

COMMITTEE DATE: [09/06/2015](#)

Application Reference: **14/0872**

WARD: Anchorsholme
DATE REGISTERED: 17/12/14
LOCAL PLAN ALLOCATION: Main local centre
 Local centre

APPLICATION TYPE: Full Planning Permission
APPLICANT: Lidl UK GmbH

PROPOSAL: Erection of single storey extension to Fleetwood Rd elevation to form bakery preparation area, freezer space, additional warehouse space and condenser compound.

LOCATION: LIDL UK GMBH, 4 ANCHORSHOLME LANE WEST, BLACKPOOL, FY5 1LY

Summary of Recommendation: Grant Permission

CASE OFFICER

Mark Shaw

SITE DESCRIPTION

The single storey Lidl store is located adjacent the junction of Fleetwood Road (A587) and Anchorsholme Lane West forming part of a Local Centre as designated within the Blackpool Local Plan. The store was constructed following the granting of planning permission (ref 95/0019 on 31 July 1995) and has been recently extended on the Fleetwood Road elevation under planning permission 09/1302 adding a further 250sqm of floorspace to give an extended store size of 1349sqm.

The store is bounded to the side and rear by residential properties fronting Fleetwood Road and Cherrywood Avenue and has access/ egress to and from the customer car park from Anchorsholme Lane West and access to the service area from Fleetwood Road. The servicing access/egress is also being used temporarily until October 2016 as a customer egress for the duration of the sea defence and flood prevention works at Anchorsholme granted under planning permission 14/0519 with the aim of taking any additional pressure off the junction of Fleetwood Road and Anchorsholme Lane West created by construction vehicles.

DETAILS OF PROPOSAL

The proposal is for an extension to the Fleetwood Road elevation of the building to form additional 'back of house' facilities (bakery preparation, freezer compartment and warehouse) measuring 50 metres by 5 metres which would result in the relatively minor re-arrangement of the car parking area mainly to accommodate the extension with the loss of one of the aisles although there would be no net loss of parking spaces from the car parking area with a total of 81 spaces still being available for staff and customers of the store. The proposed extension would give a total floorspace of 1594 sqm within the store although the applicants have stated that there will be no net increase in the retail floor area as a result of the proposal.

The application is accompanied by a Design and Access Statement, a Flood Risk Assessment and two Technical Notes relating to the operation of the car park and impact of the proposal on the adjoining highway network

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle of Development
- Highway Safety/ Car Parking/ Servicing
- Design of Extension
- Impact on Residential Amenity

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

CONSULTATIONS

Head of Transportation: In response to the initial consultation stated the proposal will lead to the loss of the car park access aisle nearest to the existing building. The loss of the aisle will result in all vehicle movements being contained to the remaining aisle and car park access road, which is likely to lead to additional conflict between vehicles trying to access the car park, with ones trying to manoeuvre into spaces and with others attempting to leave the site leading to block back onto the public highway which will be detrimental to other road users and could contribute to an increase in congestion in the area. Stores of this nature are very popular and this problem could become a regular occurrence. The layout does not show how service vehicles will access the site for servicing purposes. The existing turning area will be lost. I am not convinced that the proposed layout will allow service vehicles to drive in in forward gear, turn within the confines of the site, service the site and drive out in forward gear. No servicing strategy has been provided or tracking plans. The proposal is located on a key sensitive part of the highway network which suffers from delays and congestion. A delivery vehicle was observed reversing into the site from Fleetwood Road blocking traffic and impeding pedestrians. There is a purpose built turning area available and this is a safety concern and needs addressing. The proposal if supported may compound the existing problems and on this basis I am not prepared to support this proposal.

Subsequent discussions have been on-going for several weeks and the applicant has submitted two Technical Notes to address the above highway concerns and there has also been a site meeting and on the basis of the submitted Technical Notes the Head of Transportation has now confirmed that he is now in a position to support the proposal.

Environmental Protection Service: no comments received at the time of writing this report. Any comments received will be reported in the update note.

Environment Agency: no comments as the proposal is minor/ not high risk

PUBLICITY AND REPRESENTATIONS

Site notices displayed: 05 January 2015

Neighbours notified: 23 December 2014

Two letters of objection have been received from 2 Gresham Road and 350 Fleetwood Road on the following grounds:-

- object in the absence of a satisfactory comprehensive landscaping scheme.

