

Blackpool Council

1 August 2014

To: Councillors Brown, Elmes, Hutton, Mrs Jackson, Matthews, Owen, Smith, Stansfield and Williams

The above members are requested to attend the:

PLANNING COMMITTEE

Monday, 11 August 2014 at 5.00 pm
in Committee Room A, Blackpool

A G E N D A

1 DECLARATIONS OF INTEREST

Members are asked to declare any interests in the items under consideration and in doing so state:

- (1) the type of interest concerned; and
- (2) the nature of the interest concerned

If any Member requires advice on declarations of interest, they are advised to contact the Head of Democratic Services in advance of the meeting.

2 MINUTES OF THE MEETING HELD ON 14TH JULY 2014 (Pages 1 - 8)

To agree the minutes of the last meeting held on 14th July 2014 as a true and correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED (Pages 9 - 12)

The Committee will be requested to note the planning/enforcement appeals lodged and determined.

4 LIST OF BUILDINGS OF LOCAL ARCHITECTURAL AND/OR HISTORIC INTEREST (Pages 13 - 26)

The Committee is requested to consider the proposed list of buildings for the list of buildings of local architectural and/or historic interest.

5 PLANNING APPLICATIONS 13/0736 AND 13/0734 - BLACKPOOL UNITED HEBREW SYNAGOGUE, LEAMINGTON ROAD (Pages 27 - 44)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

6 PLANNING APPLICATION 14/0465 - LAYTON INSTITUTE, WESTCLIFFE DRIVE (Pages 45 - 58)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

7 PLANNING APPLICATION 14/0467 - LAYTON INSTITUTE, WESTCLIFFE DRIVE (Pages 59 - 72)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

8 PLANNING APPLICATION 14/0375 - 119 NEWTON DRIVE (Pages 73 - 84)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

9 PLANNING APPLICATION 14/0366 - 24 LODGE COURT (Pages 85 - 90)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

10 PLANNING APPLICATION 14/0281 - 20 SANDERSON WAY (Pages 91 - 100)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

11 PLANNING APPLICATION 14/0460 - BAINES ENDOWED C OF E SCHOOL, PENROSE AVENUE (Pages 101 - 108)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

12 PLANNING APPLICATION 14/0275 - 187-197 WATERLOO ROAD (Pages 109 - 122)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

13 PLANNING APPLICATION 14/0514 - 343-347 PROMENADE (Pages 123 - 132)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

14 PLANNING APPLICATION 14/0305 - 115-123 PROMENADE (Pages 133 - 146)

The Committee will be requested to consider an application for planning permission, details of which are set out in the accompanying report.

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Chris Kelly, Senior Democratic Services Adviser, Tel: (01253) 477164, e-mail chris.kelly@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

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Present:

Councillor Owen (in the Chair)

Councillors

Brown
Elmes

Mrs Jackson
Matthews

O'Hara
Smith

Stansfield
Williams

In Attendance:

Karen Galloway, Principal Engineer Transportation
Gary Johnston, Head of Development Management
Chris Kelly, Senior Democratic Services Advisor
Carmel White, Assistant Head of Legal Services

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE MEETING HELD ON 9TH JUNE 2014

It was noted that in item 9 'Planning Application 14/0302 – Land bounded by Fishers lane, Common Edge Road and Ecclesgate Road', it should have read that the Committee considered the application for eight detached dwellinghouses, rather than for six detached dwellinghouses as recorded in the minutes.

Resolved: That, subject to the above amendment, the minutes of the meeting held on 19th June 2014, be signed by the Chairman as a correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

Resolved: To note the Planning/Enforcement Appeals lodged and determined.

Background papers: (1) Letter from the Planning Inspectorate dated 9th June 2014.

(2) Letter from the Planning Inspectorate dated 4th June 2014.

4 PLANNING ENFORCEMENT UPDATE REPORT - MAY

Resolved: To note the outcomes of the cases set out in the report and to support the actions of the Service Manager - Public Protection in authorising the Notices.

5 PLANNING ENFORCEMENT UPDATE REPORT - JUNE

MINUTES OF PLANNING COMMITTEE MEETING - MONDAY, 14 JULY 2014

Resolved: To note the outcomes of the cases set out in the report and to support the actions of the Service Manager - Public Protection in authorising the Notices.

6 PLANNING APPLICATION 14/0460 - BAINES ENDOWED C OF E SCHOOL, PENROSE AVENUE

The Committee considered application 14/0460 for the erection of two single storey extensions to front elevation to enlarge the existing staff-room and media suite and provide additional office space and a first aid room with associated landscaping works at Baines Endowed CofE School.

The Committee considered the application, which was a resubmission of a proposal that the Committee had previously refused on design grounds. It was noted that a number of key changes had been made to the design of the extensions proposed and a meaningful area of landscaping would now be provided at the front of the school to compensate for the loss of the existing trees. However, Members still had concerns regarding the design of the development and considered that a pitched roof rather than the flat roof as proposed, would be more appropriate if possible. It was considered that planning officers should further discuss the design of the proposal with the applicant's agent.

Resolved: That the application be deferred to a future meeting.

Background papers: Applications, plans and replies to consultations upon the applications.

7 PLANNING APPLICATION 14/0302 - LAND BOUNDED BY FISHERS LANE, COMMON EDGE ROAD AND ECCLES GATE ROAD

The Committee considered application 14/0302 for the Erection of eight detached dwellinghouses with associated garages, car parking, landscaping, boundary treatment and vehicular access from Common Edge Road at land bounded by Fishers Lane, Common Edge Road and Ecclesgate Road.

Ms J Briscoe addressed the Committee and spoke in objection to the application, raising concerns regarding the effect on nearby listed building (1 and 2 Fishers Lane).

Mr G Johnston, Head of Development Management, reported to the Committee that the item had been deferred at the last meeting following concerns raised by Members. He advised the committee that the applicant had provided a response to those concerns, details of which were contained with the report.

The Committee considered the response from the applicant to the concerns raised at the previous meeting. The consultation with the Built Heritage Manager was also discussed and Members was considered that there were still serious grounds for concern over the protection of the listed cottages. Members had particular concern that the development would have an adverse impact upon the open setting of the listed cottages, would pose a serious risk to the structure of the cottages and would detract from the character and appearance of the Marton Moss Countryside Area.

Resolved: That the application be refused for the reasons set out in the appendix.

Background papers: Applications, plans and replies to consultations upon the applications.

MINUTES OF PLANNING COMMITTEE MEETING - MONDAY, 14 JULY 2014

Chairman

(The meeting ended 5.45 pm)

Any queries regarding these minutes, please contact:

Chris Kelly Senior Democratic Services Adviser

Tel: (01253) 477164

E-mail: chris.kelly@blackpool.gov.uk

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Application Number: 14/0302 Erection of 8 detached dwellinghouses with associated garages, car parking, landscaping, boundary treatment and vehicular access from Common Edge Road at land bounded by Fishers Lane, Common Edge Road and Ecclesgate Road.

Decision: Refuse

Reasons:

1. The proposed development would have a detrimental impact on the setting of the Listed Cottages in Fishers Lane as it would create a suburban setting which would be at odds with open the rural/agricultural landscape in which the cottages currently sit. This harm would be emphasised by the proximity of the proposed houses to the cottages and the design/appearance of the proposed houses and the layout of the development. The proposed development would therefore be contrary to paras 129, 131-132 of the National Planning Policy Framework, Policy LQ9 of the Blackpool Local Plan 2001-2016 and the Marton Moss Characterisation Study 2009.

2. The proposed development would have a detrimental impact on the character and appearance of the Marton Moss Countryside Area as it would remove open views into that area from Common Edge Road and would lead to an intensification of built form on the eastern side of Common Edge Road. As such the proposed development would be contrary to Policy NE2 of the Blackpool Local Plan 2001-2016

3. The application does not contain sufficient information for the Local Planning Authority to be satisfied that the proposed development would not have an adverse effect on the integrity of the Listed Cottages in Fishers Lane. The proposed development would therefore be contrary to paras 129, 131-132 of the National Planning Policy Framework, Policy LQ9 of the Blackpool Local Plan 2001-2016 and the Marton Moss Characterisation Study 2009.

4. ARTICLE 31 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)

The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors - conflict with the National Planning Policy.

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MINUTES OF PLANNING COMMITTEE MEETING - MONDAY, 14 JULY 2014

Present:

Councillor Owen (in the Chair)

Councillors

Brown
Elmes

Mrs Jackson
Matthews

O'Hara
Smith

Stansfield
Williams

In Attendance:

Karen Galloway, Principal Engineer Transportation
Gary Johnston, Head of Development Management
Chris Kelly, Senior Democratic Services Advisor

Apologies:

Councillors

1 SITE VISITS

1. Baines Endowed C of E
2. Land bounded by Fishers Lane, Common Edge Road and Ecclesgate Road

Chairman

(The meeting ended 4.20 pm)

Any queries regarding these minutes, please contact:
Chris Kelly Senior Democratic Services Adviser
Tel: (01253) 477164
E-mail: chris.kelly@blackpool.gov.uk

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Report to:	Planning Committee
Decision or Item number	3
Relevant Officer:	Gary Johnston, Head of Development Management
Date of Meeting	11 th August 2014

PLANNING/ENFORCEMENT APPEALS DETERMINED/LODGED

1.0 Purpose of the report:

1.1 The Committee is requested to note the planning and enforcement appeals, lodged and determined

2.0 Recommendation(s):

2.1 To note the report.

3.0 Reasons for recommendation(s):

3.1 The Committee is provided with details of the planning and enforcement appeals, lodged and determined for its information.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

None

4.0 Council Priority:

4.1 Not applicable

5.0 Planning/Enforcement Appeals Determined

5.1 673-677 NEW SOUTH PROMENADE, BLACKPOOL, FY4 1RN (13/0797)

Appeal by Mr Paul Manning against refusal of bedroom extension fronting Cardigan Place to provide additional bedspaces. **Appeal allowed.**

Two extensions were largely completed in advance decision being taken by the Planning Committee on 10th March 2014 to grant planning permission for the single front/ side extension with a section of the extension being taken off and the extension re-clad in a more suitable material, ref 13/0796, and the decision to refuse the appeal proposal ref 13/0797 despite the proposed re-cladding of the extension. The reason for refusal was as follows:-

The single storey side extension is, by virtue of its height, projection forward of the building line and proximity to the footpath in Cardigan Place, over-dominant, incongruous and out of keeping with the character of the immediate area. As such the extension is therefore significantly detrimental to the character of the property and the visual amenity of the wider area and is contrary to Policies LQ1, LQ14, RR8 and BH3 of the Blackpool Local Plan 2001-2016.

The main issue considered is the effect of the extension on the character and appearance of the street scene on New South Promenade and Cardigan Place.

The Inspector noted that the hotel has been refurbished to a standard capable of comfortably accommodating disabled guests and carers. The front/ side extension giving improved access and a more comfortable lounge and dining area. The appeal extension is 4.5m deep x 10m long and 3.7 m high and leaves a narrow 1.5m strip to Cardigan Place. The extension accommodates two double bedrooms that combine with two other rooms and en-suites to form a flexible block of fully equipped rooms for disabled guests, some using full bodied wheelchairs, and carers.

He noted that many of the hotels along the two crescents have been extended with a variety of structures, most noticeably at the front and often with significant amounts of glazing, in some cases paying little regard to the often fine and imposing original buildings. A significant number of hotels along NSP are in various stages of disrepair and dereliction and the appeal property stands out due to its refurbished condition.

On both sides of Cardigan Place properties are set back a generous distance and sit on the same building line. This has been breached by the front/ side extension. In the context of the approved extension to appeal proposal is relatively modest in size and scale. The extension follows the building line established by the approved extension and is no more prominent or incongruous. When seen from the Promenade it is relatively insignificant. The extension is not in a particularly sensitive or prominent

location and when seen from Clifton Drive the extension sits in front of the approved extension. The grey cladding draws attention to both extensions. Re-cladding the extension would further minimise any intrusive appearance.

Subject to this change of material and in the context of the approved extension the appeal proposal would not detract significantly from the character and appearance of New South Promenade and Cardigan Place. The appeal decision is however reliant on the extension being re-clad in a colour that matches the main building and a condition is imposed to achieve this.

Does the information submitted include any exempt information?

No

6.0 Planning/Enforcement Appeals lodged

6.1 Land to the rear of 1-7 Broad Oak Lane, Blackpool (13/0604)

An appeal has been lodged by Mr K Beardmore against the Council's refusal of outline planning permission for the erection of seven detached bungalows with associated access road and car parking.

6.2 23 Warbreck Drive, Blackpool (13/0650)

An appeal has been lodged by Mr G Jones against the Council's refusal of planning permission for external alterations including roof lift to existing single storey rear extension, installation of external staircase to rear first floor level and formation of first floor balcony to rear, and use of premises as altered as two self-contained permanent flats.

6.3 18-20 Empress Drive, Blackpool (14/0045)

An appeal has been lodged by Mr A Brooks against the Council's refusal of planning permission for external alterations including reinstatement of ground floor bay windows and the erection of four front dormers and use of premises as altered as 6 self-contained permanent flats with associated boundary treatment, car parking and bin store to rear, following demolition of existing front and rear extensions and outbuildings.

6.4 35 Alconbury Crescent, Blackpool (14/0143)

An appeal has been lodged by Mr K Maine against the Council's refusal of certificate of lawful development proposed for an erection of carport adjacent to Alconbury Crescent elevation of the property.

6.5 Wilkinsons, Dickson Road (14/0423)

An appeal has been lodged by Mrs Michelle Crossley against the Council's refusal of advertisement consent for display of three internally illuminated high level signs and two non-illuminated high level signs to various elevations.

Does the information submitted include any exempt information? No

List of appendices: None

7.0 Legal considerations:

7.1 None

8.0 Human Resources considerations:

8.1 None

9.0 Equalities considerations:

9.1 None

10.0 Financial considerations:

10.1 None

11.0 Risk management considerations:

11.1 None

12.0 Ethical considerations:

12.1 None

13.0 Internal/ External Consultation undertaken:

13.1 None

14.0 Background papers:

14.1 None

Report to:	Planning Committee
Decision or Item number	4
Relevant Officer:	Carl Carrington, Service Manager Built Heritage
Date of Meeting	11 th August 2014

LIST OF BUILDINGS OF LOCAL ARCHITECTURAL AND/OR HISTORIC INTEREST

1.0 Purpose of the report:

1.1 The Committee is requested to consider buildings attached in Appendix 4a for the list of buildings of local architectural and/or historic interest.

2.0 Recommendation(s):

2.1 To approve the proposed list and recommend its adoption by the relevant Cabinet member.

3.0 Reasons for recommendation(s):

3.1 The buildings outlined in the report and appendices meet the criteria for inclusion in the local list.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

Not to adopt the proposed list as detailed in the report and appendices

4.0 Council Priority:

4.1 The relevant Council Priority is “Expand and promote our tourism, arts, heritage and cultural offer”.

5.0 Background Information

5.1 On 2nd November 2011 Executive approval (EX52/2011) was received to create a list of buildings of local architectural and/or historic interest. Local lists are a way of helping conserve buildings of local, rather than national, importance which make a positive contribution to the character of our streets, and the adoption of a local list will assist the Council when it has to make planning decisions. Although local listing will not confer the level of protection of statutory designation, it will be a material consideration when planning permission is sought which might harm a building’s special interest.

5.2 Because of the large number of buildings initially proposed for the local list it has been undertaken in stages, and so far 200 buildings have been formally adopted.

5.3 The proposed list at Appendix 4a is the result of the receipt of historical information which was not available at the time the local list for the Waterloo ward was under consideration.

5.4 Datasheets for all the buildings/structures concerned are also attached for ease of reference at Appendix 4b.

Does the information submitted include any exempt information?

No

List of Appendices:

Appendix 4a: Proposed local list of buildings

Appendix 4b: Datasheets

6.0 Legal considerations:

6.1 Local listing does not change any existing permitted development rights for a property but is considered as a "material planning consideration" that can be included in the decision making process of any application affecting the property. There is no statutory appeals process. Decisions are subject to general principles

7.0 Human Resources considerations:

7.1 The key consideration is the impact on officer time in processing any applications and advising the Council's Development Management Team and Planning Committee. As there could be approximately 250 buildings for potential local listing, this will mean a rise in the number of applications requiring advice from the Built Heritage team but no significant impact on the planning team.

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 Officer time would be required, but it is not envisaged that more than six hours a week would be spent on additional consultations. This can be met within existing resources.

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None.

12.0 Internal/ External Consultation undertaken:

12.1 Expert Panel Review and relevant Area Forum consultation were carried out in advance of the local list being presented to the Planning Committee. Owners have been notified of the decision to recommend the inclusion of their property on the Local List and representations have been received and included in the appendices to this report.

