

COMMITTEE DATE: 08/09/2015

Application Reference: **15/0362**

WARD: Warbreck
DATE REGISTERED: 05/06/15
LOCAL PLAN ALLOCATION: Resort Neighbourhood
 Defined Inner Area

APPLICATION TYPE: Outline Planning Permission
APPLICANT: Mr G O'Mahoney

PROPOSAL: Erection of three storey building comprising 15 two bedroom self-contained permanent flats with vehicle access from Gynn Avenue and associated car parking facilities for 6 vehicles, refuse store and cycle store to rear.

LOCATION: KINGS CHRISTIAN CENTRE, WARLEY ROAD, BLACKPOOL, FY1 2JU

Summary of Recommendation: Grant Permission

CASE OFFICER

M Shaw

SUMMARY OF RECOMMENDATION

The site is unallocated in the Local Plan but is in a sustainable location for development, close to the Dickson Road Local Centre and the Promenade for bus and tram services. The site contains a disused locally listed building which has had approval to be demolished. The principle of residential development is consistent with Policy HN4 of the Local Plan and CS1 of the Blackpool Local Plan - Part 1: Core Strategy. The scale and layout of the development is considered appropriate in this location and the design would reflect the character of the area. As such the proposal is considered to be consistent with Policies LQ1, LQ2 and LQ4 of the Local Plan and CS7 of the Blackpool Local Plan - Part 1: Core Strategy. Whilst the loss of the locally listed building is regrettable there is no alternative use on the table and hence the proposal is not considered to conflict with Policy CS8 of the Blackpool Local Plan - Part 1: Core Strategy. Whilst there would not be one car parking space per flat it is felt that the level of car parking of eight spaces for 15 flats is appropriate given the location of the site close to local services and the Promenade (for buses and trams).

INTRODUCTION

The 114 year old stone built Kings Christian Centre (former Claremont Congregational Church) is a locally listed building although it has been vacant for several years and is in a poor state of repair. An outline planning application reference 14/0575 involving the erection of a four storey building to form 20 x two bedroom self-contained flats with 10 car parking spaces was withdrawn on 1st December 2014. One of the issues in assessing this application was the viability of potentially retaining and converting the vacant church and church hall building into flats. This withdrawn application was followed up with a Prior Approval submission for the demolition of the building reference 14/0846 granted on 23rd December 2014. It should be noted that the only issues for

consideration under such an application is the method of demolition and the site remediation, therefore the architectural merit of the building could not be considered.

Discussions have been on-going for several months regarding the development potential for a cleared site which have culminated in the submission of this current application.

SITE DESCRIPTION

The application site is adjacent the junction of Warley Road and Gynn Avenue measuring 35 metres x 34 metres enclosed by a low stone wall to match the materials used on the vacant church and church hall and is located opposite the cleared site of the former Derby Baths close to the Promenade. The character of the area is mixed with holiday uses, residential and retail uses all close-by. Gynn Avenue directly to the side/rear of the site is one of the protected Holiday Accommodation areas and the shopping area nearby on Dickson Road is a designated local centre within the Blackpool Local Plan.

DETAILS OF PROPOSAL

This is an outline planning application seeking approval for access, appearance, layout and scale to a three storey block of 15 x two bed flats in an L shaped layout fronting onto both Warley Road and Gynn Avenue with only landscaping reserved for subsequent approval. The access road immediately to the rear of the site connects Gynn Avenue and Dickson Road and would provide access to the car parking area which is shown to provide six spaces and also for refuse collection. A further two spaces is shown to the front of the building for visitors.

Amended plans have been received following recent discussions revising both the layout of the area to the rear of the building to incorporate an enclosed amenity space, revising the position of the parking spaces and also further amending the design of the building introducing some rendering to the predominantly brick elevations and revising the window and door detailing.

The design of the proposal incorporates full height bay windows with front gables and a feature corner turret which acts as a focal point for the building. The window proportions incorporating stone effect cills and headers and the pitched roof all add to the appearance of a building which gives a reasonable quality building design reflecting a number of traditional features included on buildings nearby.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle of re-development
- Design, scale and impact on character of the area
- Impact on residential amenity
- Highway safety/ access/ car parking
- Other issues

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

CONSULTATIONS

Built Heritage Manager: I refer to the application for the construction of a three storey block of flats on the site of the former church on the corner of Warley Road and Gynn Avenue. The design is an improvement on the original proposal, particularly the corner feature and bay windows. The church was locally listed for its architectural merit, however, I would prefer the roof covering of the flats to be slate rather than black concrete tiles.

