

COMMITTEE DATE: 02/07/2019

Application Reference: **18/0122**

WARD: Highfield
DATE REGISTERED: 01/03/18
LOCAL PLAN ALLOCATION: Local centre

APPLICATION TYPE: Full Planning Permission
APPLICANT: Mr P Nuttall

PROPOSAL: Installation of new shop front, internal alterations and use of premises as altered as a mixed travel agency (Use Class A1) and associated administration offices (Use class B1).

LOCATION: 296-298 HIGHFIELD ROAD, BLACKPOOL, FY4 3JU

Summary of Recommendation: Grant Permission

CASE OFFICER

Miss Pippa Greenway

BLACKPOOL COUNCIL PLAN 2015 -2020

This application accords with the principles of **Priority one of the Plan** - The economy: Maximising growth and opportunity across Blackpool, but is still in conflict with national and local policies and guidance relating to design, width and materials.

SUMMARY OF RECOMMENDATION

The shopfront has already been installed and the business use has expanded into 296 Highfield Road. However, notwithstanding that this is a retrospective application the proposals for the shopfront and administrative offices are considered acceptable, subject to an hours of operation condition to protect the occupants of the adjacent upper floor residential premises from noise transmission.

INTRODUCTION

This application relates to an established travel business which has expanded into an adjoining unit. The proposal was originally submitted for a new shop front and the recommendation was for refusal at the Planning Committee meeting on 20 June 2018. The Committee considered the shop front, which had already been installed, to be acceptable. However, the Committee declined to determine the application and invited the applicant and his agent to resubmit the proposal to include the change of 296 Highfield Road into business use, as the Committee wanted to consider this element of the proposal. The

application has now been amended to include the change of use and is before the Committee for a final decision.

SITE DESCRIPTION

The application relates to two mid-terraced properties in a parade of nine shops on Highfield Road, almost opposite Highfield Leadership Academy (Secondary School) and to the east of Fishers Field. There are three more shops across the junction with Acre Gate. Many of the first floor premises in the vicinity are residential, including the immediately adjacent property.

DETAILS OF PROPOSAL

The proposal is retrospective for the installation of a new shopfront across the two properties, with one access door and a continuous fascia across both properties and the change of use of 296 Highfield Road to include administrative offices to support the ground floor travel agency.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- appearance in the streetscene
- impact on neighbours' amenities

CONSULTATIONS

Head of Environmental Protection: With regard to noise, the first floor administrative offices would be using ear pieces /headsets as they have to nowadays at call centres due to health and safety. I doubt there would be any nuisance caused if the proposal was restricted as suggested in the conditions.

PUBLICITY AND REPRESENTATIONS

Neighbours notified: 1 March 2018

No representations have been received.

NATIONAL PLANNING POLICY FRAMEWORK

The revised National Planning Policy Framework (NPPF) was published 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 paragraphs and sections are most relevant to this application:

Paragraph 8: There are three overarching objectives to sustainable development; which are interdependent and need to be pursued in mutually supportive ways:

- an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 11: Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Chapter 6 is concerned with building a strong, competitive economy. Paragraph 80 says that 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.

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:

- CS3: Economic Development and Employment
- CS7: Quality of Design

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. 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
- LQ11 Shopfronts
- LQ14 Extensions and Alterations
- BH3 Residential and Visitor Amenity
- BH14 Local Centres
- DE4 Outside the Defined Industrial/Business Estates

ASSESSMENT

Principle

In principle, an improvement to a shop front and expansion of a business is to be welcomed.

Design

When the Committee originally considered this proposal, the modern design of the shop front was agreed to be acceptable within this parade of shops and not detrimental to the character and appearance of the application properties nor the parade of shops.

Amenity

The applicant did not originally apply for a change of use, stating that the existing ground, first and second floors of both properties were in use as offices. Further investigation with respect to the use of 296 Highfield Road found that it was not in office use at the time of the application. The ground floor (vacant) was a sweet shop within Use Class A1 and the first floor was a residential flat within Use Class C3, with a separate door from Highfield Road and was registered as such with the Valuation Office.

The applicant's original premises at 298 Highfield Road was granted planning permission in 2001 (01/0574) (use of premises as travel reservation and administration offices) and at that time was considered by all parties to be a mixed Use Class A1 travel agency and a Use Class B1 telesales offices. The ground floor front retained the active shop use with the B1 use to the rear and on the first floor.

The application now includes a retrospective change of use for both the ground and upper floors of 296 Highfield Road. Since this is a shopping parade, it is important to be able to retain an active public facing frontage to the ground floor, which this proposal does. It is also important to be able to control the hours of operation of the use, as there is potential for a residential use at first floor adjacent, which needs to be protected from noise in the evenings. This can be achieved through the use of appropriate conditions as imposed on the original change of use on 298 Highfield Road (01/0574), restricting the use of the upper

floors of the premises so that it could not operate between 1900 hours and 0900 hours on the following day Mondays to Saturdays inclusive and not at all on Sundays; and not permitting sound to emanate from the upper floors so as to be audible between 1900 hours and 0900 hours on the following day within any premises used for residential accommodation at the date of this permission.

CONCLUSION

The installation of the shopfront and expansion of the business into the adjoining property is considered acceptable in principle. The design of the shopfront, which has already been installed, has already been considered by the Committee as acceptable at its meeting on 20 June 2018. The noise issues around the use of the upper floors for offices and canteens can be controlled by conditions. The proposal is therefore recommended for approval.

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 shopfront 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) 18/0122 and 01/0574, 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 stamped as received by the Council on 27 Feb 18; drawing no. F702_03J received on 24 April 2019.

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

3. The use of the upper floors of the premises shall not operate between 1900 hours and 0900 hours on the following day Mondays to Saturdays inclusive and not at all on Sundays.

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

4. Sound shall not be permitted to emanate from the upper floors of the premises so as to be audible between 1900 hours and 0900 hours on the following day within any adjacent premises used for residential accommodation.

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

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.