13.0 Background papers:

13.1 Original Assessment Sheets for all properties.

Proposed local list late additions

12 Third Avenue

Waterloo

Cobble wall St. James Road
Cobble wall Sackville Avenue
Cobble wall 573 Lytham Road

Waterloo } Group value
Waterloo } " "
Waterloo

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HISTORIC ASSET RECORD (HAR)
Template version 1.0

TITLE/ADDRESS			Asset number
12 Third Avenue			HA
National Grid Reference	County	District	Ward
331346, 433133	Lancashire	Blackpool	Waterloo
Grade: Local			
Summary of Significance			
Former late 18 th century farmhouse of the Springfield Farm estate			
Historic Asset Description			
<p>Former late 18th century farmhouse c. 1790 of the Springfield Farm estate owned by Edward Pedder of the Preston banking family. Named Springfield House, perhaps because it had a good fresh water supply. Leased by Robert Rawcliffe whose family went on to found the gentlemen's outfitters of the same name. Following Pedder's death in 1835 Rawcliffe bought more than 27 acres of the 100 acre estate. After Rawcliffe's death the estate was slowly sold off and developed into a desirable residential area. A number of sections of cobble wall associated with the estate are extant around Arnold School playing fields.</p> <p>The oldest section of the farmhouse forms the rear block and appears on the 1847 OS map. The current footprint was in place by 1893; there are a couple of small later additions and alterations. The c. 1890 block was constructed across the side elevation late 18th century element so the main elevation faces Third Avenue. Two storeys constructed from brick with mock Tudor detailing to first floor. Symmetrical design with single height canted bay windows either side of a gabled central bay breaking forward. Short red brick chimney stacks at each end of the roof ridge indicate the building's age. Modern single storey extension to south elevation. Set behind modern brick wall in tarmac covered grounds.</p> <p>Despite some changes the site retains high historic interest, and its age and historic use also indicate high archaeological potential.</p>			

HISTORIC ASSET RECORD (HAR)
Template version 1.0



Sources: Alan Stott/Ted Lightbown

Ownership


Management History

Heritage Protection History

Consents and Constraints

Date of decision record entry

HISTORIC ASSET RECORD (HAR)
 Template version 1.0


TITLE/ADDRESS			Asset number HA
Cobble wall, adjacent 43 St James Road			
National Grid Reference 331142, 432955	County Lancashire	District Blackpool	Ward Waterloo
Grade: Local			
Summary of Significance			
Rare surviving boundary wall to late 18 th century Springfield Farm estate			
Historic Asset Description			
<p>Rare surviving section of boundary wall to late 18th century Springfield Farm estate. Seven courses of even-sized cobbles with a band of 3 courses of hand made brick topped by 2 courses of cobbles then 2 courses of brick, some modern replacements in top courses. High historic significance as evidence of the southern boundary of the estate, and local vernacular boundary treatment.</p>			
			
Sources: T. Lightbown			
Ownership			
Management History			
Heritage Protection History			

HISTORIC ASSET RECORD (HAR)
Template version 1.0

Consents and Constraints

Date of decision record entry

HISTORIC ASSET RECORD (HAR)
Template version 1.0

TITLE/ADDRESS			Asset number
Cobble wall, Sackville Avenue adjacent Arnold playing fields			HA
National Grid Reference	County	District	Ward
331199, 432941	Lancashire	Blackpool	Waterloo
Grade: Local			
Summary of Significance			
Rare surviving boundary wall to late 18 th century Springfield Farm estate			
Historic Asset Description			
<p>Rare surviving section of boundary wall to late 18th century Springfield Farm estate. Eight courses of even-sized cobbles with a band of 2 courses of hand made brick topped by 4 courses of cobble. Some brick patching; coping has been rendered. Southerly section appears to be a later addition. High historic significance as evidence of the southern boundary of the estate, and local vernacular boundary treatment.</p>			
			
Sources: T. Lightbown			

HISTORIC ASSET RECORD (HAR)
Template version 1.0

Ownership
Management History
Heritage Protection History
Consents and Constraints
Date of decision record entry

HISTORIC ASSET RECORD (HAR)
Template version 1.0

TITLE/ADDRESS Cobble wall, 573 Lytham Road			Asset number HA
National Grid Reference 331129 432254	County Lancashire	District Blackpool	Ward Waterloo
Grade: Local			
Summary of Significance Rare survival of a vernacular boundary wall and an indication of earlier settlement			
Historic Asset Description Rare survival of a vernacular boundary wall and an indication of earlier settlement. Cobble wall with wide stone capping which curves towards the entrance with stone gate piers. Possibly originally a field boundary associated with former Stony Hill Farm then remodelled for the gentleman's residence Greystones. The house was constructed in 1912 and occupied initially by Dr. A.B. Winder until 1925 when it became the home of Sir William and Lady Cundiff. Sir William was the Lord Mayor of Manchester in 1921-22. By October 1939 the property was empty and it was requisitioned as a "Sick Children's Hospital" for under-nourished children who were evacuated to Blackpool. In 1944 Gresytones was referred to as an "ante-and post-natal hostel". In 1945 it was referred to as an "ex-servicewoman's ante and post-natal hostel". In 1965 it became an extension of adjacent La Sagesse Nursing Home (latterly South Shore Hospital). Greystones was eventually demolished and St Margaret of Clitherow Catholic Church was built on the site. The church was demolished a few years ago, and the site has outline planning permission for housing.			

HISTORIC ASSET RECORD (HAR)
Template version 1.0



Sources: OS maps, trade directories

Ownership

Management History

Heritage Protection History

Consents and Constraints

Date of decision record entry

COMMITTEE DATE: [11/08/2014](#)

Application Reference: 13/0736 and 13/0734

WARD: Talbot
DATE REGISTERED: 11/11/13
LOCAL PLAN ALLOCATION: No Specific Allocation
Defined Inner Area

APPLICATION TYPE: Listed Building Consent
APPLICANT: Thompson Property Investments

PROPOSAL: External alterations including replacement windows and erection of part two-storey, part single-storey rear extension, second floor rear extension including enclosed roof garden following part-demolition of existing single-storey corridor extension, and use of part-ground floor, part- first floor and second floor as altered as five self-contained permanent flats with associated basement cycle storage, rear bin store, landscaping, car parking and boundary treatment (Application for Listed Building Consent).

LOCATION: BLACKPOOL UNITED HEBREW SYNAGOGUE, LEAMINGTON ROAD, BLACKPOOL, FY1 4HD

Summary of Recommendation: Refuse

CASE OFFICER

C Johnson

INTRODUCTION

Applications for Planning Permission (ref 12/0665) and Listed Building Consent (ref 12/0703) for an almost identical development, were submitted in September 2012. Both applications were withdrawn before they could be brought to the Planning Committee following concerns raised by officers, the public and consultees.

This application and a corresponding application for Planning Permission (ref 13/0734) were submitted in November 2013. The applications are identical and the issues and considerations are complex and interlinked. As such, this report covers both applications and will consider both the planning merits of the proposal and impact on the heritage asset (a Grade II Listed Building).

The case officer and the Head of Development Management have had several meetings and discussions with the agent since September 2012, regarding the content of the applications and the level of detail required so that officers, the general public, Members and statutory consultees can make an informed judgement of the benefits of the scheme for the Listed Building and for the public and to weigh any benefits against other planning policy considerations.

Your officers remain concerned that the sufficient public benefit has not been demonstrated through the proposals.

The Council is seeking to designate the area around the Synagogue as a Conservation Area (Raikes Parade Conservation Area) and it is anticipated that the proposed designation will be consulted on later in 2014.

SITE DESCRIPTION

The area around Leamington Road to the south, east and southwest of the synagogue is predominantly residential in character, comprising two-storey detached, semi-detached and terraced properties. To the west there is the former Raikes Parade Methodist Church and the Grade II Listed Citadel. Properties to the north and north-west of the Synagogue are commercial in nature as Church Street forms one of the main arterial roads into the Town Centre.

Leamington Road and the surrounding residential streets are densely developed with small front gardens and red brick facing materials, giving the area a unified character.

The property is within the Defined Inner Area but has no specific allocation under the Blackpool Local Plan 2001-2016.

The Synagogue was erected between 1916-1926 in smooth red brick with ashlar dressings and pantile and lead roofs. The front elevation is a gable end and has a round-arched, coped, low parapet behind which rises a small octagonal dome. Built in Byzantine style with a combination of architectural elements such as Art Nouveau and Edwardian, the building has stained glass throughout depicting scenes from the Torah and commemorative dedications.

The building was extended in the 1950s and the 1960s to accommodate a growing congregation and to provide ancillary facilities such as a kitchen, meeting rooms and classrooms.

Internally, the main worship space is largely intact with the pews and the gallery/decorative balustrade (for female worshippers) and other features associated with Jewish worship remaining in their original context. A stained glass lantern remains within the vaulted ceiling but this has been covered over externally. In the basement there is an original Mikveh for ritual bathing in working order which is rare to find in synagogues.

A dwarf wall constructed of matching bricks surrounds the site. To the rear there is access to a service alley which runs between Leamington Road and Church Street.

The building is in poor condition with windows and lintels requiring urgent repairs. Some of the stained glass has slumped and is bowing and damaged, blocked or missing rainwater goods have led to brick staining and damp ingress.

The synagogue was given a Grade II Listed status in August 1998 and was deconsecrated on 13th May 2012 and is on the Heritage at Risk register.

DETAILS OF PROPOSAL

The proposal involves the segregation of the 1955 and 1967 extensions at the rear from the front original worship space and the conversion of the rear extensions into five self-contained flats, each with two bedrooms. External alterations would include replacement

windows and erection of a part two-storey, part single storey rear extension, a second floor rear extension including an enclosed roof garden following part demolition of an existing single storey corridor extension.

Each flat would have two bedrooms and access to the roof garden. Refuse storage would be provided at the rear and cycle storage would be provided in the basement. There would be two off street parking spaces at the rear accessed off the rear service alley.

The resulting synagogue worship space would be reduced in size to its original footprint and would be serviced by an office, a small meeting room, kitchen and WCs.

The application is accompanied by a Design and Access Statement, a Conservation Options Appraisal and Risk Assessment and Management Plan and a Statement of Significance which includes a Condition Report and Heritage Impact Assessment.

The Committee will have visited the site on 11th August 2014.

PLANNING HISTORY

9234 Construction of classrooms and alterations. Refused 20/04/1954
9506 Erect classrooms to synagogue. Granted 1954
26902 Construction of alterations and extensions. Granted 07/08/1963
33438 Erect more synagogue accommodation. Refused 26/07/1966. Appeal dismissed 08/08/1967
12/0665 External alterations including replacement windows and erection of part two-storey, part single-storey rear extension, second floor rear extension including enclosed roof garden following part demolition of existing single-storey corridor extension, and use of part-ground floor, part first floor and second floor as altered as five self-contained flats with associated basement cycle storage, rear bin store, landscaping, car parking and boundary treatment. Planning application withdrawn 14th May 2013.
12/0703 External alterations including replacement windows and erection of part two-storey, part single-storey rear extension, second floor rear extension including enclosed roof garden following part demolition of existing single-storey corridor extension, and use of part-ground floor, part first floor and second floor as altered as five self-contained flats with associated basement cycle storage, rear bin store, landscaping, car parking and boundary treatment. Listed building consent application withdrawn 14th May 2013.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle of development
- Impact on the Grade II Listed Building
- The amenity of future occupants

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

CONSULTATIONS

English Heritage:

11th December 2013 - The application appears to be identical to a previous application (application no. 12/0703) in response to which we provided advice letters dated 12th

October 2012 and 27th February 2013. The application relates to the grade II listed Synagogue and proposes to sub-divide the site, with residential apartments to the rear and the Synagogue remaining in a smaller footprint to the front of the site. The existing 1950s rear gallery within the Synagogue would be removed to increase the floorspace available for the apartments. Our principal concern with the previous application related to the lack of integration of the Synagogue with the remainder of the site and the potentially negative impact that the reduced floor area and adjoining residential use could have on the ability to secure a long term use for the Synagogue, the future use of which did not seem to have been considered within the proposed development.

The current application does not appear to address this issue or provide evidence that all other reasonable alternatives have been considered. We do not believe that the proposals would sustain or enhance the significance of the heritage asset, as required by the National Planning Policy Framework (paragraph 131), or secure a viable use for the heritage asset that would be consistent with its conservation. The proposals could cause harm to the heritage asset (NPPF paragraph 134) and it is not clear that the application would create any genuinely public benefits that would outweigh the harm.

Therefore we cannot support the above applications and recommend that consent is refused.

Following the submission of additional information in respect of the application, English Heritage was reconsulted and has made the following comments;

14th April 2014 - The application represents a revision to a previous application (no. 12/0703) for the subdivision of the rear part of the synagogue to provide a two storey residential development. Our letter, dated 27th February 2013, provided advice in relation to the previous application. The revised application is supported by a more thorough assessment of significance which sets out the impacts of the proposed scheme. It is clear that the proposals would harm the national significance of the grade II listed synagogue. The degree of harm appears to be less than substantial (NPPF 134) and accordingly the local planning authority should weigh the harm against any public benefits to be gained from the project, including securing the optimum viable use. The application refers to the National Planning Policy Guidance in this respect, however it is not clear how the current proposals would secure the optimum viable use for the synagogue. The application has offered to remove significant windows, undertake a schedule of repairs and record the interior through a series of planning conditions, should the application be approved. However there is no guarantee that a new viable use will be secured for the synagogue. We remain concerned that the proposed subdivision could represent a short term approach to redeveloping the rear part of the site while potentially compromising the ability to secure a new use for the synagogue itself. Therefore we are unable to support the revised application. If the local planning authority weigh the public benefits in favour of the current application we strongly recommend that conditions are attached requiring the proposed schedule of repairs to be implemented prior to the commencement of the residential development to the rear (NPPF 136) and that the applicant enters into a planning agreement with respect to achieving a viable new use, and on-going maintenance, of the synagogue.

If your authority is minded to grant consent, you should notify the Secretary of State of this application in accordance with Circular 08/2009.

Director of Jewish Heritage:

A comparison of the amended proposals with the original proposal, does not reveal any appreciable difference in the approach adopted: namely physically to separate the synagogue from the proposed redevelopment of the communal hall and rear of the site as flats. This intention is made clear by the on-going attempt to dispose of the synagogue itself on the open market (asking price: £130,000).

Given that a year has elapsed since the original application was submitted, we are prepared to countenance approval for the redevelopment of the hall and rear of the site as flats to go ahead on condition that:

1. Immediate action is taken to rectify the increasingly neglected state of the site (apparent at our last site inspection in August 2013). The appearance of the front yard and garden area to the side of the synagogue, and the overgrown, unkempt hedge, is inviting undesirable activity, leading to objections from neighbours. The following steps should therefore be taken:

a) Gardening - especially cutting the privet hedge down low enough so that passers-by can see over the top.

b) Rubbish clearing of fly tipping (a mattress), accumulation of beer cans and hypodermic needles.

c) Erection of temporary fencing to block off from trespassers and abuse the exposed side elevation and frontage of the synagogue.

2. Repairs to the synagogue, including roof, dome, rainwater goods, boundary walls and interior, are carried out according to a pre-agreed schedule of works before the construction of the flats takes place.

3. All repair/ replacement of original fabric must be 'like for like' e.g. replacement of lost rainwater goods in iron not upvc.

4. The synagogue prayer hall is withdrawn from commercial sale separately from the rest of the site and renewed efforts are made to find a suitable new user. We strongly favour retention of the synagogue in use as a place of worship, preferably by a Jewish community, perhaps of another denomination or, by another faith group in the town, with appropriate liturgical changes made subject to Listed Building Consent.

5. An 'enabling development' type arrangement is created whereby some of the income generated from the residential development would assist in the upkeep of the synagogue space. A leasehold or tenancy arrangement for the new user of the synagogue, rather than its outright sale, would be most likely to guarantee its long-term maintenance.

Built Heritage Manager:

I am concerned about the proposal to sell off the front section of the building and develop the rear in isolation. The reason I initially supported the proposal was as a scheme of enabling development to secure funding for the full repair of the main building. Unless the work is undertaken holistically as envisaged, the future of the main worship space will be seriously compromised and I would, therefore, recommend that the application is refused. If the developer presents a proposal which includes an undertaking to repair the synagogue, preferably having secured an end use(r), then I would be happy to re-negotiate. I also believe that steps should be taken if possible to make sure the whole building is kept in single ownership so that future maintenance of the synagogue can be secured.

County Archaeologist:

The Conservation Plan has identified the following elements of the building as being of exceptional significance with a very low capacity for change:

Exterior - the Leamington Road facade and the Laneway facade

Interior - Mikveh, the Main Prayer Room of 1916 synagogue and the Upper Gallery (1916)

These elements should remain unaltered in any proposals, and that consideration also be given to the retention of the rear of the Main Prayer Room (of exceptional significance but considered to have a low capacity for change). It should also be noted that the stained glass windows depicting scenes of the Torah are considered to be of a high quality and merit retention within the building.

Consequently should the Council be minded to grant planning permission to this, or any other revised scheme, LCAS would recommend that mitigation of the impact of the proposals in the form of a detailed archaeological record of the building be undertaken, and that such work be secured by means of the following condition:

No works shall take place on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out 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 archaeological/historical importance associated with the buildings.

