the area

- The proposal is out of character.
- North Drive is residential in character.
- The building will not fit in well with the area.

Existing retail provision

- The area is already served by several convenience stores in more established locations.
- The proposal would have a negative impact on shops on East Pines Drive and Anchorsholme Lane both within a quarter of a mile of the site.
- This shop is not needed.
- The proposal will undermine existing thriving local centres.
- Bustling Cleveleys Town Centre is less than a mile away and Morrison's is also close by.
- Will adversely affect trade of existing businesses.
- There will be issues if the post office closes.
- Proposal is contrary to Policy CS4 of the Core Strategy.

Impact on residential amenity

- A late night store may attract more anti-social behaviour which is already a problem including drinking, crime, litter and vandalism.
- Increase in air and light pollution.
- Late opening would be detrimental to the peace of the area.
- The construction process will cause unnecessary stress and worry to local residents who are elderly and vulnerable. The sale of alcohol would cause amenity problems.

Other Matters

- It was understood only housing was going to be built. Housing would be more in keeping with the rest of the area.
- We need new houses.
- If there is an issue with flood risk then perhaps the builder should develop somewhere else.

- There are drainage issues in the area and there has been localised flooding. A housing development would give more soft landscaping.

One Stop Shop - The Head of Estates confirms One Stop have traded on East Pines Drive for many years, combined in recent years with a post office. In 2015 One Stop saved the post office from closing at significant financial cost and invested significant funds in the knowledge that the local plan would afford protection to local centres and not permit development falling outside the parameters set by planning policy. If the proposal is approved it will have a significant adverse impact of existing designated centres with the catchment area, notably East Pines Drive. We wish to support the many local residents who are vehemently against this proposal.

Councillor Tony Williams

1. The potential loss of a well-used and essential post office in a residential area where the residents are of an older generation and depend on the post office to make utility payments and collect benefits etc. An additional low-cost store would be a serious threat to the collection of shops on East Pines Drive which could see the re-location of One Stop due to loss of trade.

2. The junction is already a known black spot where two deaths caused by traffic incidents have already occurred. There is also a zebra crossing immediately after the junction which can at times cause tailbacks along North Drive. Parents taking and collecting their children from school park right up to the junction of North Drive and there is concern that parked cars obscure the view of the carriageway for traffic turning into Luton Road East.

3. Parents will obviously use the Co-op car park when they drop off their children as street parking is extremely limited. This will cause further traffic safety issues as they enter and leave the car park. The Co-op will not be able to differentiate between store users and casual parkers. Daily large delivery wagons would also cause inconvenience for local residents and impact on their human rights by increasing traffic flow of commercial vehicles and associated noise levels both on the road and noisy deliveries.

4. Luton Road is a two-carriage highway, multiple vehicles turning and leaving this car park would have a serious impact in regard to tail backs to the North Drive Junction. The additional traffic would also cause damage to the highway which would be costly to the Council to keep repairing.

5. There is already a serious shortage of parking for local school staff, nursery school staff and those staffing the adjacent library. The staff from these facilities will undoubtedly use the new car park reducing the spaces for shoppers and causing further on street parking on Luton Road.

6. Car parks are a magnet for youths in the evening who use them for skate boarding and social gathering. This inevitably leads to some anti-social behaviour (ASB) which would seriously disrupt the quality of life for the residents living close to this site. The approval of this application would seriously impact on ASB in the area in a negative manner. I request to speak at the planning meeting.

The application states that the entrance and exit will be on North Drive. This is an extremely busy Road with a large roundabout and zebra crossing just yards from the proposed entrance. Traffic is often backed up along the four junctions leading to this roundabout especially from the north end of the junction as cars remain stationary whilst the crossing is in use. It will be difficult for cars leaving or entering this site due to an obstructed view if turning right onto North Drive. There is also a speed hump to the entrance to the junction which will be eventually eroded by the regular use by heavy delivery vehicles. As this is a residential area the house opposite and adjacent to the site will also be subject to vibration and collective exhaust fumes.

Councillor Paul Galley

As one of the ward Councillors I wish to submit a list of concerns and objections to the proposal for the Methodist Church site.

1) Negative economic impact on our existing retail economy: The area is already well served by retail and any new development will negatively impact those stores including the One Stop and with it our local post office. These existing shops are in a protected local centre defined in our local plan and our local plan seeks to protect these areas. This new development will undermine them as well as the retail stores at Norbreck.