The existing boundary walls should be retained to connect the historic use of the site with any future use. I would also ask that steps are taken to ensure the stained glass is carefully removed and stored for possible re-use elsewhere in order to ensure that this historic material is not wasted.

Head of Transportation: 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.

United Utilities (Water): No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

Waste: 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.

Police Architectural Liaison Officer: This planning application is for the erection of a three storey building comprising of 15 self-contained flats on Warley Road, Blackpool. I have conducted a crime and incident search of this policing incident location and during the period 12/06/2014 to 12/06/2015 there have been reported crimes and incidents including burglary. A burglary occurred close to this location whereby the offenders entered a property converted into flats by removing the barrel from the lock of the communal UPVC front door. Based on crime and incident levels in this location I recommend that this scheme is developed to Secured By Design security standards. In order to reduce the opportunity for crime and disorder at the scheme such as burglary I make the additional following security recommendations:-
the dwellings should be built to Secured By Design security standards to protect them from criminal activity such as burglary. In particular I would recommend that the requirements of Part 2 of Secured By Design, physical security are conditions of planning permission -

- The communal entrance doorsets should be doors of enhanced security tested and certificated to PAS 24/2012 security standards. These communal entrance doorsets into the building should be fitted with an access control system to restrict unauthorised entry eg. keyfob/keypad or similar. Should an offender gain access into the building it compromises the security of all 15 flats.
- Each individual flat entrance doorset should be tested and certificated to enhanced security standards PAS 24/2012. All glazing in doors and windows should be laminated. In order to target harden the flats against forced entry it is recommended that laminated glazing is fitted at ground floor level windows and all windows should be PAS 24/2012.
- Consideration should be given to the main communal entrance areas into the block of flats being covered by a CCTV camera. The presence of formal surveillance contributes towards modifying a potential offender's behaviour. Should a CCTV camera be fitted at the scheme it should be positioned inside the main communal entrance doorsets so that it captures a clear head and shoulders image of all persons entering the building.

- The car parking spaces and cycle storage area should be illuminated with British Standard 5489 lighting columns and the main communal doorsets and emergency exits should be fitted with dusk till dawn PIR security lights.

County Archaeologist- I understand that prior approval has already been provided for the demolition of the existing church building on this site, despite its status as a locally listed building and our earlier recommendations and that no conditions were applied to that consent.

It would now appear to be impossible for you to require written justification for demolishing the existing building or to require a record to be made prior to its demolition. (a condition is to be imposed as part of this permission)

PUBLICITY AND REPRESENTATIONS

Press notice published: 25 June 2015

Site notice displayed: 1 July 2015

Neighbours notified: 11 Jun 2015 and 25 August 2015

One letter of objection has been received from 12 Warley Road on the grounds there are still too many flats. The flats would be too small for modern living and six parking spaces for 15 flats is inadequate. Parking on Warley Road is at a premium all year round and Gynn Avenue is also congested so adding more vehicles would be a nightmare. Consideration must be given to highway safety. Would more permanent flats alongside B and Bs and small hotels be appropriate?

These issues will be addressed in the assessment part of the report.

Any further comments that are received before the Committee meeting will be reported in the update note.

NATIONAL PLANNING POLICY FRAMEWORK

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 be refused unless other material considerations indicate otherwise.

Of the 12 core planning principles those that are relevant to this proposal are summarised below:

- Proactively drive and support economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
- Always seek to secure high quality and a good standard of amenity for all existing and future occupants of land and buildings.
- Contribute to conserving and enhancing the natural environment and reducing pollution.
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land).

Part 6 - Delivering a wide choice of high quality homes.

Housing applications should be considered in the context of the presumption in favour of sustainable development. It is acknowledged that proposals for housing development should be looked upon favourably if a Local Planning Authority is unable to demonstrate a five year supply of

housing land. Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

Part 7 - Requiring good design.