Such a recommendation is in accordance with National Planning Policy Framework, para. 141 – Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.

Blackpool Civic Trust:

Object to the proposals.

Head of Transportation:

Two parking spaces proposed for five flats are considered sufficient in principle. However, these parking spaces only relate to part of the site and no reference is made to car parking provision for the remainder of the site and if this will continue to be a place of worship. Furthermore, the two car parking spaces proposed will be difficult to access due to the narrow width of the rear street (approximately) 4m and parking on the opposite side of the back street associated with the commercial premises on Church Street, where vehicles overhang the highway. Therefore the proposed parking would not meet standards for the use of the entire premises. The rear street has alley gates installed to improve home safety and reduce the risk of intrusion by unwanted visitors. Other benefits can be associated with alley gates. Future occupiers using the parking area on a regular basis will have to continuously open the gates and may forget to close these. The gates are open during the working day to allow access to the rear parking spaces for the commercial premises but could be left open at all times to allow access to these premises and continued access could lead to unsociable behaviour in the area.

PUBLICITY AND REPRESENTATIONS

Press notice published: 5th December 2013
Site notice displayed: 2nd December 2013
Neighbours notified: 25th November 2013

An objection has been received from 10 Leamington Road. The objection is summarised below:

- There is very little or no difference between these and the previous plans.
- I feel that the proposal for five flats is an over development of the confined plot.
- Assuming that each flat occupant will have one vehicle but if a family, more likely two vehicles, this will give severe problems regarding parking as Leamington Road is a residential parking area and is extensively used and on most days it is difficult for us to find a parking space.
- The proposed access to this development is a very narrow one way street and refuse collection will be difficult and a lot of household rubbish will be generated.
- The proposal has not taken into consideration the integrity of the rest of the existing building which is classified as a grade II listed building.

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) came into force in March 2012 and constitutes guidance for local planning authorities and decision-takers as a material consideration in determining applications.

The core planning principles in the NPPF include:

- local authorities always seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- local authorities should encourage effective use of land by reusing land that has previously been developed provided that it is not of high environmental value.
- local authorities should conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations.
- local authorities should deliver sufficient community and cultural facilities and services to meet local needs.

National Planning Policy Framework Part 6 - Delivering a wide choice of quality homes.

To boost the supply of housing, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements.

National Planning Policy Framework Part 7 – Requiring good design.

Good design is a key aspect of sustainable development which is indivisible from good planning and should contribute positively to making places better for people.

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.

National Planning Policy Framework Part 8 – Promoting healthy communities.

The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Planning decisions should aim to achieve places which promote opportunities for meetings between members of the community who might not otherwise come into contact with each other. To deliver the social, recreational and cultural facilities and services the community needs, planning decisions should plan positively for the provision and use of shared space, community facilities (such as meeting places, cultural buildings and places of worship) and other local services to enhance the sustainability of communities and residential environments.

National Planning Policy Framework Part 12 - Conserving and enhancing the historic environment.

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on its significance.

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 positive contribution that conservation of heritage assets can make to sustainable communities including economic viability; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

NATIONAL PLANNING PRACTICE GUIDANCE.

Paragraph 14 states that Disrepair and damage and their impact on viability can be a material consideration in deciding an application. However, where there is evidence of deliberate damage to or neglect of a heritage asset in the hope of making consent or permission easier to gain the local planning authority should disregard the deteriorated state of the asset.

Paragraph 15 states that it is important that any use is viable, not just for the owner, but also the future conservation of the asset. It is obviously desirable to avoid successive harmful changes carried out in the interests of repeated speculative and failed uses. If there is only one viable use, that use is the optimum viable use. If there is a range of alternative viable uses, the optimum use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes. The optimum viable use may not necessarily be the most profitable one.

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 Development
LQ2	Site Context
LQ3	Layout of Streets and Spaces
LQ4	Building Design
LQ6	Landscape Design and Biodiversity
LQ8	Energy and Resource Conservation
LQ9	Listed Buildings
HN4	Windfall Sites
HN5	Conversions and Sub-divisions
HN6	Housing Mix
HN7	Density
BH3	Residential and Neighbour Amenity
BH10	Open Space in New Housing Developments
BH21	Protection of Community Facilities
NE10	Flood Risk
AS1	General Development Requirements
PO1	Planning Obligations

Supplementary Planning Document 'New Homes from Old Places' March 2011 (New Homes SPD)

This document outlines the floorspace and amenity standards for conversions (principally though not exclusively of guesthouse and hotels) to provide residential accommodation and was subject to consultation prior to its adoption.

Assuming the principle of residential accommodation is acceptable, the key components relevant in this case are:

- Outlines the dwelling sizes and rooms' sizes for conversions/subdivisions.
- Outlines amenity space/ car parking/ cycle and refuse storage requirements.
- Give best practice guidelines to raise the quality of homes

EMERGING PLANNING POLICY

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16th June 2014 and by the full Council on 25th June 2014. The document was published for public consultation on 4th July 2014 for a period of eight weeks. Once this consultation period has closed, the intention is that the document will be

submitted for consideration by an independent Planning Inspector through an Examination in Public in 2015.

The Proposed Submission has been informed by up-to-date evidence, including a new Fylde Coast Strategic Housing Market Assessment 2013 (SHMA), which provides an up-to-date assessment of housing needs for Blackpool and the Fylde Coast, and a 2013 Strategic Housing Land Availability Assessment (SHLAA) Update. The housing figure in Policy CS2 has been revisited in order to consider the SHMA outcomes as well as other evidence, including the alignment of housing growth to economic prosperity and the level of housing considered realistic to deliver in the Borough. The 2013 SHLAA Update demonstrates a five-year housing supply in accordance with the requirements of the NPPF.

Policies in the Proposed Submission which are most relevant to this application are:

- CS2 Housing Provision
- CS7 Quality of Design
- CS8 Heritage
- CS9 Housing Mix, Density and Standards
- CS15 Health and Education

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

OTHER RELEVANT DOCUMENTS

Office for National Statistics – A Profile of Deprivation in Larger English Seaside Destinations 2007 and 2010, 21st August 2013.

- Using the Indices of Deprivation, the three most deprived seaside destinations analysed (out of the largest 57) include Blackpool along with Skegness and Clacton and Blackpool was found to be the most deprived in the study.
- The average Lower Super Output Area rank in England is 16,320 and Blackpool's average is 7,159. Blackpool has the highest average deprivation levels of the three seaside locations.

The Centre for Social Justice – Turning the Tide, Social Justice in Five Seaside Towns August 2013.

- This document offers a glimpse of how social breakdown has affected communities in seaside towns. Benchmarking studies from 2008 and 2010 showed that seaside towns are more disadvantaged than England as a whole when judged against a range of criteria. High unemployment, entrenched generational unemployment, lack of aspiration, poor educational attainment, high rates of teenage pregnancy, high levels of lone parent families, more children in care, low property costs, high levels of substance abuse and anti-social behaviour are typical in seaside towns.
- The stagnation that a depleted economy and a low skills base has meant that the price of property has plummeted as demand has fallen. Buildings formerly used as tourist accommodation and small businesses have been turned into extremely cheap and overcrowded housing. This has served to turn some seaside towns into veritable dumping grounds for groups with social problems such as care leavers, people with substance abuse problems, mental health issues and ex-offenders, for whom placing authorities can easily find low-cost accommodation. As this happens, towns develop a high density of needs that places greater and greater strain on public services and risks

increasing the vulnerability of these already vulnerable groups. These negative spiral, whereby disadvantage attracts and perpetuates further disadvantage, and the forces currently undermining many seaside towns.

- Blackpool is the ninth most deprived local authority in England with an increase in overall deprivation of a marked 17% since 2007.

English Heritage - Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment (2008).

This document sets out a logical approach to making decisions and offers guidance about England's historic environment and includes guidance on conservation principles, understanding values, assessing heritage significance, managing change, appropriate routine management and maintenance, renewal, repair and restoration.

Changes which would harm the heritage values of a significant building should be unacceptable unless:

- the changes are demonstrably necessary either to make the building sustainable, or to meet an overriding public policy objective or need;
- there is no reasonably practicable alternative means of doing so without harm;
- that harm has been reduced to the minimum consistent with achieving the objective;
- it has been demonstrated that the predicted public benefit decisively outweighs the harm to the values of the building, considering its comparative significance, the impact on that significance and the benefits to the building itself and/or the wider community or society as a whole.

Enabling development to secure the future of a significant building should be unacceptable unless:

- it will not materially harm the heritage values of the building or its setting
- it avoids detrimental fragmentation of management of the building;
- it will secure the long term future of the building and, where applicable, its continued use for a sympathetic purpose;
- it is necessary to resolve problems arising from the inherent needs of the building, rather than the circumstances of the present owner, or the purchase price paid;
- sufficient subsidy is not available from any other source;
- it is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the building, and that its form minimises harm to other public interests;
- the public benefit of securing the future of the building through such enabling development decisively outweighs the disbenefits of breaching other public policies.

English Heritage - Enabling development and the conservation of significant places (2008).

Enabling development is development that would be unacceptable in planning terms but for the fact that it would bring public benefits sufficient to justify it being carried out, and which could not otherwise be achieved. The key public benefit to significant buildings is usually the securing of their long-term future. To minimise the need for enabling development, local authorities should monitor the condition of their significant buildings and where necessary use their statutory powers to limit deterioration.

Understanding the nature and significance of the building is fundamental to any decision about its future, and needs to develop in parallel with the evolution of proposals. Assessment is ideally an interactive process between planning authority and applicant, but it should also involve the communities who may be affected by the development. Uses or

management strategies must not only be compatible with the historic form, character and fabric of the building, but be financially viable. This means either that the building must have a positive market value on completion of repair and return to beneficial use, or there must be clarity about who will take responsibility for it in the long term. A solution that does not provide the means of meeting recurrent costs that cannot be generated by the building itself is no solution at all. If fragmentation of ownership is unavoidable, an overall management plan should be put in place.

Success depends on the benefits of the proposal being properly secured. Legally enforceable arrangements must be put in place to ensure that the commercial element of the development cannot be carried out or used until the heritage benefits have first been delivered, or there is a bond in place to ensure performance. This will normally require a 'section 106 agreement', which, where appropriate, should also secure management arrangements to protect the significance of the building in the long term.

ASSESSMENT

Principle of flat development

The Defined Inner Area of Blackpool is amongst the most deprived areas in the Country. The synagogue is in the Defined Inner Area and within Talbot Ward and each ward in the town is subdivided into Lower Super Output Areas (LSOA). The synagogue is within Lower Super Output Area Blackpool 010C.

According to the English Indices of Deprivation 2010, this particular area of Blackpool is one of the most deprived in England and has an Index of Multiple Deprivation rank score of 60 (out of 32,482 Lower Super Output Areas) putting it in the highest one per cent (0.1 per cent) of deprived areas Nationally (LSOA 010C). This is the case across a number of areas including health, employment, crime and living environment. High deprivation levels are typical in densely developed areas and can be directly attributed to a lack of housing choice and an oversupply of small flat accommodation.

In the 2007 English Indices of Deprivation this area of Blackpool had a Multiple Deprivation Rank Score of 51 (out of 32,482 LSOAs) so this area is slightly less deprived in 2010 compared to the 2007 figures (although still in the top 0.1 per cent of most deprived areas). However, in most other areas of Blackpool there has been significant downward trend and levels of deprivation in 2010 are significantly more than in 2007 across the town and this is particularly harmful within the Defined Inner Area.

In terms of the supply of flat accommodation, in the Defined Inner Area, 49.5 per cent of the housing stock is made up of flats compared to 24.8 per cent across Blackpool and 22.1 per cent nationally. However, in LSOA 010C, 59 per cent of the housing stock is made up of flats which is significantly higher than the average for the rest of the Defined Inner Area.

The presumption against additional flat accommodation in the Defined Inner Area and specifically in LSOA 010C was recently supported at an appeal against the refusal to grant planning permission for 225 Church Street to be used as two flats (reference 13/0400).

The 2013 Strategic Housing Land Availability Assessment (SHLAA) Update demonstrates a five-year housing supply in accordance with the requirements of the NPPF. The synagogue has no specific allocation in the Blackpool Local Plan 2001-2016 but 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. This assessment demonstrates an adequate housing supply from more suitable sites elsewhere in the town, therefore the additional five flats proposed in this location are not required to help meet Blackpool's housing requirements in the Core Strategy Proposed Submission, nor is there a need to provide more flats in this area although it is acknowledged that the flats would all be two bed rather than one bed.

Paragraphs 14 and 47-49 of the National Planning Policy Framework and its guidance states that planning should deliver a wide choice of quality homes and create sustainable, inclusive and mixed communities (paragraph 50) and should always seek to secure high quality design and a good standard of amenity for occupants of buildings (paragraph 17), refuse development which fails to take opportunities available for improving the character and quality of an area and the way it functions and should enhance and improve the places in which people live their lives. In this regard, the policies of the Local Plan relating to achieving a more balanced and healthy local communities in Defined Inner Area and to ensuring adequate standards of amenity are consistent with the National Planning Policy Framework.

There needs to be a careful balance between the most efficient use of land and problems arising from the town's already intensively built up Defined Inner Area. The continuing contraction of the stock of holiday accommodation has led to a large amount of low standard accommodation in the Defined Inner Area. Despite efforts by the Council in recent years to tackle this issue, the Defined Inner Area continues to decline (deprivation levels have increased by 17 per cent since 2007). It is therefore vital that there is careful control over the amount of new flat accommodation created in the Defined Inner Area and that Local Plan Policies are consistently applied and local over-concentrations of flat accommodation are assessed by looking at the most up to date Census and deprivation data and against the most up to date Policy guidance.

The synagogue was never intended for residential use and it does not lend itself to a straight forward conversion. Notwithstanding the issues arising from the building's grade II listed status, the provision of additional flats in the Defined Inner Area, particularly where extensions are required to facilitate the flat development, is not considered acceptable in principle unless there are overriding considerations or public benefits in allowing such development. Without the necessary assurances regarding the future use, maintenance and restoration of the whole building, the proposal is considered to be contrary to Policies LQ1, LQ2, LQ14, HN4, HN5 and HN6 of the Local Plan and Part 12 of the National Planning Policy Framework.

Furthermore, the synagogue is a community facility which as a result of this development, would be significantly reduced in size and would as a result lose some of the community space and supporting ancillary rooms. It has not been demonstrated that there is no longer a need for the facility or its alternative use to meet other community needs and as such it would be contrary to Policy BH21 of the Local Plan.

The English Heritage 'Enabling Development' document referred to above and paragraph 140 of the NPPF suggest that there may be a case to go against the Defined Inner Area policies if the conversion of the rear of the building and extensions to provide flats proved to be enabling development where the public benefits would outweigh the concerns of providing additional flat accommodation in the Defined Inner Area. The applicant would have to demonstrate that the building would be sensitively repaired/restored in a timely manner, the sub-division of the building would not reduce the significance of the space and

that conversion would allow the building, especially the main worship space to be brought back into its optimum viable use, without the ancillary rooms to the rear. This will be discussed later in the report.

Impact on the Grade II Listed Building

The historic environment provides a tangible link with our past and contributes to our sense of national, local and community identity. It also provides the character and distinctiveness that is so important to a positive sense of place. The synagogue is unique in Blackpool and tells of the story of changing demographics in the town as well as being an attractive building which is part of a wider group including the Grade II Listed Citadel and the former Raikes Parade Methodist Church across the road.

The Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant Listed Building Consent for any works the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Re-using places of worship has always been difficult and contentious and given the limited number of synagogues compared to churches and chapels, emphasises the significance of synagogues and hence appropriate and sympathetic changes are rarer and potentially more challenging.

The Leamington Road synagogue is one of approximately 45 listed synagogues in England and is one of six synagogues on the Synagogues at Risk Register. This has highlighted the application to both Jewish Heritage UK and English Heritage who have both raised concerns about the impact of the proposed development on the future viability of the building for appropriate uses that do not harm its character and significance.

A document named Conservation Options Appraisal, Risk Assessment and Management Plan by John Sommers (September 2013) has been submitted with the applications. This document identifies the Prayer Hall as being an internationally significant space, both the Leamington Road elevation and the side elevation as being of national significance along with all of the stained glass on all elevations. This document also identifies the entire building as having regional significance in terms of its association with the growth of the Jewish community in Blackpool and in terms of the evolution of the Synagogue.

The proposals to create the flats include inserting a floor to create a second storey, erecting an extension on the roof to provide an access staircase to the second floor flat, the demolition of a two-storey side/rear extension and the erection of a two-storey side/rear extension, window insertions at second floor on the west elevation and various window insertions on the east elevation. A balustrade would be erected on the rear flat roof to provide amenity space and a dividing wall would be erected internally across the main worship space to separate the flats from the original 1916 worship space. It is not clear which of the stained glass windows would be replaced but the plans indicate clear glazing throughout. Supporting documents confirm the stained glass should be retained but nowhere in the application does it state that they would be retained or if replaced, what would replace them. The application forms suggest a mixture of timber and uPVC frames. This is a significant level of intrusion on the historic building, its use and its layout.