2) Negative impact on ASB in the area: Small supermarket car parks in the area are already a target for anti-social behaviour. There are already ASB issues at Sainsbury's in Cleveleys, the Lidl Car Park and due to its immediate proximity to East Pines Park there will almost certainly be ASB issues at this site. We as a Council are trying to reduce ASB in the area and this scheme will without doubt undermine our efforts.

3) Negative Impact on the amenity and the Human Rights of the Residents: Compared to residential units which generate a fixed amount of traffic, a retail unit of this size will generate use throughout the day. The impact on the extra traffic movements, including delivery lorries and their noise, will negatively impact on the lives of local residents who live on North Drive and Luton Road.

Additionally, considering the access point shown on the plans, when the store receives deliveries they would have to turn using most of the road, therefore it will not only cause a blockage while it turns but will decrease visibility on a junction that already has a significant history of accidents.

4) Parking- There are already parking issues in the area due to having Anchorsholme Academy, Happy Days Nursery, East Pines Park and Anchorsholme Library and the existing shops in the immediate area. Any parking spaces provided by the supermarket not used by staff will soon be taken up by users of the school, Nursery, Park and Library. This will result in supermarket customers parking on Luton Road and North Drive creating blind spots increasing the risk of even more accidents at a notorious mini roundabout. I request permission to speak at the Planning meeting.

Headteacher, Anchorsholme Academy School, East Pines Drive

It has been brought to my attention that there is a proposal in place to open a mini supermarket on the old Methodist Church site on North Drive.

If this is the case I would like to express my concerns on a couple of levels.

1) Firstly from a road safety point of view. As Headteacher of a large Primary School very close to North Drive, I am acutely aware of the traffic issues on the route that present real challenges for both road users and pedestrians. North Drive is a busy route with a high volume of traffic throughout the day, particularly at the start and end of the school day. This is magnified by the fact that 630 children and their families are arriving and departing from school which generates both traffic and parking issues. Despite the excellent measures of introducing a zebra crossing and the mini roundabout, speeding on North Drive is a regular occurrence. This is magnified by a concentration of parking, both residential and school based.

Bearing in mind all of the above, I feel strongly that the introduction of a mini supermarket is going to increase traffic and parking issues which will raise the threat level of serious injury to pedestrians and road traffic accidents. Children are not as road savvy as most adults and I feel that increasing the potential for traffic related issues would significantly increase the risks for our children.

2) Secondly from a community and commercial point of view - East Pines Drive is blessed with having a small number of shops which very much cater for the needs of the local community. In a mainly ageing community, the shops are vital for the local residents who can easily walk to the shops. Local residents can purchase their shopping, visit the post office, have a haircut and get fish and chips all in one location. Developing a mini supermarket is clearly going to have an impact on the financial viability, some of these shops which could result in some of the shops having to close.

In conclusion, I feel that the construction of a new mini supermarket in this area is not needed and if constructed could present unnecessary risk of harm, as a result of traffic issues, to the children in our school and the local residents.

I would urge planners to reject this application.

letter of support from Rockwood Avenue- I would like to record the fact that I would be in favour of building a Co-op store on North Drive on the site of the old Methodist church, provided the company are willing to finance a safer solution to the current mini roundabout, which is a death trap. As I have complained before, it is so dangerous as there is limited visibility to the right for traffic coming out of Luton road on the west side, and the traffic on North Drive of course doesn't slow down enough. If a safer solution could be found, such as traffic lights, then it would be a positive thing, as the Council don't seem able to correct this badly planned junction. I would welcome a larger store in the neighbourhood in addition to Lidl, and it may even help the environment by saving people sometimes driving further.

NATIONAL PLANNING POLICY FRAMEWORK

The revised National Planning Policy Framework (NPPF) was published in February 2019. The NPPF states that the purpose of the planning system is to contribute towards sustainable development. There are three strands to sustainable development namely economic, social and environmental. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should not usually be granted. There is a presumption in favour of sustainable development. The relevant Chapters are:-

- **'building a strong, competitive economy'**- Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- **'ensuring the vitality of town centres'**- Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.
- When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace). This should include assessment of: a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).
- Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations it should be refused.
- **'promoting healthy and safe communities'**
- **'making effective use of land'**
- **'achieving well designed places'** The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities
- **'meeting the challenge of climate change, flooding and coastal change'**

Good quality design is an integral part of sustainable development. The National Planning Policy Framework recognises that design quality matters and that planning should drive up standards across all forms of development. As a core planning principle, plan-makers and decision takers should always seek to secure high quality design. Achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations.