- since the carrying out of previously approved landscaping schemes five sapling trees have been allowed to die and Lidl have shown no interest in environmental issues.
- previously planted trees were not suitable species
- object if the extension causes as much disturbance as the previous extensions
- how many more extensions do Lidl want? It is about time Lidl considered the privacy of adjoining houses as there is already enough noise with noise and disturbance due to deliveries seven days a week, not always within the given hours and not always using the turning facility
- the new exit is also used as an entry point despite large no entry signs

NATIONAL PLANNING POLICY FRAMEWORK

Paragraph 14 states - at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as whole; or
 - specific policies in this Framework indicate development should be restricted.

Paragraph 17 sets out the 12 core land-use planning principles which should underpin both plan-making and decision-taking.

Paragraph 32 states that decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site the reduce the need for major infrastructure; safe and suitable access to the site can be achieved for all people and that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 56 states that good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making places better for people.

Paragraph 61 states that although visual appearance and architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations and therefore decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Paragraph 66 states that applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked upon more favourably.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

The Blackpool Local Plan was adopted in June 2006 and the majority of its policies saved by direction in June 2009. The following policies are most relevant to this application:

Policy LQ1 Lifting the Quality of Design states that new development will be expected to be of a high standard of design and to make a positive contribution to the quality of its surrounding environment.

Policy LQ2 Site Context states that the design of new development proposals will be considered in relation to the character and setting of the surrounding area.

Policy LQ6 Landscape Design and Biodiversity states that new development will be required to incorporate appropriate landscaping and benefits to biodiversity wherever possible, that:

- (a) enhances the spaces between and around buildings, including new streets
- (b) retains existing mature trees, shrubs, hedgerows and other landscape features and species, or habitats of ecological importance, within the site where possible and incorporates them into the overall design
- (c) makes provision for appropriate replacement planting or creation of features where the removal of existing mature landscaping or important ecological species or habitats is unavoidable
- (d) provides new planting of appropriate specification, including the use of indigenous species and semi-mature planting, where appropriate
- (e) avoids the creation of left over spaces
- (f) provides an adequate buffer between obtrusive developments, such as industry, and other uses.
- (g) avoids interference with the operation of public CCTV systems where in place.

Development proposals will be required, where appropriate, to submit a suitable and comprehensive landscaping scheme, with clear proposals for implementation and maintenance, as part of the planning application.

Policy LQ14 Extensions and Alterations states that applications for extensions or alterations will be considered in relation to the existing building, adjoining properties and to the surrounding area.

(A) Overall Design – Extensions and alterations must be well designed, sited and detailed in relation to the original building and adjoining properties.

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

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

Policy BH11 Shopping and Supporting Uses - Overall Approach states that the Council will maintain and enhance hierarchy of centres shown on the Proposals Map in order to provide access to a wide range of shops, services and other activities accessible to all sections of the community, with the town centre the focus for major new development. New retail, cultural and community development and other key town centre uses will be permitted in Blackpool Town Centre, the district centres and local centres appropriate to the scale, role and character of each centre.

Policy BH14 Local Centres highlights that Local Centres provide for day-to-day convenience shopping needs and other supporting uses readily accessible by a walk-in local catchment. The policy seeks to safeguard and enhance the role of Local Centres. Proposals for retail uses which reinforce the role of the local centres will be permitted.

Policy NE10 Floodrisk states that development in areas at risk from flooding (including tidal inundation) will only be permitted where appropriate flood alleviation measures already exist or are provided by the developer. Developments will not be permitted which would increase run-off that would overload storm drains or watercourses. Sustainable drainage systems will be used in new developments unless it can be demonstrated to the Council's satisfaction that such a scheme is impractical.

Policy AS1 General Development Requirements states that development will be permitted where the access, travel and safety needs of all affected by the development are met as follows:

- (a) convenient, safe and pleasant pedestrian access is provided
- (b) appropriate provision exists or is made for cycle access
- (c) effective alternative routes are provided where existing cycle routes or public footpaths are to be severed
- (d) appropriate access and facilities for people with impaired mobility (including the visually and hearing impaired) are provided
- (e) appropriate provision exists or is made for public transport
- (f) safe and appropriate access to the road network is secured for all transport modes requiring access to the development
- (g) appropriate traffic management measures are incorporated within the development to reduce traffic speeds; give pedestrians, people with impaired mobility and cyclists priority; and allow the efficient provision of public transport
- (h) appropriate levels of car, cycle and motorcycle parking, servicing and operational space are provided, in accordance with standards set out in Appendix B.

Where the above requires the undertaking of off site works or the provision of particular services, these must be provided before any part of the development comes into use.