With regards to the loss of part of the rear of the synagogue, including class rooms, meeting room, upper gallery and ground floor gallery, the John Sommers document confirms that the subdivision of the rear of the building into apartments would result in a loss of connectivity between the main prayer room and classrooms and that this will have a negative impact upon the significance of the building and confirms that the plans regarding the stained glass windows in the rear section are unclear but that the stained glass is a very significant component of the building and its preservation is paramount.

In the basement there is a rare example of a Mikveh (a ritual bath where members of the congregation would have been fully immersed to achieve ritual purity) and the plans show the Mikveh retained.

The greatest threat to this building is redundancy and the proposed separation of the main synagogue could permanently undermine the viability of securing a new and sustainable use for the remainder of the synagogue. The large worship space must retain the physical internal features such as the pews but would have few ancillary/ supporting rooms which may make the building unattractive for alternative assembly uses.

The current proposals do not offer the long term security required for the most significant parts of the building and do not qualify as 'Enabling Development'. It has not been demonstrated that developing the rear of the property would generate sufficient income to allow investment in the condition of the whole building to the levels required to offer long term security and of a quality conversant with the conversion of a listed building.

The building has seen very little in terms of basic maintenance in recent years and the condition of the building is visibly deteriorating. In some areas, timber frames around stained glass windows have been lost and stained glass is slumped against protective plastic coverings.

A list of required repair works to the main building has been supplied, but these works involve basic repair which property owners would be expected to undertake in normal circumstances and in any case, no commitment, costings or timescale for completing the works has been submitted. It is not considered that the proposals do not offer sufficient public benefit that would outweigh the risk of longer term deterioration or incremental erosion of significance or which would over-ride the concern in principle regarding the provision of five additional flats in the Defined Inner Area where there is a demonstrated over-concentration of such accommodation.

Members will be aware that Jewish Heritage could support the proposal in principle subject to a number of caveats but that English Heritage and your Built Heritage Manager remain concerned that the proposals would leave a smaller 'synagogue' with no certainty of securing a viable use for this reduced space. Furthermore, the increasingly dilapidated condition of the building is not facilitating any pursuit of an end-user and long term viable use due to the increasing magnitude of the works required to make the building watertight and usable.

In this respect, the proposal is considered contrary to Policies BH21, LQ1, LQ2 and LQ9 of the Blackpool Local Plan 2001-2016 and Part 12 of the National Planning Policy Framework.

The amenity of future occupants

The flats would comply with the "New Homes from Old Places" Supplementary Planning Document in terms of floorspace standards and the proposal includes provision of shared outdoor amenity space and cycle and refuse storage. However, the lounges would have a poor outlook over side/ back alleys, over the rear garden of an adjoining property or no outlook due to the presence of stained glass windows. It has been suggested that some of the stained glass windows could be removed and used in other synagogues elsewhere although no definite details have been provided. However, the windows have high amenity and heritage value and should be retained in situ or displayed/incorporated into the synagogue in a different location.

The stained glass on the west elevation in what is now the extension to the worship space should be retained due to the similar architectural design of this extension to the original elevation. This would mean future occupiers of one of the ground floor units having no outlook from the main living area and at first floor, one of the lounges would have little natural daylight due to the east facing orientation of the window and the close proximity of the rear elevation of the proposed extended synagogue.

In this respect, the proposal is considered to be contrary to Policies LQ1, LQ14 and BH3 of the Blackpool Local Plan 2001- 2016 and Parts 6 and 7 of the National Planning Policy Framework.

Parking and Servicing Arrangements

The synagogue is within a short walking distance of the Town Centre and Whitegate Drive which reduces the need for on site car parking provision. Two parking spaces would be provided to the rear and there would be ample cycling storage.

There would be no off-street parking spaces for the front part of the synagogue and on-street parking in the area is restricted to resident permit holders only. However, given the close proximity of the property to public transport routes on Whitegate Drive and Church Street, it is considered that there are no accessibility issues which would justify refusing the planning application.

CONCLUSION

The planning application is for flats for which there is no pressing need in the town, which require extension to make them workable and which do not have the best outlook/aspect and which would have an impact on the listed synagogue without sufficient benefits to the Listed Building or to the public. In fact the proposal may harm the long term future and viability of the whole building. It is considered that the applications conflicts with the National Planning Policy Framework and policies in the Local Plan and this view is reinforced by statutory and non statutory consultees responses

For the reasons outlined above, it is considered that the proposals are contrary to Policies LQ1, LQ2, LQ9, LQ14, HN4, HN5, HN6, BH3 and BH21 of the Blackpool Local Plan 2001-2016, parts 6, 7, 8 and 12 of the National Planning Policy Framework.

English Heritage has objected to the proposals and so should the Planning Committee be minded to approve these applications, the applications would need to be referred to the

Secretary of State. The Secretary of State may, within the period of 28 days from the date of notification, direct that the application be referred to him for his own determination (Circular 08/2009 Arrangements for handling heritage applications – Notification to the Secretary Of State (England) Direction 2009).

13/0736: Refusal Recommended

- 1 The proposed extensions and alterations would be detrimental to the significance of the Listed Building and would compromise the future optimum viable use of the synagogue as a community asset. The proposal fails to demonstrate that there would be appropriate repair, restoration and maintenance programme for the building which would constitute enabling works which may overcome other Policy issues and hence the proposal is contrary to Policies BH21, LQ1, LQ2, LQ9 and LQ14 of the Blackpool Local Plan 2001-2016.

13/0734: Refusal Recommended

- 1 The proposed extensions and alterations would be detrimental to the significance of the Listed Building and would compromise the future optimum viable use of the synagogue as a community asset. The proposal fails to demonstrate that there would be appropriate repair, restoration and maintenance programme for the building which would constitute enabling works which may overcome other Policy issues and hence the proposal is contrary to Policies BH21, LQ1, LQ2, LQ9 and LQ14 of the Blackpool Local Plan 2001-2016.
- 2 The proposals would further intensify the over-concentration of flat accommodation in the Defined Inner Area, which would conflict with wider efforts for the comprehensive improvement of the neighbourhood as a balanced and healthy community. As such, the proposals would be contrary to Policies HN5 and HN6 of the Blackpool Local Plan 2001-2016.
- 3 The proposals would result in an unacceptable standard of residential accommodation by virtue of poor outlook and low levels of sunlight and would therefore be significantly detrimental to the residential amenities of future occupiers of the flat accommodation. As such the proposals would be contrary to Policies LQ14, HN5 and BH3 of the Blackpool Local Plan 2001-2016 (and the Council's approved Supplementary Planning Document - New Homes from Old Places).
- 4 The proposals would result in the significant loss of floorspace of this community facility and the applicant has failed to demonstrate that there is no longer a need for this floorspace or its alternative use to meet other community needs and the proposals would therefore be contrary to Policy BH21 of the Blackpool Local Plan 2001-2016.

ARTICLE 31 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)

The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors which conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan 2001-2016 which justify refusal.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

It is normal practice with 'enabling development' for a Draft Section 106 Agreement to be submitted detailing what works will be undertaken, how the works will be undertaken and when it will be undertaken in terms of securing the future of the Listed Building. To date no Draft Section 106 Agreement has been submitted

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: Refuse

Conditions and Reasons

1. The proposed extensions and alterations would be detrimental to the significance of the Listed Building and would compromise the future optimum viable use of the synagogue as a community asset. The proposal fails to demonstrate that there would be appropriate repair, restoration and maintenance programme for the building which would constitute enabling works which may overcome other Policy issues and hence the proposal is contrary to Policies BH21, LQ1, LQ2, LQ9 and LQ14 of the Blackpool Local Plan 2001-2016.

2. **ARTICLE 31 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)**

The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors which conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan 2001-2016 which justify refusal.

Advice Notes to Developer

Not applicable

COMMITTEE DATE: [11/08/2014](#)

Application Reference: 14/0465

WARD: Layton
DATE REGISTERED: 25/06/14
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission
APPLICANT: Minotaur Group

PROPOSAL: External alterations include two new doors to rear and provision of eight car parking spaces to rear and use of ground floor as altered as retail unit (Use Class A1)

LOCATION: LAYTON INSTITUTE, WESTCLIFFE DRIVE, BLACKPOOL, FY3 7HG

Summary of Recommendation: Refuse

CASE OFFICER

C Johnson

INTRODUCTION

Although lacking the statutory protection of formal designation, recognition that a heritage asset has local significance through a process of local listing is a material consideration in determining planning applications. The Council seeks to protect locally listed buildings from demolition, unsympathetic alteration or extension and harm to their setting. The Layton Institute including the bowling green is on the local list for its local historical significance and group value in the streetscene.

Local listing criteria which have been suggested by English Heritage (EH) are age; rarity, aesthetic or design merit; group value; archaeological interest; historical association; landmark status; social value; documentation. These also incorporate elements from the conservation principles set out by English Heritage in its 2008 guidance.

The Layton Institute is one of Blackpool's best known social clubs and has played host to famous acts including Paul O'Grady also known as Lily Savage, Joe Longthorn, the Nolans and Matt Munro. The first floor concert venue holds weekly gigs on Friday and Saturday nights from live bands, comedians and tribute acts and is also used for charity events and fitness classes etc. The club closed its door temporarily for just over a month in August 2012 but re-opened in September 2012.

A planning statement supporting the application states that the working men's club (a Class D2 assembly and leisure use) is now a public house (Class A4 drinking establishment) since the re-launch in 2012. However, such a change of use would require planning permission and no planning application to use the premises as a Class A4 public house has been made. It is stated that the property is now accessible to all (suggesting that it's no longer a members only club), but this does not automatically mean that a change of use to a public

house has occurred and it is considered that the property is still a D2 assembly and leisure use. In any case, this change has only taken place since 2012 and so has not become lawful.

An outline planning application for the erection of five, two-storey dwellinghouses with associated car parking and access from Granby Avenue (reference 14/0467) is reported elsewhere on the agenda.

SITE DESCRIPTION

The Layton Institute is red brick building with white terracotta dressed bays and decorations and was built in 1925-6 by Mercer & Duckworth of Fleetwood along with the bowling green to the rear and within the same curtilage. The Layton Institute sits on the south corner of the Westcliffe Drive and Granby Avenue junction and has approximately 1116 square metres of floorspace over two floors. There are two separate bar areas at ground floor serving a lounge and a large snooker hall area. At first floor there is a bar and stage serving a concert/events hall.

The area around Granby Avenue to the north and west is predominantly residential in character, comprising two-storey semi-detached houses with small front garden areas and/or driveways. To the east is the busy Layton District Centre (although the application site is located close to this centre it is not included within it) which is characterised by ground floor retail units on Westcliffe Drive, which is a major transport route connecting the Town Centre with Bispham and Poulton. There is a cemetery and established trees and bushes along the full length of the southern boundary of the Layton Institute and bowling green.

To the rear of the Layton Institute, there is a bowling green which has open aspect on to Granby Avenue and from Westcliffe Drive.

To the rear of the Layton Institute at ground floor, adjacent to the bowling green there is an outdoor seating area with retractable canopies to accommodate smokers. At first floor there are two large picture windows which give a view over the bowling green and two smaller windows.

The main pedestrian access to the building is from Westcliffe Drive.

DETAILS OF PROPOSAL

The application is for full planning permission for external alterations including two new doors to rear to provide access into a new ground floor retail unit (Use Class A1) and cellar and provision of eight car parking spaces to the rear with access off Granby Avenue. The upper floor would be retained as The Layton with a lounge area and snooker room with access from Granby Avenue.

Dray deliveries for the first floor club use would be received at the rear of the Institute building. Deliveries for the retail store would take place on Westcliffe Drive.

A private access road would be created off Granby Avenue to provide pedestrian and vehicle access to the ground floor retail unit and eight parking spaces. The access road would also be used for vehicles accessing four parking spaces associated with the corresponding proposal for residential development on the bowling green (reference 14/0465 reported elsewhere on the agenda).

The application is accompanied by a Planning Statement.

The Committee will have visited the site on 11th August 2014.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- Principle of using the ground floor for retail purposes
- Impact of the use and alterations to the heritage asset
- Access to the proposed development and highway safety
- Impact on residential amenity

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

CONSULTATIONS

Head of Transportation:

If applying the parking standards and allowing a ratio of one car parking space per 24m² of floor space, 15 car parking spaces are required. The proposal only provides eight spaces including one accessible space at the rear. Spaces 9 and 10 could be allocated to this use as they have not been dedicated to either the retail use or club. Even at 10, there is a shortfall and whilst I appreciate the site opposite a part of a District Centre, the lack of adequate parking spaces will result in further demand for on-street spaces which are at a premium plus the fact that this will be a nuisance to residents on Granby Avenue.

The access road to the rear is scaling to be 5500mm in width, which would be acceptable; however there is a pinch point where the width is reduced to 4500mm at its point where it meets Granby Avenue. Frequent access by vehicles may create conflict and due to tight turning manoeuvres, this is likely to create tail backs affecting the safe operation of the public highway. Some existing on-street car parking spaces will be retained between the proposed access road and the accessible space allocated to the club, this will affect forward visibility. The access road may be shared with owners of the residential units that are proposed, if this proposal is supported, it is not clear how will this arrangement operate. The use if supported, together with the proposal to erect five dwellings, which is subject to a separate application (14/0467) will intensify the use of Granby Avenue, a quiet residential street resulting in the character of the street changing. The width of Granby Avenue is 5000mm, less in parts due to on-street parking. The use by vehicles will intensify and is likely to create conflict leading to highway safety issues. On this basis, I am unwilling to support this proposal.

Blackpool Civic Trust:

Objects to this and the corresponding application 14/0467 - These applications are to radically alter the existing building, put a retail unit on the ground floor, and continue the 'pub' on the upper floor, then to build five two storey houses on the bowling green behind the Institute. This seems to me to be a very bad plan indeed. The retail unit with associated access road and parking spaces will be very tight indeed and will certainly 'argue' with the pub and proposed houses. The bedrooms of the proposed houses will be on the same level as the 'pub'. Hardly conducive to family occupancy. Worst of all however is the building of the proposed five houses at all. These proposals will severely crowd this location and will take away a valuable green space with its amenity for the local community. The planning application suggests that this space is unused since the closure of the bowling club. This is untrue. It is used by a variety of groups for a variety of activities.

Police Architectural Liaison Officer:

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

Site notice displayed: 4th July 2014

Neighbours notified: 26th June 2014

Objections have been received from 6 and 10 Granby Avenue, 11a Eastwood Avenue and 5 Alder Grove. The objections are summarised below:

- The development would lead to the loss of a key heritage site as Layton Institute has protected status as part of a Local List of important buildings in Blackpool.
- The Bowling Green currently in place on Granby Avenue is a picturesque and tranquil part of the street, the proposal for houses and a retail development would change this completely.
- Approximately ten on-street parking spaces on Granby Avenue would be lost leading to highway safety issues.
- Granby Avenue is too narrow for two way flow of traffic and providing an access road off Granby Avenue would make the current situation worse.
- An accompanying car park would be in use throughout the day, and with the parking all being for short stays, a big increase in cars coming and going down Granby Avenue is likely.
- There is no safe place to cross Westcliffe Drive to access a new shop.
- Disabled customers won't be able to access the first floor club use and the Layton Institute is the only local establishment where disabled people can relax and meet up with friends.
- Layton currently supports a plethora of retail outlets and another would appear to offer residents nothing new.
- The intention to locate all of the club facilities in one area is unworkable to sustain the level of support which is the intention of the plan.
- It is disappointing that the owners have not consulted the users of the Layton to agree a strategy which would accommodate the aims and objectives of both parties to give maximum efficiency and value, working together for the community.

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

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) came into force in March 2012 and constitutes guidance for local planning authorities and decision-takers as a material consideration in determining applications.

The core planning principles in the NPPF include:

- local authorities always seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- local authorities should encourage effective use of land by reusing land that has previously been developed provided that it is not of high environmental value.

- local authorities should conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations.
- local authorities should deliver sufficient community and cultural facilities and services to meet local needs.

National Planning Policy Framework Part 2 - Ensuring the vitality of town centres.

Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre. Local Planning Authorities should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. Where an application fails to satisfy the sequential test it should be refused. This also requires local planning authorities to require an impact for larger retail developments (i.e. with a floorspace threshold of 2,500 sqm).

National Planning Policy Framework Part 8 - Promoting healthy communities.

The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.

To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.

Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweighs the loss.
- guard against the unnecessary loss of valued facilities and services
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community.

National Planning Policy Framework Part 12 - Conserving and enhancing the historic environment.

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

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 positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. 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 Development
- LQ2 Site Context
- LQ3 Layout of Streets and Spaces
- LQ6 Landscape Design and Biodiversity
- LQ8 Energy and Resource Conservation
- LQ14 Extensions and Alterations
- BH3 Residential and Neighbour Amenity
- BH4 Public Health and Safety
- BH12 Retail Development and Supporting Town Centre Uses
- BH13 District Centres
- BH16 Proposed Shopping Development Outside Existing Frontages
- BH21 Protection of Community Facilities
- AS1 General Development Requirements

EMERGING PLANNING POLICY

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16th June 2014 and by the full Council on 25th June 2014. The document was published for public consultation on 4th July 2014 for a period of eight weeks. Once this consultation period has closed, the intention is that the document will be submitted for consideration by an independent Planning Inspector through an Examination in Public in 2015.