The sequential test should be considered first as this may identify that there are preferable sites in town centres for accommodating main town centre uses (and therefore avoid the need to undertake the impact test). The sequential test will identify development that cannot be located in town centres, and which would then be subject to the impact test. The impact test determines whether there would be likely significant adverse impacts of locating main town centre development outside of existing town centres (and therefore whether the proposal should be refused in line with policy).

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

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

CS1 - Strategic Location for Development

CS4- Retail and Other Town Centre Uses

1. In order to strengthen Blackpool Town Centre's role as the sub-regional centre for retail on the Fylde Coast, its vitality and viability will be safeguarded and improved by:
 - a) Focusing new major retail development in the town centre to strengthen the offer and improve the quality of the shopping experience
 - b) The preparation and implementation of a Town Centre Strategy and Action Plan, working with stakeholders to arrest decline and restore confidence in the town centre
2. For Town, District and Local Centres within the Borough, retail and other town centre uses will be supported where they are appropriate to the scale, role and function of the centre.
3. In edge of centre and out of centre locations, proposals for new retail development and other town centre uses will only be permitted where it can be demonstrated that:
 - a) It is a tourism attraction located in the Resort Core in accordance with policy CS21; or
 - b) There are no more centrally located/ sequentially preferable, appropriate sites available for the development; and
 - c) The proposal would not cause significant adverse impact on existing centres; and
 - d) The proposal would not undermine the Council's strategies and proposals for regenerating its centres; and

- e) The proposal will be readily accessible by public transport and other sustainable transport modes.
- 4. The Council, through the Site Allocations and Development Management DPD, will identify a range of sites for new retail development in Blackpool Town Centre to allow for new comparison goods floorspace over the plan period.

CS5 - Connectivity
CS7 - Quality of Design
CS9 - Water Management
CS10 - Sustainable Design
CS12- Sustainable Neighbourhoods

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:

LQ1 Lifting the Quality of Design
LQ2 Site Context
LQ3 Layout of Streets and Spaces
LQ4 Building Design
LQ6- Landscape Design and Biodiversity
BH3 Residential and Visitor Amenity
BH4 Public Health and Safety
AS1 General Development Requirements

BLACKPOOL RETAIL, LEISURE AND HOTEL STUDY 2018 - Members will be aware that the Council has to have a robust up to date evidence base to underpin its Local Plan. To assist with the preparation of Part 2 of the Local Plan the Council commissioned the preparation of a new retail, leisure and hotel study. The findings and recommendations of the Study were endorsed by the Council's Executive at its meeting on 16 July 2018.

LOCAL IMPACT THRESHOLD 2018 - The NPPF sets a threshold for impact assessments to be undertaken for out of centre retail and leisure proposals over 2,500sqm (gross floorspace) unless a local threshold is set. The Blackpool Retail, Leisure and Hotel Study 2018 recommended impact thresholds for out of centre development. In the case of retail or leisure development within 800 metres of a local centre the threshold is 200 sqm or greater. This figure was endorsed by the Council's Executive at its meeting on 16 July 2018.

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 policies in Part 2 that are most relevant to this application are -

Policy DM15: District and Local Centres

Policy DM16: Threshold for Impact Assessment

Policy DM20: Landscaping

Policy DM21: Public Health and Safety

Policy DM39: Transport requirements for new development

ASSESSMENT

Principle of Retail Re-development

The application site is in an out of centre location. It is unallocated and situated over 300 metres from the nearest designated local centre at East Pines Drive. Members will be aware that the purpose of national and local retail policy is to protect the vitality and viability of existing centres from edge of centre and out of centre development which would have a significant adverse impact on those centres. Given that this site is not within a District or Local Centre, the policy requires it to be demonstrated that:

- There are no more centrally located/ sequentially preferable, appropriate sites available for the development; and
- The development would not cause significant adverse impact on existing centres.

In response to these requirements, a revised and updated sequential test and retail impact assessment were submitted with the application. The catchment area identified in the Blackpool Retail, Leisure and Hotel Study and agreed with the applicant extends from the northern boundary of Cleveleys to Norbreck Road in the south and eastwards to Fleetwood Road North/ South in Thornton.