Planning decisions should aim to ensure that developments respond to local character and history. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It is proper to seek to promote or reinforce local distinctiveness.

Part 11 Conserving and enhancing the natural environment.

Planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

Part 12 - Conserving and enhancing the historic environment.

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the desirability of new development making a positive contribution to local character and distinctiveness.

In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

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:

LQ1 - Lifting the Quality of Design

LQ2 - Site Context

LQ3- Layout of Streets and Spaces

LQ4 - Building Design

LQ6- Landscape Design and Biodiversity

LQ8- Energy and Resource Conservation

HN4 - Windfall Sites (housing development)

HN6 - Housing Mix

HN7 - Housing Density

BH3 - Residential and Visitor Amenity

BH10 - Open Space in New Housing Developments

AS1 - General Development Requirements (Access and Parking)

SPG 11- Open space requirements

EMERGING PLANNING POLICY

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive on 16th June 2014 and by full Council on 25th June 2014. The document was published for public

consultation on 4th 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 11th and 15th 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:

- CS1 (Strategic Location of Development)
- CS2 (Housing Provision)
- CS7 (Quality of Design)
- CS8 (Heritage)
- CS10 (Sustainable Design and Renewable and Low Carbon Energy)
- CS12 (Sustainable Neighbourhoods)
- CS13 (Housing Mix, Density and Standards)

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

ASSESSMENT

Principle of Re-development - The site has no specific allocation in the Blackpool Local Plan 2001-2016 and has not been identified as a site which has potential for housing development in the 2013 SHLAA Update which supports the Core Strategy Proposed Submission. The site does not therefore contribute towards meeting the Council's requirement to identify a five year housing land supply. However, the site is considered suitable in principle for residential re-development and the provision of good quality residential accommodation is supported in principle subject to the details being considered acceptable.

In response to the objector, this is a mixed area and therefore it is not considered that a block of permanent flats would be detrimental to the character of the area. In addition it could be argued that a deteriorating, long standing vacant building with no sign of any other development proposal in the pipeline is detrimental to the character of the area.

Design, Scale and Impact on the Character of the Area- the current proposal is now three storey providing 15 flats having previously been 4 storey and 20 flats under application 14/0575. This reduction in scale is considered to be appropriate and to be in keeping with the scale of other buildings close-by to the application site.

The design of the proposal incorporates full height bay windows with front gables and a feature corner turret which acts as a focal point for the building. The window proportions incorporating stone effect cills and headers and the pitched roof all add to the appearance of a building which gives a reasonable quality building design reflecting a number of traditional features included on buildings nearby. In this amended form it is considered that the approval of planning permission can be supported. The approval of facing materials will be dealt with as a condition of any planning permission and it is important that good quality and appropriate materials are used in the construction.

Impact on Residential Amenity- it is not considered that the proposal raises any particular amenity issues for the area other than potentially creating an additional demand for on-street car parking. However, the number of available on street parking spaces is already at a premium, as the objector confirms, and therefore the capacity to add to the current level of on-street parking is fairly limited.

The existing buildings are fairly bulky and have a large footprint relative to the size of the site and therefore as the proposed building footprint is much smaller and confined to the two road frontages this should give more natural daylight and outlook to those immediately adjoining properties to the rear.

In terms of the residential amenity of future residents of the flats, the amendments have included the provision of a private communal amenity space of over 150 square metres by re-positioning the car parking spaces. Residents could also choose to use the area to the front of the building fronting Warley Road which is south facing and also affords sea views. The proposed flats are a good size and meet the standards set out in the Council's 'New Homes from Old Places' Supplementary Planning Document which relate to conversions rather than new build development.

Highway Safety/ Access/ Parking -whilst the proposal makes provision for eight off street parking spaces for the 15 flats it should be noted that the former church and church hall would have generated on street parking and there are at present no off street parking facilities at the application site. Other Class D1 uses which could occupy the building without planning permission include a health centre, a day nursery and education and training uses, all of which have significant traffic generation and on street parking implications.

The application site is also in a sustainable location and well situated to access public transport, shops, eating and drinking establishments, medical facilities, public open space, schools and the town centre all within easy walking distance whereby future residents would not necessarily have to rely on car ownership.