Policies in the Proposed Submission which are most relevant to this application are:

- CS4 Retail and Other Town Centre Uses
- CS6 Green Infrastructure
- CS7 Quality of Design
- CS8 Heritage

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

ASSESSMENT

Principle of using the ground floor for retail

- Policy BH12 of the Local Plan states that development of retail uses, including changes of use will be focused on Blackpool Town Centre and in other existing centres appropriate to their scale and catchment. Such uses will only be permitted elsewhere there is a demonstrated need for the development
- the proposal would not cause material harm to the vitality and viability of... district and local centres
- the development would not undermine the Council's strategies and proposals for regenerating such centres
- a) the proposal is located in accordance with a sequential test, having regard to the need for flexibility of format, design and scale. First preference is for locations in appropriate existing centres, followed by edge of centre sites and only then out of centre sites
- b) the site is readily accessible by a choice of means of transport and is well served by public transport.

Part (a) of the policy in relation the need is no longer applicable in line with NPPF.

Policy BH13 relates to District Centres and states that the expansion of shopping uses into adjoining residential streets by the piecemeal conversion of individual properties will not be permitted. Proposals to extend the shopping frontage of these centres will only be allowed if they involve frontages that are contiguous with an existing shopping frontage, are in scale with the existing centre and can be achieved without harming residential amenity.

Policy BH16 relates to the development of new local shopping facilities outside existing shopping frontages, stating these will only be permitted where there is a demonstrable need for the development with no convenient existing local shopping provision; and the proposed development is appropriate in scale and function to the immediate walk-in local catchment. The point in relation to need is no longer applicable in line with NPPF.

Policy CS4 (Retail and Other Town Centre Uses) of the Core Strategy Proposed Submission confirms Blackpool's retail hierarchy and states that in edge of centre and out of centre locations, proposals for new retail development will only be permitted where it can be demonstrated that there are no more centrally located/ sequentially preferable, appropriate sites available; the proposal would not cause significant adverse impact on existing centres; the proposal would not undermine the Council's strategies and proposals for regenerating its centres; and the proposal will be readily accessible by public transport and other sustainable transport modes.

The Layton Institute has no allocation on the Local Plan Proposals Map and whilst located close to the Layton District Centre, it is not included within the defined area or flanked on either side by retail uses due to the presence of houses and a cemetery. The Layton District Centre begins with properties across Westcliffe Drive to the east and stretches south. The application site is not considered contiguous with the existing shopping frontage in the district centre as required by Policy BH13.

As an edge of centre site, the principle of using any part of the Layton Institute for retailing is therefore considered unacceptable in principle unless the requirements of Policy BH12 and BH16 (excluding need) and Policy CS4 are met. In particular if it could be demonstrated that the proposal would not cause harm to the vitality and viability of the Layton District Centre

or nearby local centres in the Layton area and if there was a lack of more sequentially preferable vacant premises within the District Centre or nearby local centres.

A supporting Planning Statement confirms that the intention is for a major food retailer to operate the ground floor use. However, there are 3 well established convenience stores in the area, including Tesco Express and the Co-op and a Costcutters directly opposite the Layton Institute. Therefore it is not considered that there is an over-riding need for another convenience store in this location.

The application is not supported by a retail statement or a sequential test exercise. The supporting Planning Statement refers to a feasibility exercise but the agent has confirmed that no feasibility exercise has been undertaken beyond general discussions.

There are a number of empty units within the District Centre which are sequentially more suitable for new retail uses than the Layton Institute. The Layton Institute does not have a retail shop frontage or appearance and is not considered suitable for retail use in principle.

Policy BH21 of the Blackpool Local Plan 2001-2016 states clearly that proposals which would lead to the loss of, or reduction in the size of a community facility will not be permitted unless that facility is appropriately replaced or, the applicant can demonstrate that there is no longer a need for the facility or its alternative use to meet other community needs.

It has not been demonstrated that there is no longer a need for the Layton Institute as a community facility. In any case, if it could be demonstrated that the community use of the building on two floors is no longer needed/ viable, it is considered that it would be the first floor that would be more suitable for an alternative non-retail use rather than the ground floor. In summary it is therefore considered that the proposal is contrary to Policies BH12, BH13, BH16, BH21 and CS4.

Impact of the use and alterations to the heritage asset

Main Building

Although not on the national register of buildings with significant national architectural or historic interest, the Layton Institute and its bowling green are on the Local List which has been compiled by the Council, of buildings of significant local architectural or historic interest. The Layton Institute and its bowling green were recommended for adoption on to the Local List by the Planning Committee for Tourism and Culture on 16th December 2013 and were formally adopted by the Cabinet Member on 2nd April 2014.

Part 12 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. The Layton Institute and bowling green are on the Local List and are therefore considered to be non-designated heritage assets as described in Part 12 of the NPPF and this is a material consideration in determining this planning application.

Policy BH21 of the Blackpool Local Plan 2001-2016 states that proposals which would lead to the loss of, or reduction in the size of, a community facility will not be permitted unless:

- (a) the facility is appropriately replaced, or
- (b) the applicant can demonstrate that there is no longer a need for the use of the facility or its alternative use to meet other community needs.

The Layton Institute building is a landmark building which is instantly recognisable to local people and is a well established community asset. The building is attractive and has a strong character which would not fit well with a retail offer, given the lack of any shop frontage, small higher level ground floor windows and lack of opportunity for sensitive retail advertising.

The current internally illuminated signs on the building are unauthorised and are poorly designed and scaled and obscure some decorative window detailing. Other poor quality advertising banner signs are also regularly displayed on the front elevation advertising different events, sports coverage, drinks promotions etc. Introducing retail at ground floor and moving the club in it's entirety to the first floor would create increased demand for advertising the two separate uses, would inevitably lead to future applications to install an ATM machine, perhaps roller shutters over doorways, free-standing signage etc making the front elevation even more cluttered by advertisements and other features associated with convenience store retailing, to the detriment of the appearance and character of the historic building.

Introducing retail at ground floor with the principle entrance to the retail unit on Westcliffe Drive would significantly reduce the street presence of the club on Westcliffe Drive and the club use would become a secondary use as the only entrance would be tucked away on Granby Avenue which is residential in character. This would reduce significantly the legibility of the building and its historic context as a community club and would reduce the long term sustainability of the club. A large part of the clubs offer is the first floor concert room and this would be significantly reduced in size and the space shared with the current lounge and snooker hall uses, creating conflict between the different areas and reducing the viability of the club use.

Furthermore, the first floor isn't accessible to all as there is no lift. Having all of the club facilities at first floor would render the club inaccessible to some of the less physically able existing users.

Two sets of double doors would be installed on the rear elevation to provide pedestrian access to the retail store from the car park and Granby Avenue and for deliveries to the club. The rear elevation is less decorated and has less of a street presence than the front and north side elevations and design issues around these new doorways are not considered to be insurmountable and a reason for refusal alone.

Bowling green

There is a consistent approach not to show privately owned bowling greens attached to clubs/ pubs on the Proposals Map to the Local Plan. However, the bowling green is identified in the Blackpool Nature Conservation Statement (April 2008, updated May 2012) as 'open space'. Open space within Blackpool's urban area has important recreational, sports and visual amenity benefits and is highly valued by local communities. The Council will seek to safeguard all existing open space from inappropriate development unless exceptional circumstances can be demonstrated. This is supported by the NPPF (in particular paragraph 74), the National Planning Policy Guidance (NPPG) and a number of local plan policies.

The National Planning Policy Guidance which came into force earlier in 2014 states that open space, which includes all open space of public value, can take many forms, from formal sports pitches to open areas within a development, linear corridors and country parks. It can

provide health and recreation benefits to people living and working nearby; have an ecological value and contribute to green infrastructure (see NPPF paragraph 114), as well as being an important part of the landscape and setting of built development, and an important component in the achievement of sustainable development (see NPPF paragraphs 6-10).

Following a debate in Westminster on 30th April 2014 regarding the protection of bowling greens, a letter was sent to Council Leaders and Chief Executives on the 9th June 2014 from Nick Boles MP (Planning Minister) and Stephen Williams (Department for Communities and Local Government). The letter confirms that the Government recognises that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. It makes clear that existing open space, sports and recreational buildings and land should not be built on unless an assessment has been undertaken which has clearly shown them to be surplus to requirements, or that the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

The proposal involves partial loss of the bowling green to the rear to provide a vehicle access road and eight car parking spaces for the ground floor retail use. Although this bowling green has not been used for bowling since 2011, the area is still well maintained and used in conjunction with the Layton Institute for leisure purposes such as family fun days and fund raising events and is still considered as an important community asset, as is the Layton Institute itself.

The proposal does not include replacement facilities elsewhere and although the accompanying Planning Statement refers to a feasibility exercise, the agent has confirmed that no formal feasibility exercise has been undertaken. The applicant has not demonstrated that there is no longer a need for the bowling green, either as a bowling green or for any alternative community use, such as the way it is used currently for fund raising for charity, in association with the Layton Institute.

Furthermore, the loss of the bowling green as an ancillary leisure/ community space may affect the overall viability of the Layton Institute as an ongoing, sustainable community asset.

In terms of the heritage aspects of the application, the change of use of the ground floor of the Layton Institute, re-locating all of the club facilities to the first floor with access off Granby Avenue and the partial loss of the bowling green without justification or replacement facilities is considered contrary to Policies BH21, LQ1, LQ2 and LQ14 of the Blackpool Local Plan 2001-2016 and Parts 8 and 12 of the NPPF.

Access to the proposed development and highway safety

The Head of Transportation has confirmed that the retail use proposed would increase the demand for on-street parking in the area and in particular, on Granby Avenue, which is a quiet residential street that already has high demand for its on-street parking provision. 15 parking spaces would be required and only eight dedicated spaces would be provided, which is a significantly short of the required number. A corresponding application, reference 14/0467 for housing development at the rear would reduce on-street parking further.

On-street parking which is to be retained adjacent to the proposed access road would affect forward visibility and with the increased number of vehicle movements expected in association with the new retail unit, is likely to create conflict leading to highway safety issues. Further double yellow lines would be needed to ensure adequate visibility which would further reduce on street parking capacity.

The access road to the rear would have a pinch point of 4500mm where it meets Granby Avenue and along with tight turning manoeuvres, will lead to cars blocking the road to the detriment of the safe operation of the public highway.

The access road may be shared with owners of two residential units that are proposed under application 14/0467, if this proposal is supported there is an increased risk of pedestrian and vehicle conflict.

Currently dray deliveries are made at the front of the premises on Westcliffe Drive. Similarly, deliveries to the retail unit proposed would be made on Westcliffe Drive. However, the retail use would result in dray deliveries for the relocated club use being made either on Granby Avenue or from the rear access road via Granby Avenue. The parking of delivery trucks/ dray wagons on either Granby Avenue or on the proposed access road would lead to road blockages and loss of parking spaces which, even on a temporary basis would cause congestion and inconvenience where currently there are no reported issues regarding the dray deliveries.

No cycle parking is proposed.

It is considered that the proposal would be detrimental to highway safety and therefore contrary to Policy AS1 of the Blackpool Local Plan 2001-2016.

Impact on residential amenity

Sub-dividing the Layton Institute to provide two separate uses would result in more frequent deliveries, two bin stores (although it is unclear from the plans where the bins for each unit would be stored), associated refrigeration and air conditioning units and potentially extending the hours that the building is in use to include early morning opening times as well as late night closing times.

Currently day deliveries are made at the front of the premises on Westcliffe Drive. Similarly, deliveries to the retail unit proposed would be made on Westcliffe Drive. However, the retail use would result in dray deliveries for the relocated club use being made either on Granby Avenue itself or from the rear access road via Granby Avenue. The parking of delivery trucks/ dray wagons and associated noise on either Granby Avenue or on the proposed access road would lead increased noise levels and activity along Granby Avenue which is a narrow residential street, to the detriment of residential amenity.

It is proposed to open the retail unit early in the morning until late at night, increasing the frequency of visits to the premises and for a longer period during anti-social hours.

The cumulative impact of this increased activity associated with a retail unit at ground floor with the first floor club retained would be significantly detrimental to the amenity of future occupiers of the proposed dwellings (reference 14/0467) as well as the amenity of existing

residential neighbours on Granby Avenue and Westcliffe Drive in terms of noise nuisance and hence would be contrary to Local Plan Policies LQ1, BH3, BH4 and BH15.

CONCLUSION

- The site is not located within the Layton District Centre and whilst on the edge of this centre, it is not considered contiguous with the existing shopping frontage as required by Policy BH13.
- As an edge of centre site, it has not been demonstrated that the proposal would not cause harm to the vitality and viability of the District Centre or nearby local centres, and no assessment has been submitted to confirm that there are no more sequentially appropriate vacant premises available within the District Centre or nearby local centres as required by Policy BH12 and CS4.
- The building lacks retail character as it has no shop front.
- The Government has made clear, in a letter to Council Leaders and Chief Executives in a letter dated 9th June 2014, that existing open space, sports and recreational buildings and land should not be built on unless an assessment has been undertaken which has clearly shown them to be surplus to requirements, or that the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.
- The site is an identified community facility and it has not been demonstrated that there is no longer a need for the facility in its current form as required by Policy BH21.
- The first floor is not accessible to all as there is no lift. Having all of the club facilities at first floor would render the club inaccessible to some of the less physically able existing users.
- The proposal will increase demand for on-street parking along Granby Avenue which is unsuitable for increased volumes of traffic.
- Increased traffic along Granby Avenue, longer anti-social opening hours associated with early morning/ late night retailing and deliveries to the rear of the building and the general increase in activity and associated vehicle movements and comings and going would be significantly detrimental to residential amenity in terms of noise and disturbance.
- The proposal would reduce significantly the legibility of the building and its historic context as a community club and would reduce the long term sustainability of the club.
- The retail and club use would result in an increased amount of advertisement clutter on the main facade, to the detriment of the appearance of the locally listed building.
- The proposal would lead to a reduction in the on-street parking provision in the area.

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: Refuse

Conditions and Reasons

1. The proposed development would result in the loss of a community facility and the applicant has failed to demonstrate that there is no longer a need for the facility or that the Layton Institute building and bowling green could not be adapted to provide an alternative community need or that replacement facilities would be provided elsewhere. The proposed development would set a precedent for similar development and uses of other clubs which would be difficult for the Local Planning Authority to resist in principle. As such, the proposals are considered to be contrary to Policies LQ1 and BH21 of the Blackpool Local Plan 2001-2016 and Part 8 of the National Planning Policy Framework.
2. The proposed development would have a significantly detrimental impact on the residential amenities of existing occupiers on Granby Avenue and the future occupiers of the proposed residential properties by virtue of increased activity around the site including more frequent deliveries and general vehicle movements to the rear of the building, two bin stores, associated refrigeration and air conditioning units and extending the hours that the building is in use to include early morning opening times as well as late night closing times. This would result in a significant increase in noise and disturbance. As such the proposals are contrary to Policies AS1, LQ1, LQ3, BH3 and BH4 of the Blackpool Local Plan 2001-2016.
3. The means of access to the proposed development would be significantly detrimental to highway safety by virtue of inadequate width at the junction with Granby Avenue (which would lead to vehicle conflict and congestion) and inadequate visibility (sightlines) due to vehicles parked on-street. Furthermore, the proposals do not provide any cycle parking and hence they would be contrary to Policy AS1 of the Blackpool Local Plan 2001 - 2016.
4. The proposals are for an out of centre retail unit which would be contrary to Policies BH12, BH13 and BH16 of the Blackpool Local Plan 2001-2016. These policies seek to direct appropriate retail development to suitable sites within the existing town centre or other existing shopping frontages.
5. **ARTICLE 31 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)**

The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors which conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan 2001-2016 which justify refusal and which cannot be overcome by negotiation.

Advice Notes to Developer: Not applicable

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COMMITTEE DATE: [11/08/2014](#)

Application Reference: 14/0467

WARD: Layton
DATE REGISTERED: 25/06/14
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Outline Planning Permission
APPLICANT: Minotaur Group

PROPOSAL: Erection of five two-storey dwellinghouses with associated car parking and access from Granby Avenue.

LOCATION: LAYTON INSTITUTE, WESTCLIFFE DRIVE, BLACKPOOL, FY3 7HG

Summary of Recommendation: Refuse

CASE OFFICER

C Johnson

INTRODUCTION

Although lacking the statutory protection of formal designation, recognition that a heritage asset has local significance through a process of local listing is a material consideration in determining planning applications. The Council seeks to protect locally listed buildings from demolition, unsympathetic alteration or extension and harm to their setting. The Layton Institute including its bowling green is on the local list for their local historical significance and group value in the streetscene.