Sequential Test

Policy CS4 of the Core Strategy and the NPPF requires proposals for new retail development in out of centre locations to demonstrate there are no more centrally located/ sequentially preferable, appropriate sites available for the development.

Within the catchment and relatively close to the application site is Cleveleys Town Centre (within Wyre Borough) and three local centres in Blackpool Borough, namely:-

- Anchorsholme Lane East/West
- Fleetwood Road
- Eastpines Drive (closest to the application site)

In terms of the sequential test it is acknowledged that there are no suitable sites/ premises within the local centres. There was considered to be a site available in Cleveleys Town Centre, namely the former Tesco store, however this is soon to be occupied by Iceland. Other sites have been looked at and discounted, as not being available, being too small, or being over two floors (the lack of curtilage parking is also mentioned). It is therefore considered that the applicant has now satisfactorily undertaken the sequential test in accordance with paragraphs 86, 87 and 90 of the NPPF and Policy CS4 of the Blackpool Local Plan Part 1: Core Strategy.

Impact Assessment

Policy CS4 of the Core Strategy requires proposals for new retail development in out of centre locations to demonstrate the proposal would not be a significant adverse impact on existing centres (town, district or local centres)

The Core Strategy recognises the important supporting role that district and local centres have in meeting the needs of local communities. Policy CS4 is relevant and states that in out of centre locations, proposals for new retail development will only be permitted where it can be demonstrated that the proposal would not cause significant adverse impact on existing centres. The purpose of these centres is to meet the day to day needs of residents who live within walking distance of the centres. In addition the applicant needs to demonstrate that there is no impact on existing, committed and planned investment in centres in the catchment area. With regard to the second aspect it is not considered there would be significant adverse impact on existing, planned or committed investment. In terms of the potential impact on Cleveleys Town Centre, the supporting retail impact assessment concludes that there would not be a significant adverse impact on this Town Centre.

Looking at the three local centres within Blackpool; East Pines Drive, Fleetwood Road and Anchorsholme Lane East, concerns were raised regarding a number of assumptions in the retail impact assessment. The retail impact assessment has subsequently been amended to address the Council's previous concerns.

When re-assessing the figures to address the Council's previous concerns, the retail impact assessment does indicate an increased impact on the nearby local centres with a trade diversion of - 4.6% from Eastpines Drive and -2.3% from Fleetwood Road to 2023. However, this level of trade diversion would not be considered to cause a significant adverse impact to justify a refusal of planning permission. The test in the NPPF and Policy CS4 is that there needs to be a significant adverse impact to justify refusal of an application. The nearby local centres are fully occupied, trading well and appear robust and the East Pines Drive centre is also strengthened by the presence of the post office and its proximity to Anchorsholme Academy.

In terms of the other elements of Policy CS4 the following comments apply:

3. *In edge of centre and out of centre locations, proposals for new retail development and other town centre uses will only be permitted where it can be demonstrated that:*
 - a) *It is a tourism attraction located in the Resort Core in accordance with Policy CS21 - **this does not apply***
 - e) *The proposal will be readily accessible by public transport and other sustainable transport modes - **the site is within a largely residential area with the potential for a walk in catchment. Cycle parking is proposed and the site is also on a bus route with two services running down North Drive***

Highway and Pedestrian Safety/ Servicing and Car Parking Provision- A new access /egress is indicated to the car park and servicing area from North Drive situated to the north of the store. The layout and HGV turning is not considered ideal but is workable given a strategy for managing the car park. It is suggested that a servicing strategy is conditioned as part of any planning permission. This condition could also reasonably control the size of vehicles delivering to the site to address the number of concerns regarding HGVs operating in and around this road junction.

Adopted Council car parking standards require a maximum of one space per 16 sqm of gross floorspace which for 418 sqm of gross retail floorspace equates to a requirement for 26 car parking spaces. However, it should be noted that the car parking standards are maximum standards and on the basis that the application site is in a sustainable location the proposal is considered acceptable in terms of car parking provision of 21 spaces and the car visits are likely to be of relatively short duration given the size of the store. It would be expected that the retail operator would manage the car park to ensure it is used solely by customers for short periods of time to prevent spaces in the car park being taken by people for longer periods and /or using nearby facilities.

Pedestrian safety would not be compromised by the proposal in that existing crossing facilities around the junction are already in place. Pedestrian access to the store would be on North Drive and a large number of future customers would be expected to be on foot. The proposal is therefore considered to be in accordance with Policy AS1 of the Local Plan.