EMERGING PLANNING POLICY

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16 June 2014 and by the full Council on 25 June 2014. The document was published for public consultation on 4 July 2014 for a period of eight weeks. After the consultation ended the document was updated and was submitted to the Planning Inspectorate in December 2014 for examination in May 2015. The examination took place between 11 and 15 May and we are now awaiting the response from the Inspector.

Paragraph 216 of the NPPF allows relevant policies to be given weight in decision-taking according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF. Overall, a limited number of representations were received to the Proposed Submission document. Of those representations made expressing concern with the proposed policies, it is not considered that the issues raised justify the need for modifications to be made to the policies prior to submission (other than minor modifications to improve clarity for example). Therefore, the Council considers that, due to the advanced stage of the Core Strategy all relevant policies to this development should be given considerable weight in decision making.

Emerging policies in the Core Strategy Submission version that are most relevant to this application are:

CS4 Retail and Other Town Centre Uses
CS7 Quality of Design
CS10 Sustainable Design and Renewable and Low Carbon Energy

None of these policies conflict with or outweigh the provisions of the adopted Local Plan policies listed above.

ASSESSMENT

Principle of Development - this Lidl store is both a successful and busy store (it was said in 2009 to be their busiest store in the north of England) and has previously been extended at the front under planning permission 09/1502 adding 250 sqm of floorspace to give a store of 1349 sqm. The current application will add a further 250 sqm of floorspace which would take the store up to 1594 sqm in size.

The store is well established and located within a designated local centre and is in a sustainable location. There are no objections therefore in principle to the further extension and improvement of the store subject to the store being proportionate to the size of the local centre, having satisfactory off street parking and access/ egress facilities, having a satisfactory design and providing the extension does not impact unduly on the residential amenities of the occupiers of neighbouring dwellings, particularly those on Anchorsholme Lane West and Fleetwood Road.

Highway Safety/ Car Parking/ Servicing - Adopted Council car parking standards require that a maximum of approximately one space per 20 sqm be provided for retail food stores. The proposal would give an extended store size of 1594 sqm and provides 81 car parking spaces which equates almost to one space per 20 sqm of floorspace (1 space for every 19.6 sqm of floorspace). Therefore in terms of off street parking provided for the store the proposal meets the current maximum standards and is considered acceptable.

However there was initially concern expressed by the Head of Transportation regarding the loss of one of two aisles on the Fleetwood Road side of the car park and the additional pressure that could create within the car park and on the surrounding road network. However, subsequent discussions and the submission of two Technical Notes and a site meeting have satisfied these concerns. The applicants have confirmed that the issue of the HGV reversing into the site from Fleetwood Road will not be allowed to happen again. It has also been confirmed that the temporary egress onto Fleetwood Road granted under planning permission 14/0519 until October 2016 cannot be made permanent as part of this application but instead will be considered as a standalone issue upon the expiry of planning permission 14/0519.

Design of Extension - The proposed extension would be constructed in matching brick and roof tiles. Amended plans have been submitted illustrating glazing on the two main elevations and brick detailing and brick pillars to break up the expanse of brickwork particularly on the Fleetwood Road elevation. In this amended form the proposal is considered acceptable.

In terms of the visual appearance of the store there have previously been issues relating to the landscaping of the site boundaries and one of the objectors has also focussed on this point. It is considered that the store would benefit from additional planting around the two road boundaries onto Fleetwood Road and Anchorsholme Lane West and therefore a landscaping condition has been included as part of the proposed conditions at the end of this report

Impact on Residential Amenity - It is not considered that the physical extension of the store itself will have any impact on the occupiers of neighbouring properties given its distance of 28 metres

from the nearest house, 350 Fleetwood Road. Whilst the proposal would provide an additional 250 sqm of floorspace the proposal would not create additional retail floorspace. On the basis that the retail floorarea of the store would not increase, an increase in traffic generation at the store should be limited and therefore the additional impact of the extension on residential amenity is also limited.

CONCLUSION

Having addressed the highway concerns regarding the application and the design of the extension this proposal is considered to be acceptable in all respects subject to the suggested attached conditions including a requirement for additional landscaping to the two road boundaries of the site.

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

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. 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.
3. 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.

4. No goods shall be stored or displayed for sale other than within the building shown on the approved plan.

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

5. Prior to the development hereby approved being first brought into use the car 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.

6. There shall be no increase in the retail sales area beyond that shown on submitted plan ref 03 H

Reason: To minimise the traffic levels to and from the site in the interests of residential amenity and highway safety and to maintain a store size that is proportionate in retail floor area terms to a local centre in accordance with Policies LQ1, AS1, BH3, BH11 and BH14 of the Blackpool Local Plan 2001-2016.

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.