Local listing criteria which have been suggested by English Heritage (EH) are age; rarity, aesthetic or design merit; group value; archaeological interest; historical association; landmark status; social value; documentation. These also incorporate elements from the conservation principles set out by English Heritage in their 2008 guidance.

Planning permission for development on the bowling green involving the erection of seven two-storey dwellinghouses with associated car parking, garages, landscaping and access from Granby Avenue (reference 12/0162) was refused by the Planning Committee at a meeting on the 23rd April 2012 for the following reasons:

- The proposed development would result in the loss of a community facility and the applicant has failed to demonstrate that there is no longer a need for the facility or that the green could not be adapted to provide an alternative community need or replacement facilities would be provided elsewhere, contrary to Policies LQ1 and BH21 of the Blackpool Local Plan 2001-2016 and Part 8 of the National Planning Policy Framework.

- The loss of the bowling green would have a detrimental impact of the group value and appearance of the Layton Institute and its architectural and historic value to the local area which currently contributes significantly to the townscape in providing a focal point of local, social and visual interest and significance. The proposal is therefore contrary to Policies LQ1, LQ2, LQ3 and LQ4 of the Blackpool Local Plan 2001-2016 and Part 12 of the National Planning Policy Framework.
- The proposed development would have a significantly detrimental impact on the residential amenities of the future occupiers of the proposed development by virtue of the density of development and close proximity to the boundary and rear elevation of the Layton Institute and trees along the boundary with the cemetery. As such it would constitute an over development of the site, resulting in an overbearing impact, noise/smoke nuisance, poor outlook, overlooking, loss of privacy, low levels of natural light and sun light and creating manoeuvring difficulties within the site. The proposal is therefore contrary to Policies AS1, LQ1, LQ3, BH3 and BH4 of the Blackpool Local Plan 2001-2016.
- The restricted access to the proposed development would be potentially detrimental to highway safety by virtue of the narrow width of the access road which would make access by emergency and servicing/delivery vehicles difficult and cause traffic conflict resulting in vehicles reversing long distances and negotiating corners in reverse gear and reversing into Granby Avenue. Furthermore, the lack of a pedestrian footpath across the site and inadequate levels of lighting would be potentially detrimental to pedestrian and highway safety. The proposal is therefore contrary to Policies LQ1, AS1, LQ3, LQ4 and BH3 of the Blackpool Local Plan 2001 - 2016.
- The proposal fails to provide convenient and accessible refuse storage facilities and would require future occupants to move refuse bins excessive distances to the nearest collection point on Granby Avenue. The number of bins which would be presented at a single collection point could also be excessive and present an obstacle in the highway for pedestrians and vehicles. The proposal is therefore contrary to Policies AS1, LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

SITE DESCRIPTION

The bowling green and ancillary space/buildings to the rear, within the same curtilage of the Layton Institute fronts Granby Avenue and has a site area of 0.163 hectares (1630 square metres).

The area around Granby Avenue to the north and west is predominantly residential in character, comprising two-storey semi-detached houses with small front garden areas and/or driveways. To the east is the busy Layton District Centre which is characterised by ground floor retail units on Westcliffe Drive, which is a major transport route connecting the Town Centre with Bispham and Poulton. There is a cemetery and established trees and bushes along the full length of the southern boundary of the bowling green.

The Layton Institute and bowling green is on the south corner of the Granby Avenue and Westcliffe Drive junction and the bowling green has an open aspect from Granby Avenue and from Westcliffe Drive. The Layton Institute is red brick building with white terracotta dressed bays and decorations and was built in 1925-6 by Mercer & Duckworth of Fleetwood and the bowling green was part of that original development.

The green has its own detached single storey building adjacent to the boundary with the cemetery to the south and this provides facilities for bowlers.

To the rear of the Layton Institute at ground floor, adjacent to the bowling green there is an outdoor seating area with retractable canopies to accommodate smokers. At first floor there are two large picture windows which give a view over the bowling green and two smaller windows. To the west of the Bowling Green is the side elevation and rear garden of 5 Granby Avenue. There are metal railings along the Granby Avenue boundary measuring approximately 1.7 metres in height.

DETAILS OF PROPOSAL

The application is for outline planning permission with matters applied for being access and layout only. Matters relating to design/appearance, landscaping and scale are reserved.

The proposal is for erection of five two-storey dwellinghouses with associated car parking and access from Granby Avenue.

Fronting Granby Avenue there would be two pairs of semi-detached dwellings and a detached dwelling located to the south of the site adjacent to the Jewish Cemetery and to the rear of the back garden at 5 Granby Avenue. Each dwelling would have two parking spaces. Three of the dwellings fronting Granby Avenue would have driveways accessed directly off Granby Avenue and the other two dwellings would have driveway access off a private access road off Granby Avenue which would also provide access to eight parking spaces for a proposed retail unit on the ground floor of the Layton Institute main building (details on corresponding planning application reference 14/0465).

The application is accompanied by a Planning Statement.

The Committee will have visited the site on 11th August 2014.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

1. Principle of development on the bowling green
2. Access to and around the proposed development and highway safety
3. The layout of the proposed development and the impact on residential amenity of future occupants

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

CONSULTATIONS

Built Heritage Manager:

I do not support the development of housing on the bowling green. The bowling green is contemporary with the building and is included in the local listing for its group value. The planning statement points out (para 7.2) policy HN4 which states that housing development will be permitted on derelict, vacant, underused and previously developed land within the urban area, provided the land is not needed to maintain amenity. The bowling green is not currently used as such by the club, and there is another club in the area, but it remains a vital piece of green space in what the planning statement (para. 7.4) concurs is an intensely

built up town. The bowling green could still be used as an outdoor space by the club, and the wider community, as a beer garden or pocket park for example.

In addition, policy CS6 of the emerging Core Strategy specifically states that urban green spaces will be protected and improved to enhance their quality and value to local communities and to Blackpool as a whole.

Blackpool Civic Trust:

Objects to this and the corresponding application 14/0465 - These applications are to radically alter the existing building, put a retail unit on the ground floor, and continue the 'pub' on the upper floor. Then to build five two storey houses on the bowling green behind the Institute. This seems to me to be a very bad plan indeed. The retail unit with associated access road and parking spaces will be very tight indeed and will certainly 'argue' with the pub and proposed houses. The bedrooms of the proposed houses will be on the same level as the 'pub', which is hardly conducive to family occupancy. Worst of all however is the building of the proposed five houses. These will severely crowd this location and take away a valuable green space with its amenity for the local community. The planning application suggests that this space is unused since the closure of the bowling club. This is untrue. It is used by a variety of groups for a variety of activities.

Head of Transportation:

1. The proposal site is located off the A584, Westcliffe Drive which is a key strategic route. The development proposed is opposite part of the District Centre where the demand for on-street parking is high. Whilst the proposal provides sufficient parking spaces for the number of units proposed, it will remove some of the on-street parking which is in short supply and required constantly.
2. Unit 5 is accessed via the access road off Granby Avenue, there is no designated footway available for future occupiers.
3. Bin storage is not shown for Unit 5, bin collection is unlikely to be undertaken from the access road and collection will be done from Granby Avenue. The bin drag distance exceeds 25m.
4. The creation of the off-street parking will remove precious on-street parking, may only be 5 car parking spaces but this demand will transfer elsewhere in the area which will be a nuisance to residents.
5. No lighting scheme is proposed along the access road to Unit 5.
6. Some existing on-street parking would be retained which would affect forward visibility.
7. The off-street parking proposed for Units 4 and 5 is odd, in the fact that access will be required via what could be a private access road linked with the retail use. The access road could be gated for security reasons which would be problematic for future residents.
8. The creation of the access road to the rear of the proposed retail unit, which is subject to a separate application (14/0465) and this proposal will intensify the use of Granby Avenue and may change the character of the street and could lead to conflict given the narrow width resulting in additional highway safety concerns

Head of Housing and Environmental Protection Services:

There needs to be consideration made for the storage of waste. There will be a requirement to house a minimum 3 wheeled bins for general refuse and recycling collection. These bins will need to be purchased from the Council by either the developer or the owner of the property.

Head of Parks and Greens:

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:

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:

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.

Fire Brigade:

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

Site notice displayed: 4th July 2014

Neighbours notified: 26th June 2014

Objections have been received from 6 and 10 Granby Avenue and 5 Alder Grove. The objections are summarised below:

- The appearance and design of the houses do not blend in with the area and would look out of place.
- The development would lead to the loss of a key heritage site as Layton Institute has protected status as part of a Local List of important buildings in Blackpool.
- The Bowling Green currently in place on Granby Avenue is a picturesque and tranquil part of the street, the proposal for houses and a retail development would change this completely.
- The houses would be next to the concert room on the 1st floor of the Layton Institute and the noise would mean future residents would be unable to open their windows in the summer months.
- The smoking area to the rear of the Layton Institute generates a lot of noise which would disturb future residents on the proposed houses.
- The fire escape at the rear of the Layton Institute would be compromised by the building of the new houses.
- Approximately ten on-street parking spaces on Granby Avenue would be lost leading to highway safety issues.
- Granby Avenue is too narrow for two way flow of traffic and providing an access road off Granby Avenue would make the current situation worse.
- An accompanying car park would be in use throughout the day, and with the parking all being for short stays, a big increase in cars coming and going down Granby Avenue is likely from this.
- The reasons that the previous application 12/0162 was refused are as pertinent today as they were then. The bowling green is still used as a community facility for family fun days with bouncy castles, face painting, children's games, stalls, karaoke etc and another even is planned in August in support of various local charities.

The appearance/design of the properties is not for consideration in this instance as the application relates to access and layout only.

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

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) came into force in March 2012 and constitutes guidance for local planning authorities and decision-takers as a material consideration in determining applications.

The core planning principles in the NPPF include:

- local authorities always seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- local authorities should encourage effective use of land by reusing land that has previously been developed provided that it is not of high environmental value.
- local authorities should conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations.
- local authorities should deliver sufficient community and cultural facilities and services to meet local needs.

National Planning Policy Framework Part 6 - Delivering a wide choice of quality homes.

To boost the supply of housing, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements.

National Planning Policy Framework Part 8 - Promoting healthy communities.

The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.

To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.

Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweighs the loss.

National Planning Policy Framework Part 12 - Conserving and enhancing the historic environment.

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including development affecting the

setting of a heritage asset) taking account of the available evidence and any necessary expertise. Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

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 positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. 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 Development
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
HN7	Density
BH3	Residential and Neighbour Amenity
BH10	Open Space in New Housing Developments
BH21	Protection of Community Facilities
NE10	Flood Risk
AS1	General Development Requirements
PO1	Planning Obligations

EMERGING PLANNING POLICY

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16th June 2014 and by the Council on 25th June 2014. The document was published for public consultation on 4th July 2014 for a period of eight weeks. Once this consultation period has closed, the intention is that the document will be submitted for consideration by an independent Planning Inspector through an Examination in Public in 2015.

The Proposed Submission has been informed by up-to-date evidence, including a new Fylde Coast Strategic Housing Market Assessment 2013 (SHMA), which provides an up-to-date assessment of housing needs for Blackpool and the Fylde Coast, and a 2013 Strategic Housing Land Availability Assessment (SHLAA) Update. The housing figure in Policy CS2 has been revisited in order to consider the SHMA outcomes as well as other evidence, including

the alignment of housing growth to economic prosperity and the level of housing considered realistic to deliver in the Borough. The 2013 SHLAA Update demonstrates a five-year housing supply in accordance with the requirements of the NPPF.

Policies in the Proposed Submission which are most relevant to this application are:

- CS2 Housing Provision
- CS6 Green Infrastructure
- CS7 Quality of Design
- CS8 Heritage
- CS9 Housing Mix, Density and Standards
- CS15 Health and Education

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

ASSESSMENT

Principle of development on the bowling green

The bowling green has no specific allocation in the Blackpool Local Plan 2001-2016 but 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. This assessment demonstrates an adequate housing supply from more suitable sites elsewhere in the town, therefore the additional five houses proposed in this location are not required to help meet Blackpool's housing requirements in the Core Strategy Proposed Submission.

The bowling green is identified in the Blackpool Nature Conservation Statement (April 2008, updated May 2012) as 'open space'. Open space within Blackpool's urban area has important recreational, sports and visual amenity benefits and is highly valued by local communities. The Council will seek to safeguard all existing open space from inappropriate development unless exceptional circumstances can be demonstrated. This is supported by the NPPF (in particular paragraph 74), the National Planning Policy Guidance (NPPG) and a number of local plan policies.

The NPPG which came into force earlier in 2014 states that open space, which includes all open space of public value, can take many forms, from formal sports pitches to open areas within a development, linear corridors and country parks. It can provide health and recreation benefits to people living and working nearby; have an ecological value and contribute to green infrastructure (see NPPF paragraph 114), as well as being an important part of the landscape and setting of built development, and an important component in the achievement of sustainable development (see NPPF paragraphs 6-10).

Policy BH21 of the Blackpool Local Plan 2001-2016 states that proposals which would lead to the loss of, or reduction in the size of, a community facility will not be permitted unless:

- (a) the facility is appropriately replaced, or
- (b) the applicant can demonstrate that there is no longer a need for the use of the facility or its alternative use to meet other community needs.

Policy HN4 of the Blackpool Local Plan 2001-2016 relates to windfall sites and states that housing development will be permitted on derelict, vacant, underused and previously developed land within the urban area, provided the land is not needed to maintain amenity.

Policy CS6 (Green Infrastructure) of the Core Strategy Proposed Submission seeks to reinforce the protection of existing green infrastructure. It states that the loss of green infrastructure will only be acceptable in exceptional circumstances where it is allowed for as part of an adopted Development Plan Document; or where provision is made for appropriate compensatory measures, mitigation or replacement; or in line with national planning policy (which in the case of this proposal means the requirements of paragraph 74 of the NPPF must be met).

The UK has an ageing population and it is considered important to provide, retain and protect existing suitable sporting assets and community facilities such as the Bowling Green at the Layton Institute and Policy BH21 supports this stance. Bowling is what gets many people out of the house and into the fresh air, keeping them fit and active. Bowling greens are part of social networks and community life for upwards of 400,000 people in the UK and this trend is set to increase with ageing demographics.

Following a debate in Westminster on 30th April 2014 regarding the protection of bowling greens, a letter was sent to Council Leaders and Chief Executives on the 9th June 2014 from Nick Boles MP (Planning Minister) and Stephen Williams (Department for Communities and Local Government). The letter confirms that the Government recognises that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. It makes clear that existing open space, sports and recreational buildings and land should not be built on unless an assessment has been undertaken which has clearly shown them to be surplus to requirements, or that the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

The Layton Institute Jubilee Bowling League had team members participating in a number of tournaments, including the British Crown Green Bowling Association Endsleigh Senior County Championship at Waterloo Bowling Green, Blackpool in July 2011, and the Institute was due to host the North West.

Although this bowling green has not been used for bowling since 2011, the area is still well maintained and used in conjunction with the Layton Institute for leisure purposes such as family fun days and fund raising events and is still considered as an important community asset, as is the Layton Institute.

The proposal does not include replacement facilities elsewhere and although the accompanying Planning Statement refers to a feasibility exercise, the agent has confirmed that no formal feasibility exercise has been undertaken. The applicant has not demonstrated that there is no longer a need for the bowling green, either as a bowling green or for any alternative community use, such as the way it is used currently for fund raising for charity, in association with the Layton Institute.

Furthermore, the loss of the bowling green as an ancillary leisure/ community space may affect the overall viability of the Layton Institute as an ongoing, sustainable community asset.

The loss of the bowling green without justification or replacement facilities is considered to be contrary to Policies HN4 and BH21 of the current Local Plan, Policy CS6 of the Core Strategy Proposed Submission and Part 8 of the NPPF. Furthermore, allowing development on this green would set a precedent for similar development at other privately owned bowling greens associated with struggling social clubs across the town.

Impact of the development on the Layton Institute as a historic asset

Although not on the national register of buildings with significant national architectural or historic interest, the Layton Institute and its bowling green are on the Local List which has been compiled by the Council, of buildings of significant local architectural or historic interest. The Layton Institute and its bowling green were recommended for adoption on to the Local List by the Planning Committee on 16th December 2013 and were formally adopted by the Cabinet Member on 2nd April 2014.

Part 12 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining a planning application. The Layton Institute and bowling green are on the Local List and are therefore considered to be non-designated heritage assets as described in Part 12 of the NPPF and this is a material consideration in determining this planning application.

The main building and bowling green have a high amenity value in the streetscene and the Bowling Green provides urban green space relief against a densely developed area, especially when viewed against the backdrop of the undeveloped cemetery to the south. The loss of the bowling green along with two-storey development within close proximity (13 metres) of the rear elevation of the Layton Institute would have a significantly detrimental visual impact on the streetscene and on the setting of the Layton Institute, significantly reducing the site's high amenity value, group value and historic interest and would give the site a cramped appearance.