Whilst it is acknowledged that a significant number of the representations received in connection with the application refer to highway matters Members of the Committee are reminded that applications should only be refused on highway grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this case, because of the scale of the development, it is not felt there would be an unacceptable impact on highway safety, nor that the residual cumulative impacts on the road network would be severe (paragraph 109 of the NPPF).

Design of the Development and its Impact on the Character of the Area - Anchorsholme Methodist Church and Church Hall was a part two/ part single storey building dating from the 1930s and although it was not listed or locally listed it was nevertheless an attractive period building occupying the prominent corner plot. It was set back 6-7 metres from its frontages onto both Luton Road and North Drive in keeping with the building lines

established by housing within the area which date from the same era. The setback of the church also created a green, landscaped setting to the site.

The proposal has been reduced in scale from part three/ part single storey to part two/ part single storey (under planning application 18/0834) and is now single storey. Under this revised application the proposed building has also been pushed back to 6m from the North Drive boundary (it was between 2m and 2.8m back from the North Drive boundary under ref 18/0384) and 5.6m from the Luton Road boundary (it was between 3m and 3.9m from the Luton Road boundary under 18/0384). The proposed building would have an 11.5m frontage onto Luton Road (not including the chamfered entrance into the store) and a 27.5m frontage onto North Drive again not including the chamfered entrance into the store. The adjacent houses are approximately 7m to the ridge line of the pitched roof whereas the proposed single storey store would be 5.2m to its ridge line. The ridge line of the proposed two storey section of the previously proposed building was 12m high.

The proposal, as amended, is considered to address previous concerns regarding the visual impact on the street scene and character of the area and is now in accordance with Policies CS7 of the Core Strategy and Policies LQ1 and LQ4 of the Blackpool Local Plan.

Impact on Residential Amenity- the former Church and Church Hall on the site would have generated traffic to and from the site during church services and social activities within the Church Hall. These activities would have included weekends and evenings. There would have been a certain amount of noise and disturbance from these activities although the Church and its Church Hall were long established land uses within the area.

The proposed retail store involves a much higher level of use from early morning until late evening, the proposed hours of business are given as 6am until 11pm, 7 days a week. The proposed car parking area occupies most of the land available at the side of the store. Servicing would be via North Drive close to the rear boundary. There is however a sizeable landscaped area measuring 10m wide adjoining 95 Luton Road. The proposal also indicates that a 2.5m high acoustic fence will be erected along the boundary with Neville Avenue to reduce the potential noise impact of the car park. Whilst concerns have been raised regarding noise levels from the proposal it is not uncommon for retail stores to adjoin residential property and with the acoustic fence and appropriate conditions including a restriction on the times of deliveries to the site and the size of delivery vehicles it is considered that the retail proposal can be controlled to an acceptable level. Therefore the proposal does not warrant a refusal on this ground and accords with Local Plan Policies BH3 and BH4 and Core Strategy Policy CS7.

Whilst some sites and developments including parks, shops or even bus shelters can be a focus of anti-social behaviour it is difficult to say with any conviction that the proposal will itself attract such unwanted attention. As with any site or development this is a site management issue and it would be responsibility of future occupants of the site to deal with in an appropriate and proportionate manner.

Other Matters

Employment- The application form states that 4 full time jobs and 15 part time jobs will be created by the retail proposal which would be a significant local benefit.

Alternative Development- a number of local residents have commented that houses should be built on the site. However, this retail application has to be assessed on its own merits and not on the basis that another form of development is more preferable to the one currently under consideration. A planning application cannot be refused, on a site which is not allocated for any particular land use, on the basis that another use, in this case residential, is preferable to a number of people.

Flood Risk- The Environment Agency has confirmed that they are satisfied that the Flood Risk Assessment (FRA) prepared by Betts Associates, demonstrates that the proposed development will not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. Any planning permission will be tied to the details of the FRA. In terms of the sequential test it is not considered that there are any more sequentially preferable sites. In terms of the exception test the development could be designed to minimise impact - location of sockets etc.

Drainage- there would be a requirement for any development on the site to be drained on a separate foul and surface water system and this would be ensured via the imposition of appropriate conditions on any planning permission.