Other Issues- refuse and cycle storage is shown to the rear. Refuse collection is from the rear access road and direct access is also available to Warley Road from the rear of the building. The proposal involves the retention of the existing low stone boundary wall to Warley Road and Gynn Avenue and there is ample opportunity for a good quality landscaping scheme to be carried out, this will be submitted as a reserved matter.

The Police Secure by Design comments have been passed onto the applicant's agent and any response will be reported via the up-date note. Finally in relation to the LCC Archaeologist's comments a condition will be imposed on any approval granted here requiring the appropriate recording of the building prior to demolition. The Prior Approval application for demolition gave the LPA 28 days to determine which did not allow time for the Council to withdraw demolition rights.

CONCLUSION

The proposal is considered to be an acceptable re-development of the site subject to the adequate recording of the existing building being undertaken prior to demolition and subject to suitable facing materials and landscaping details being agreed prior to development commencing. Whilst off street parking is only around 50% it should be noted that the Council car parking standards require a maximum of 150% car parking although this site is in a highly accessible location, the potential traffic generation from the current Class D1 uses could itself be significant and finally to require an off-site parking requirement of 22/23 spaces would render any re-development of the site unviable. On this basis the proposal is considered acceptable

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

See condition 9 of this report which requires payment of the appropriate contribution towards public open space provision and maintenance as set out in Policy BH10 of the Local Plan and SPG11

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

ADDITIONAL DOCUMENTS

- **Location Plan**

Recommended Decision: Grant Permission

Conditions and Reasons

1.
 - i. Approval of the following details (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority:
Landscaping
 - ii. Applications for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason i and ii: This is an outline planning permission and these conditions are required to be imposed pursuant to Section 92 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 LQ1, LQ4, BH3 of the Blackpool Local Plan 2001-2016 and because such details are not included in the application.

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 five 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 because such details are not included in the application.

4. Details of the appearance of the bin and cycle storage areas indicated on the approved plan(s) 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 site and locality, in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and because such details are not included in the application.

5. 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 because such details are not included in the application.

6. Prior to the development hereby approved being first brought into use the car parking provision shown on the approved plan 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.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no change of use from Use Class C3 (the subject of this permission) to Use Class C4 shall take place without the written approval of the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises and to prevent the further establishment of Houses in Multiple Occupation which would further increase the stock of poor quality accommodation in the town and further undermine the aim of creating balanced and healthy communities, in accordance with Policies BH3 and HN5 of the Blackpool Local Plan 2001-2016.

8. No flat shall be occupied until all of the external alterations and the internal layouts and arrangements have been provided in accordance with the plans hereby approved. The layout of the accommodation and arrangements hereby approved shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the accommodation accords with the Council's approved Supplementary Planning Document, to safeguard the living conditions of the occupiers of the flats and to improve the external appearance of the property in accordance with Policies LQ1, BH3 and HN5 of the Blackpool Local Plan 2001-2016.

9. The development authorised by this permission shall not begin until the Local Planning Authority has approved a scheme to secure the provision of or improvements to off-site open space together with a mechanism for delivery, in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development"(SPG11).

Reason: To ensure sufficient provision of or to provide sufficient improvements to open

space to serve the dwellings in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development"(SPG11).

NOTE – The development is of a scale to warrant a contribution of £10,320 towards the provision of or improvement to off-site open space and management of the open space provision, in accordance with Policy BH10 of the Blackpool Local Plan 2001-2016 and SPG 11. The Applicant(s) should contact the Council to arrange payment of the contribution.

10. The demolition of the existing building shall not take place until the recommendations contained in the submitted Ribble Ecology Report dated Sept 2014 and submitted with application 14/0846 have been discharged and written confirmation has been provided to the Local Planning Authority.

Reason- To ensure that the site has been fully investigated with regards to potentially being occupied by roosting bats and any required remediation measures are carried out in accordance with Policies LQ1 and NE6 of the Blackpool Local Plan 2001-2016

11. No demolition of the existing buildings shall take place on the site until the applicant or their agent, has secured the implementation of a programme of building recording analysis. This must be carried out prior to any demolition, in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of historical importance associated with the site, in accordance with Policy LQ2 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.