Policy LQ1 of the Blackpool Local Plan 2001-2016 states that all 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 of the Blackpool Local Plan 2001-2016 states that the new development proposals will be considered in relation to the character and setting of the surrounding area. Being a landmark building, the Layton Institute needs open space around it to protect its setting. The proposed housing development would be in close proximity to the west of the rear elevation. Putting the bowling green, its amenity value in the streetscene, its group value with the Layton Institute and its value as a community facility aside, there is not adequate separation distance between the Layton Institute and the proposed houses and this would therefore be detrimental to the appearance of this landmark building in the streetscene and detract from its local, social and historical significance, and hence the proposal would be contrary to Policies LQ1 and LQ2 of the Blackpool Local Plan 2001-2016 and part 12 of the NPPF .

Access to and around the proposed development and highway safety

The Layton Institute site is not within a designated shopping centre. However, to the east side of this section of Westciffe Drive is a busy District Centre and the demand for parking in the area is high.

Providing two double driveway access points off Granby Avenue would remove on-street parking provision for the general public along the frontage of the site. This would displace on street parking and could increase congestion in the area.

The proposed house to the rear/south of the site (Unit 5) would be accessed via a vehicle access road shared with two parking spaces associated with Unit 4 and eight parking spaces for a proposed ground floor retail use of the main Layton Institute building (corresponding application 14/0465 reported elsewhere on the agenda). No pedestrian footpath is shown for either the retail parking spaces or for Unit 5, leading to potential conflicts between vehicles and pedestrians. This would potentially be unsafe for pedestrians, particularly in the evening due to lack of natural surveillance and the perception of walking down a back alley. As there would be no footpath, it is not clear that streetlighting would be provided and this would further compromise pedestrian and vehicle safety.

No bin storage areas are shown on the submitted plans despite layout being one of the matters applied for. These details could be agreed at a later date either by condition or to be included in a reserved matters application. However, the proposed house to the rear of the site (Unit 5) would have a bin drag distance of approximately 64 metres to a bin collection point on Granby Avenue. This distance is considered excessive and is indicative of a poorly designed and over-intensive layout and hence would be contrary to Local Plan Policies LQ1, LQ3, BH3 and AS1.

The layout of the proposed development and the impact on residential amenity of future occupants

At first floor, the Layton Institute has two large picture windows and two smaller windows which look out over the existing Bowling Green. These windows would directly overlook the rear gardens of Units 3 and 4 and the front/side garden of Unit 5, leading to loss of privacy.

The proposed development would place family houses in close proximity (within 13 metres) to the rear elevation of a working men's club with a first floor concert room, which is used regularly to host late night concerts, shows and events and is licensed until the early hours of the morning. The rear of the Layton Institute is also used as an outdoor seating area for smokers.

A corresponding planning application (reference 14/0465) is reported elsewhere on the agenda for the use of the ground floor as a retail unit with the first floor use retained as the club use (currently a concert venue associated with the Layton Institute). Dividing the Layton Institute to provide two separate uses will result in more frequent deliveries, two bin stores, refrigeration and air conditioning units and potentially extending the hours that the building would be in use to include early morning opening times as well as late night closing times, the cumulative impact of which would be significantly detrimental to the amenity of future occupiers of the proposed dwellings as well as the amenity of existing residential neighbours in terms of noise nuisance.

Policy LQ3 of the Local Plan states that new development should be designed where buildings and main entrances front on to streets or spaces and secure private space is located to the rear.

Unit 5 would appear cramped and hemmed into the rear corner of the site with no street frontage and it would be in close proximity to 3 boundaries with little space to the rear or

either side. There are established trees along the boundary of the adjacent cemetery which would restrict levels of direct sunlight to Unit 5, especially during the winter months. Although no details have been supplied with this outline application, it is likely that Unit 5 would have to have a single aspect with the only outlook from fenestration on the front elevation facing east towards the rear of the Layton Institute, due to the proximity of trees at the cemetery and the privacy of neighbouring properties. It is considered that this would result in a poor quality home with low levels of residential amenity for the potential occupiers.

It is not considered that the existing working men's club and associated facilities or the proposed combination of a retail unit at ground floor with the first floor working men's club retained, are uses compatible in close proximity with residential properties and within the same curtilage. The associated noise and smoke late at night and increased activity around the site would be detrimental to the amenity of future occupiers of the houses, particularly Unit 4 and hence would be contrary to Local Plan Policies LQ1, LQ3, BH3 and BH4.

CONCLUSION

- The site 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. This assessment demonstrates a five-year housing supply in accordance with the requirements of the NPPF. Therefore the additional five houses proposed in this location are not required to help meet the housing targets in the Core Strategy Proposed Submission.
- The bowling green is identified as open space, which the Council seeks to protect and safeguard from inappropriate development in line with existing Local Plan/emerging Core Strategy policies and the NPPF, unless exceptional circumstances can be demonstrated
- The Government has made clear, in a letter to Council Leaders and Chief Executives in a letter dated 9th June 2014, that existing open space, sports and recreational buildings and land should not be built on unless an assessment has been undertaken which has clearly shown them to be surplus to requirements, or that the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.
- The proposal does not include replacement facilities elsewhere and the applicant has not demonstrated that there is no longer a need for the bowling green, either as a bowling green or for any alternative community use.
- The loss of the bowling green as an ancillary leisure/community space may affect the overall viability of the Layton Institute as an ongoing, sustainable community asset.
- Allowing development on this green would set an unfortunate precedent for similar development at other privately owned bowling greens across the town.
- The main building and bowling green have a high amenity value in the streetscene and the bowling green provides urban green space relief against a densely developed area and building on the bowling green would have a significantly detrimental visual impact on the streetscene and on the setting on the Layton Institute, reducing the amenity value, group value, historic significance of the site.
- The proposal would lead to a reduction in the on-street parking provision in the area.

- The shared residential and retail vehicle access layout and parking would be detrimental to highway safety, particularly during the evening due to the lack of footpath and streetlighting.
- The bin drag distances for Unit 5 are excessive at approximately 64 metres and indicate a poorly designed and over-intensive layout.
- The general arrangement and placement of Unit 5 constitutes poor quality and unsatisfactory back land development with poor outlook, access and levels of natural light for potential occupiers.
- The existing fenestration at the rear of the Layton Institute would lead to loss of privacy and overlooking of proposed residential gardens.
- The existing working men's club use or the proposed mix of working men's club and retail with car parking (reported elsewhere) are considered to be incompatible with proposed residential uses in such close proximity and within a shared curtilage due to the activities associated with both the existing and proposed use of the main building and cumulative impacts of associated early morning/ late night noise, smoke, increased activity and vehicle movements.

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: Refuse

Conditions and Reasons

1. The proposed development would result in the loss of a community facility and the applicant has failed to demonstrate that there is no longer a need for the facility or that the bowling green could not be adapted to provide an alternative community need or replacement facilities would be provided elsewhere and would set a precedent for similar development on other privately owned bowling greens which would be difficult for the Local Planning Authority to resist in principle. As such the proposed development would be contrary to Policies LQ1 and BH21 of the Blackpool Local Plan 2001-2016 and Part 8 of the National Planning Policy Framework.

2. The loss of the bowling green would have a detrimental impact on the group value and appearance of the Layton Institute and its architectural and historic value to the local area which currently contributes significantly to the townscape in providing a focal point of local, social and visual interest and significance. The proposal is therefore contrary to Policies LQ1, LQ2, LQ3 and LQ4 of the Blackpool Local Plan 2001-2016 and Part 12 of the National Planning Policy Framework.
3. The proposed development would have a significantly detrimental impact on the residential amenities of the future occupiers of the proposed development by virtue of the density of development and its close proximity to the boundary and rear elevation of the Layton Institute and trees along the boundary with the cemetery. As such it would be an over development of the site, resulting in an overbearing impact, noise/smoke nuisance, poor outlook, overlooking, loss of privacy, increased vehicle movements and creating vehicle and pedestrian conflicts within the site. As such the proposal is contrary to Policies AS1, LQ1, LQ3, BH3 and BH4 of the Blackpool Local Plan 2001-2016.
4. The proposal fails to provide convenient and accessible refuse storage facilities and would require future occupants to move refuse bins excessive distances to the nearest collection point on Granby Avenue. The proposal is therefore contrary to Policies AS1, LQ1 and BH3 of the Blackpool Local Plan 2001-2016.
5. The proposed house at the rear of the site (annotated as Unit 5 on the submitted plans) would constitute unsatisfactory back land development with poor levels of residential amenity in terms of natural light, outlook and privacy and would appear cramped and hemmed in within the site given the close proximity of the proposed dwelling to the 3 side boundaries and lack of space around the building. It would therefore be contrary to Policies LQ1, LQ2, LQ3 and BH3 of the Blackpool Local Plan 2001-2016.

Advice Notes to Developer

Not applicable

COMMITTEE DATE: [11/08/2014](#)

Application Reference: 14/0375

WARD: Layton
DATE REGISTERED: 16/05/14
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission
APPLICANT: Majestic Property Limited

PROPOSAL: Erection of two, three-storey side extensions, a three-storey rear extension, two front dormers and use of premises as altered as eight permanent self contained flats and erection of two semi detached bungalows with eight private garages and associated parking, bin store, access and landscaping.

LOCATION: 119 NEWTON DRIVE, BLACKPOOL, FY3 8LZ

Summary of Recommendation: Refuse

CASE OFFICER

C Johnson

BACKGROUND

An application for a part three-storey, part four-storey block of 14 flats with associated access, parking and landscaping (reference 08/0062) was refused at 119 Newton Drive by the then Development Control Committee at its meeting on 28 April 2008. The application was refused for the following reasons:

1. The proposed development would be contrary to Policies LQ1, LQ2 and LQ4 of the Blackpool Local Plan 2001-2016 in that it would not make a positive contribution to the streetscene and would not lift the quality of new building design. Given the quality of the existing building on the site it is considered that the new proposed development would represent a dilution in buildings quality and in the quality of the streetscene.
2. The nature and bulk of the proposed development would have a detrimental impact on the outlook and amenity of the occupiers of properties on either side of the application site. As such the proposed development would be contrary to Policy BH3 of the Blackpool Local Plan 2001-2016.

Two other applications for new build flat development on the site were refused in 1987 (reference 87/0024) and 1988 (reference 88/0729) for reasons including over-development, design out of keeping with residential properties, intensification of use and the impact on highway safety and the precedent that such development would set for other sites along Newton Drive.

SITE DESCRIPTION

Newton Drive is one of the main routes into the Town Centre and connects Blackpool with Staining and Poulton to the east. The road is largely residential in character and the majority of the properties are larger, detached or semi-detached family homes, particularly those on the southern side of the road.

The application site is on the southern side of Newton Drive, to the south west of its junction with Deneway Avenue. The site is just over 100 metres deep, with a site area of approximately 2625 square metres (0.265 hectares). However, the site is only approximately 26 metres wide, making the site very long and narrow.

The site currently contains a substantial, double fronted, symmetrical, highly decorated period family home with smooth brick elevations and two-storey stone bays flanking a grand front entrance.

There are two vehicle access points off Newton Drive providing an informal 'in' and 'out' access arrangement with a decorative wall and hedge along the remainder of the frontage and there is a gated driveway to the west side of the property providing access to the rear. On the east side elevation there is what appears to be an original single-storey orangery which was last used as a games room, although the glazed roof has been replaced with a solid covering.

Internally, there are three reception rooms, kitchen and cellar, a grand central staircase with stained glass skylight over, four bedrooms at first floor and two large hobby rooms in the loft space. The property retains many period features including stained glass and leaded windows and original carpentry.

At the rear there is a patio area, a substantial lawned area, a large, secure single-storey workshop along the southern boundary and various dilapidated greenhouses / sheds/ stores/ garages around the south and west boundary.

To the east of the site is Regency Court which is a part 2, part 3 and part 4 storey block of flats with ancillary garages, car parking and amenity space to the rear. To the west is a recently extended detached house and to the south there are detached houses fronting North Park Drive within the Stanley Park Conservation Area. To the north there are detached and semi-detached houses fronting Newton Drive.

DETAILS OF PROPOSAL

The application is for full planning permission for the erection of two, three-storey side extensions, a three-storey rear extension, two front dormers and use of premises as altered as eight permanent self contained flats and erection of two semi detached bungalows to the rear with eight lock up garages and associated parking, bin store, access and landscaping.

The application is accompanied by a Design and Access Statement.

The Committee will have visited the site on 11th August 2014.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- the principle of development
- the impact of the development on residential amenity
- the design and appearance of the development
- the impact of the development on highway safety

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

CONSULTATIONS

Head of Transportation:

The two spaces at the front comply with the recommended dimensions, however the aisle width between the edge of the space and the front of property/edge of bay window is sub-standard and less than 6m, with access into one of the spaces possibly problematic. The shared access varies in width between 3600mm and 4000mm, this is sub-standard for two-way traffic. Shared private drives should have a minimum width of 4.25 metres so as to allow two cars to pass. A passing space is shown, which could be utilised for parking if not identified properly. Should conflict arise between vehicles travelling in opposite directions, one will have to reverse an unsafe and long distance. This is compounded further by the proposal to site eight garages to the rear of the existing property. There is no dedicated path for pedestrians along the shared access road. 5. The bin drag distance is excessive and greater than the recommended distance of 25m. The layout as it stands is unacceptable and on this basis I am unable to support this proposal.

Contaminated Land Officer:

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.

Head of Housing and Environmental Protection Services:

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.

Fire Brigade

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.

PUBLICITY AND REPRESENTATIONS

Press notice published:	5th June 2014
Site notice displayed:	6th June 2014
Neighbours notified:	28th May 2014

Seven letters of objection have been received from 53a North Park Drive, 117, 156 and 158 Newton Drive and Flats 3, 5 and 8 Regency Court, 121/123, Newton Drive. The objections are summarised below:

- The proposal represents an over-intensive development of the site.
- The 2 no. bungalows are out of character with the surrounding buildings and as planned will have a poor outlook, overlooking the garages and access.
- The access by the side of the property at 3m will not allow for the passing of vehicles.
- The conversion of the ex. family dwelling is overly large and poorly designed with the large side extensions that are out of character.
- The scheme is poorly designed and in an attempt to provide satisfactory ceiling heights at second floor, poorly detailed dormer windows are shown at front and rear. The dormers have ceiling height of 2m, resulting in an overall ceiling height less than the guidelines require. Additionally, the rear dormers are not shown on the side elevations.
- The proposal will result in a lack of privacy to neighbouring rear gardens, neighbouring bedrooms and bathrooms having lounge and bedroom windows, together with a large balcony to the rear elevation.
- Newton Drive is an extremely busy road with parking permitted on the north side. It also has main bus route to the town centre. Consequently, the addition of a minimum of ten additional vehicles entering and leaving will be a traffic hazard.
- The noise from vehicles will cause a severe disturbance to neighbouring properties adjacent to the side access and the garages to the rear.
- The development will cause loss of light at neighbouring properties and an unacceptable increase in noise levels.
- Providing eight small flats will not be in keeping with the character of the existing property and a property like that should be retained rather than adding yet more flats to the large number already in Blackpool. Blackpool should be keeping the better quality homes of character to encourage families in to the town.
- We are also very concerned that our property will be directly overlooked by a number of the proposed dwellings and associated balconies, leading to a loss of privacy.
- Finally, we are somewhat disturbed by the potential increase in traffic in this particular area of Newton Drive. There is a heavily used pedestrian island right outside the property and double yellow lines all around the vicinity, meaning an additional 10 (or more) vehicles will probably cause additional traffic problems - especially as Newton Drive is a main route for ambulances to Blackpool Victoria Hospital and also for buses from/to the Town Centre.
- The flats are small and not in keeping with surrounding properties

One letter of support has been received from the previous owner of this property and this is summarised below:

- The property is a period property which has clearly and visibly fallen into disrepair over the period it was offered for sale.
- Although the footprint of the property is greater than its original, the front elevation still retains a great number of the property's original features.
- With regards the increased traffic at the property, at some points during the previous residence there were often 6 motor vehicles using the property at any one time as it was a large family residence.

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

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) came into force in March 2012 and constitutes guidance for local planning authorities and decision-takers as a material consideration in determining applications.

The core planning principles in the NPPF include:

- local authorities always seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- local authorities should encourage effective use of land by reusing land that has previously been developed provided that it is not of high environmental value.

National Planning Policy Framework Part 6 - Delivering a wide choice of quality homes.

To boost the supply of housing, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements.

Within Part 6 there is also a presumption against the development of residential gardens, for example where development would cause harm to the local area.

National Planning Policy Framework Part 7 - Requiring good design.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

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.

The National Planning Practice Guidance

Decisions on building size and mass, and the scale of open spaces around and between them, will influence the character, functioning and efficiency of an area. In general terms too much building mass compared with open space may feel overly cramped and oppressive, with access and amenity spaces being asked to do more than they feasibly can.

Consideration should be given to the servicing of dwellings such as the storage of bins and bikes, access to meter boxes, space for drying clothes or places for deliveries. Such items should be carefully considered and well designed to ensure they are discreet and can be easily used in a safe way.

Unsightly bins can damage the visual amenity of an area. Carefully planned bin storage is, therefore, particularly important. Local authorities should ensure that each dwelling is carefully planned to ensure there is enough discretely designed and accessible storage space for all the different types of bin used in the local authority area (for example landfill, recycling, food waste).