CONCLUSION

The application has raised considerable local and Member interest and there are a number of issues to consider with the application including the application of retail policy (the sequential test and impact on local centres), visual impact of the development on the character of the area, highway safety/ traffic generation/ car parking and servicing and the residential amenity impact of the development.

The amended application submission has addressed previous policy concerns regarding the non-availability of more sequentially suitable premises and it is considered that, sequentially, there are no other preferable and alternative suitable sites available to locate the proposed store. The Retail Impact Assessment also satisfies the previous concerns regarding the impact upon nearby local centres, and on East Pines Drive in particular, and it has now been demonstrated that the proposal will have a limited impact and will not undermine the viability of East Pines Drive and Fleetwood Road. The proposal therefore satisfies the requirements of the National Planning Policy Framework and Policy CS4 of the Core Strategy and it is not considered that a refusal of planning permission on retail policy grounds can be substantiated for the reasons set out elsewhere in this report.

The other main issues namely highway safety, car parking, impact on residential amenity, design and visual impact on the street-scene issues have also been satisfactorily addressed for the reasons outlined above and accordingly the revised planning application is recommended for approval subject to a number of conditions.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

None

HUMAN RIGHTS ACT

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

CRIME AND DISORDER ACT 1998

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

BACKGROUND PAPERS

Planning Application File(s) 18/0384 which can be accessed via the link below:

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

Recommended Decision: Grant Permission

Conditions and Reasons

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

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

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

Location Plan received by the Council on 08 March 2019
Drawings numbered 1001 Rev B, 1002 Rev B, 1003 Rev B

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

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

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ14 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. Notwithstanding the submitted plans details as to the exact location and design/appearance of the acoustic fence shall be submitted to and approved in writing by the Local Planning Authority. The approved fencing shall be erected prior to the store first being occupied and shall be retained as such thereafter.

Reason: In the interests of the appearance of the locality and residential amenity, in accordance with Policies LQ1, BH3 and BH4 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. a) No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed changes to existing ground levels, means of enclosure and boundary treatment, areas of soft landscaping, hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

b) The landscaping works shall be carried out in accordance with the approved details within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner.)

c) Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within 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. To ensure the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall with regards to Policy LQ6 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. No goods shall be stored or displayed for sale.

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

7. Treatment of the ground floor windows to the North Drive and Luton Road elevations shall be in accordance details to be submitted to and agreed in writing prior to the development hereby approved first being brought into use and shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the appearance of the locality, in accordance with Policies LQ1, LQ10 and LQ11 of the Blackpool Local Plan 2001-2016.

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

- dust mitigation measures during the construction period
- control of noise emanating from the site during the construction period
- hours and days of construction work for the development
- contractors' compounds and other storage arrangements
- provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the construction period
- arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent highways
- the routing of construction traffic.

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

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

9. The building/use hereby approved shall not be occupied/first commenced until the servicing provisions, including manoeuvring areas, have been provided in accordance with the approved details; such areas shall not be used thereafter for any purpose other than that indicated on the approved plan and all servicing within the site including loading and unloading shall take place from within the servicing area shown.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ4 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. Prior to the development hereby approved being first brought into use the car parking and cycle parking provision shown on the approved plans shall be provided and shall thereafter be retained.

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.

11. Prior to the commencement of any development, details of the foul drainage scheme to serve the development shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. The building shall not be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details. This development shall be completed maintained and managed in accordance with the approved details.

Reason: To secure proper drainage and to reduce the risk of flooding and pollution and to improve bathing water quality standards on the Fylde Coast in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016.

12. Prior to the commencement of any development details of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed prior to the first occupation of the building and maintained and managed in accordance with the approved details thereafter.

Reason: To secure proper drainage and to reduce the risk of flooding and pollution and to improve bathing water quality standards on the Fylde Coast in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016.

13. The building/use hereby approved shall not be occupied/first commenced until a servicing strategy, including reference to service delivery hours and the size(s) of delivery vehicles, has been implemented in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The store shall subsequently be serviced in accordance with the approved strategy thereafter unless other agreed in writing with the Local Planning Authority.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ4 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

14. The approval hereby granted shall be carried out in accordance with the submitted Betts Hydro Flood Risk Assessment received by the Local Planning Authority on 8 March 2019 prior to the use first commencing and shall be retained at all times thereafter.

Reason: To minimise potential flood risk in accordance with Policy LQ1 of the Blackpool Local Plan 2001-2016 and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027

Advice Notes to Developer

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.