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 Development
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
HN5	Conversions and Sub-divisions
HN6	Housing Mix
HN7	Density
BH3	Residential and Neighbour Amenity
NE10	Flood Risk
AS1	General Development Requirements
AS2	New Development with Transport Implications

Supplementary Planning Document 'New Homes from Old Places' March 2011 (New Homes SPD)

This document outlines the floorspace and amenity standards for conversions (principally though not exclusively of guesthouse and hotels) to provide residential accommodation and was subject to consultation prior to its adoption.

Assuming the principle of residential accommodation is acceptable, the key components are:

- Properties under a 160 square metres of original floorspace (excluding extensions and attic rooms unless purpose built) can be converted to a single dwelling but cannot be subdivided.
- Requires the removal of roof lifts to re-instate original roof forms
- Requires the removal of all extensions to provide amenity space
- Outlines the dwelling sizes and room sizes for conversions/subdivisions.
- Gives minimum ceiling height in attic rooms of 2.14m.
- Outlines amenity space/ car parking/ cycle and refuse storage requirements.
- Give best practise guidelines to raise the quality of homes

EMERGING PLANNING POLICY

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16th June 2014 and by the full Council on 25th June 2014. The document was published for public consultation on 4th July 2014 for a period of eight weeks. Once this consultation period has closed, the intention is that the document will be submitted for consideration by an independent Planning Inspector through an Examination in Public in 2015.

The Proposed Submission has been informed by up-to-date evidence, including a new Fylde Coast Strategic Housing Market Assessment 2013 (SHMA), which provides an up-to-date assessment of housing needs for Blackpool and the Fylde Coast, and a 2013 Strategic Housing Land Availability Assessment (SHLAA) Update. The housing figure in Policy CS2 has been revisited in order to consider the SHMA outcomes as well as other evidence, including the alignment of housing growth to economic prosperity and the level of housing considered realistic to deliver in the Borough. The 2013 SHLAA Update demonstrates a five-year housing supply in accordance with the requirements of the NPPF.

Policies in the Proposed Submission which are most relevant to this application are:

- CS2 Housing Provision
- CS7 Quality of Design
- CS9 Housing Mix, Density and Standards

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

ASSESSMENT

The principle of development

The proposed scheme would deliver 10 new dwellings, each with two bedrooms. This would not be a varied mix of units as required by Policy HN6 which states that sites of between 0.2 and 1 hectares should provide a mix of house types and sizes and the housing proposed should contribute towards the mix of housing provision in the wider local area.

Sub-division and extension of the main dwelling to provide flats

119 Newton Drive 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. This assessment demonstrates an adequate housing supply from more suitable sites elsewhere in the town, therefore the additional eight flats and two bungalows proposed in this location are not required to help meet Blackpool's housing requirements in the Core Strategy Proposed Submission.

The property is not within the Defined Inner Area where there is an over-supply of flat accommodation and where the policy stance generally is to resist the sub-division and extension of family homes to provide additional flat accommodation. 119 Newton Drive has original floorspace in excess of 280 square metres and although the loss of a family dwelling is unfortunate, the principle of converting the existing house is considered acceptable in this location subject to design, access, neighbour and residential amenity considerations.

Erection of two bungalows in the rear garden

In previous years, houses with large gardens were considered as previously developed land or 'brownfield sites'. The adoption of the NPPF in 2012 changed the way larger gardens are defined and are now considered to be 'greenfield sites' and there is now a general presumption against development of residential gardens, or 'garden grabbing', where development would cause harm.

New housing development is expected to have good levels of amenity and one of the key indicators of good design and good amenity is a safe and convenient access and a street frontage.

Policy LQ1 of the Local Plan requires all development to be of a high standard and to make a positive contribution to the quality of its surrounding environment. Policy LQ2 states that all new development will be considered in relation to the character and setting of the surrounding area and development should complement the prevailing design character of the surrounding area. Policy LQ3 of the Local Plan states that new development will be expected to create or positively contribute towards a connected network of streets and spaces that is designed in perimeter blocks where buildings and main entrances front on to streets or spaces and secure private space is located to the rear.

The proposed bungalows would be located at the rear of the site, approximately 84 metres from the Newton Drive road frontage, with an outlook over the side elevation of a garage block and would constitute unsatisfactory back land development with a cramped appearance and excessive hard surfacing and as such would be contrary to Policies LQ1, LQ2 and LQ3 of the Local Plan.

There are no other examples of similar back land development in the area. The character of the southern side of Newton Drive is of properties fronting Newton Drive with extensive back gardens which abut the gardens of properties fronting North Park Drive. Granting planning permission would set a precedent for similar proposals which the Council may find difficult to resist. The proposed bungalows are considered to be contrary to Policies LQ1, LQ2 and LQ3 of the Blackpool Local Plan

The impact of the development on residential amenity

Policy BH3 of the Local Plan seeks to protect the amenities of neighbouring residents and future occupants of the development.

Sub-division and extension of the main dwelling to provide flats

The proposed side extension adjacent to and within 1.5 metres of the boundary with Regency Court to the east, would leave approximately a 3.5 metre gap between the two properties. By virtue of its height, scale and close proximity to the boundary, the proposed side extension to the east would lead to loss of light in kitchens and bedrooms at Regency Court, to the detriment of the amenity of the occupiers of those properties. In this respect the eastern proposed two-storey extension would be contrary to Policy BH3 of the Blackpool Local Plan.

There are no objections in principle to the rear extensions proposed in terms of residential amenity as there would be no windows in the side elevations which could cause overlooking or loss of privacy for residents at the neighbouring properties. The roof on the rear extension proposed would be hipped away from the boundary to reduce the impact in terms of loss of light and the boundary with Regency Court is partially screened by established trees which would serve to reduce any impact still further.

Two of the three ground floor flats proposed would have exclusive access to private amenity space at the rear of the property and each of the flats proposed on the second floor would have small roof terraces. Four flats would not have exclusive access to private amenity space but all of the units would share approximately 380 square metres of outdoor amenity space to the rear and despite this not being private, this space is considered sufficient amenity space for the development.

The flat accommodation proposed would just meet the minimum dwelling standards and aggregate living/dining/kitchen floorspace standards outlined in the 'New Homes from Old Places' SPD (minimum floorspace for a flat with two bedrooms, suitable for 3 people is 67 square metres and the minimum aggregate living space is 27 square metres).

Erection of two bungalows in the rear garden

With regards to the proposed bungalows at the rear of the site, they would be located within the same curtilage as the flat development proposed and would share facilities such as the access road, parking facilities and refuse storage facilities. It is normally expected that new dwellings would have a street frontage, clearly defined curtilages and convenient access to refuse facilities.

There are various dilapidated stores/structures along the rear boundary shared with 53 North Park Drive to the south and there is an existing single storey workshop within approximately four metres from the rear boundary shared with 53 North Park Drive. There would be a separation distance in excess of 45 metres between the dwelling at 53 North Park Drive and the rear elevations of the proposed bungalows. As such, it is not considered that the two bungalows would have an increased impact on residential amenity of the occupiers on 53 North Park Drive in terms of loss of light, overlooking, privacy or outlook.

The bungalows would be sited 84 metres from the Newton Drive frontage but the layout of the proposed development, the location of the bins stores at each bungalow, the location of the temporary bin stores adjacent to the communal bin stores for the proposed flat development and the access road would result in bin drag distances in excess of 95 Metres. Bin lorries would not be able to access the development. Even if it was accepted that having a temporary bin store, shared with the proposed flat development, mid way between the proposed bungalows and the highway was a suitable, practical and useable solution, which it is not, bin drag distances would still be approximately 50 metres from the bungalows to the temporary bin store and then a further 45 metres from the temporary bin store to the highway. A bin drag distance of 95 metres is considered to be excessive, especially considering that the shared access road would not have a pedestrian footpath, and is a clear indication that the area to the rear of the property is not suitable for residential development. In this respect the bungalows are considered to be contrary to Policy BH3 of the Blackpool Local Plan.

The design and appearance of the development

Although 119 Newton Drive is not a listed building or indeed on the Council's adopted local list of important buildings, it is an attractive period property which is relatively untouched and retains many of its original features and much of its original character and has a positive contribution to the quality of the streetscene. It is also close to the northern boundary of the Stanley Park Conservation Area.

The property is approximately 12.8 metres wide and the two proposed side extensions would add 7.3 metres to the width of the property (an approximate 75 per cent increase). Despite the fact the extensions would have a 1 metre set back, they would fail to appear subservient to the main building and would make the development appear bulky and incongruent, forming overly dominant additions to the detriment of the appearance and character of the host property. The side extensions would also serve to reduce the perception of space around the building, especially to the east where there would only remain approximately 3.5 metres between the east side elevation of 119 Newton Drive and the west side elevation of Regency Court, to the detriment of its setting and the character and appearance of the area.

The proposal involves alterations to the front roof plane to provide a dormer and roof terrace above each of the two stone bays. The roof alterations proposed at the front of the property would retain the symmetry of the building but would significantly harm the period character and add visual clutter, to the detriment of the attractiveness and quality of host building.

In providing two flats in the extended roofspace, it becomes necessary to remove a decorative stained glass skylight which provides natural light to the grand central staircase. This is most unfortunate for the character of the building and would render the staircase

very dark and heavily reliant on artificial lighting and reducing the overall quality feel of the property and the proposed development.

It is considered that in terms of the side extensions proposed, the scheme would be contrary to Local Plan Policy LQ1 which indicates that all new development will be expected to be of a high standard of design and make a positive contribution to the quality of its surrounding environment, Policy LQ2 which states that all new development should respond to and enhance the character of an area and Policy LQ14 in so far as it seeks to ensure that extensions and alterations are well designed and in keeping with the scale and character of the original building and neighbouring properties. They would also conflict with the core planning principle of the NPPF in that planning should always seek to secure high quality design.

The proposed bungalows would not be exceptional in terms of design and would form standard, single storey structures with integral garages and a shallow front bay window. Similarly, the garage block would be an elongated single storey structure with a flat roof and would have no design features to speak of.

Whilst not being particularly poorly designed when considered in isolation, the bungalows and the garage block would be totally at odds with the design of the main building and the surrounding area, including the Stanley Park Conservation Area and could not be considered to be of such high quality, contemporary, individual expressions of design which would then be a material consideration in their favour..

The impact of the development on highway safety

Policy AS1 of the Local Plan requires that all access, travel and safety needs of all affected by a development are met. Convenient, safe and pleasant pedestrian access should be provided along with appropriate provision levels of car parking and cycle storage facilities and safe and appropriate access to the road network is secured for all.

The only footpath providing access to the rear of the main building is shown between the proposed three storey side extension to the east and the boundary with Regency Court. The access would be between 1.5 and 2 metres wide and would feel oppressive, dark and unwelcoming due to the height and close proximity of the proposed extension, the boundary fence and the four storey Regency Court.

The proposed side extension on the western side of the building restricts the potential width of the access road. The shared vehicle access is shown as varying between 3.6 metres and 4 metres wide and this is considered sub-standard for two-way traffic, especially when considering that no pedestrian footpath is proposed beyond the main rear wall of the proposed flat development connecting the street frontage with either the parking, garages or bungalows to the rear. Shared private drives should have a minimum width of 4.25 metres so as to allow two cars to pass. Should conflict arise between vehicles travelling in opposite directions, one would have to reverse for a long distance which would be contrary to highway and pedestrian safety.

No footpath is proposed to connect the entrance to the flats with the garages at the rear which would result in pedestrians having to walk along the shared vehicle access. Not only is this considered to be potentially dangerous, residents would have to walk between approximately 53 and 88 metres between their parking space and their front door which

would not be safe or convenient and is another indicator that the site is unsuitable for such an intensive development.

No cycle storage is shown although these details could be agreed by condition.

CONCLUSION

For the reasons outlined above, it is considered that the proposal is contrary to Policies LQ1, LQ2, LQ3, LQ4, LQ14, HN4, HN6, BH3 and AS1 of the Blackpool Local Plan 2001-2016, parts 6 and 7 of the National Planning Policy Framework.

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: Refuse

Conditions and Reasons

1. The proposed side extensions and extensions to the front roof plane would be overly dominant, out of character within the streetscene and in relation to the original property. As such they would be significantly detrimental to the character and appearance of the property and the area due to their scale, height, design, lack of resulting space either side of the building and proximity to the main front elevation of the property. Given the prominent location of the property the extensions as proposed would be contrary to Policies LQ1, LQ2, LQ4 and LQ14 of the Blackpool Local Plan 2001-2016.
2. The proposed bungalows at the rear of the site would constitute unsatisfactory back land development with poor levels of residential amenity in terms of lack of a street frontage, poor outlook, inadequate access, inadequate refuse storage/collection provision and privacy and would appear cramped and hemmed in within the site. As such the proposed bungalows would be contrary to Policies LQ1, LQ2, LQ3 and BH3 of the Blackpool Local Plan 2001-2016.

3. The means of access to the proposed development would be significantly detrimental to highway safety by virtue of the narrow width of the private access road which would prohibit two way traffic (which in turn would result in vehicles reversing significant distances), the lack of safe and convenient pedestrian access and street lighting and the lack of cycle storage provision. As such the proposed development would be contrary to Policy AS1 of the Blackpool Local Plan 2001- 2016.
4. The proposed eastern side extension would have a significantly detrimental impact on the residential amenities of the adjoining occupants at Regency Court by virtue of its size, scale and close proximity to the common boundary, resulting in an overbearing impact, visual intrusion and loss of natural light. As such the eastern side extension would be contrary to Policies LQ14 and BH3 of the Blackpool Local Plan 2001-2016.
5. **ARTICLE 31 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)**

The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors which conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan 2001-2016 which justify refusal and which cannot be overcome by negotiation.

Advice Notes to Developer

Not applicable

COMMITTEE DATE: [11/08/2014](#)

Application Reference: 14/0366

WARD: Marton
DATE REGISTERED: 12/05/14
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission
APPLICANT: Miss A Cousins

PROPOSAL: Erection of two storey side extension following demolition of attached garage.

LOCATION: 24 LODGE COURT, BLACKPOOL, FY3 0EH

Summary of Recommendation: Grant Permission

CASE OFFICER

Miss S. Parker

INTRODUCTION

The current submission was preceded by application ref. 14/0115 which sought planning permission for a two storey side extension with a large gable feature to the rear to create a room in the roofspace. This application was refused on 11th April 2014 by the Head of Development Management using his delegated powers for the following reasons:

- The extension would not have been set back sufficiently from the frontage of the property to appear appropriately subordinate and, by virtue of its size in relation to the main house would have appeared overly dominant and incongruous within the streetscene. The detail of the extension was considered to be poor and the form of the gable proposed to the rear would have similarly created an overly-large, dominant and incongruous feature.
- By virtue of its position, the extension would have resulted in the loss of an off-street parking space unless existing landscaping were removed which would have been detrimental to the streetscene. As the extension would have increased the level of accommodation available and resulted in the loss of a parking space it was considered that the scheme would have an unacceptable impact on parking pressures and therefore residential amenity on the estate.

Following this decision the scheme has been amended to take into account the concerns detailed above and the requirements of the Extending Your Home Supplementary Planning Document.

SITE DESCRIPTION

The application property is an end-terrace house on a relatively modern housing development on the south-western edge of Staining village. The house is two-storey in height with an adjoining single storey garage with a pitched roof with a 1m wide gap

separating the garage from the neighbouring property at no. 26. The house and garage are constructed of red/orange multi brick with grey tiled roofs. The neighbouring property at no. 26 has a ground floor window just to the front of the neighbouring garage which gives natural daylight into the hallway. There are no other windows in the side elevation of no. 26.

DETAILS OF PROPOSAL

The application seeks planning permission for the erection of a two-storey side extension following the demolition of the existing garage. The extension would recreate a garage at ground floor level with an additional bedroom and new family bathroom provided at first floor level.

The Committee will have visited the site on 11th August 2014.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- the impact of the extension on the residential amenities of neighbours
- the acceptability of the design of the extension
- the impact of the extension on parking provision and highway safety.

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

CONSULTATIONS

Contaminated Land Officer: no comments have been received in time for inclusion in this report. Any comments that are received will be communicated through the update note.

PUBLICITY AND REPRESENTATIONS

Neighbours notified: 21st May 2014

A representation has been received from no. 26 Lodge Court relating to the loss of sunlight into the property's hallway and lounge and the potential for a parallel parking space to result in damage to existing landscaping because of the difficulty in manoeuvring into the space.

A representation has received from no. 22 Lodge Court raising the following issues:

- Property would be rented (not a valid planning consideration);
- Obstruction of the neighbours driveway;
- Additional parking demand;
- Insufficient space to manoeuvre into parking space shown;
- Encroachment onto the public highway;
- Inconsiderate parking (matter beyond planning control);
- Loss of hedgerow;
- Disruption during construction;
- Right of access during construction (private matter);

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

NATIONAL PLANNING POLICY FRAMEWORK

In March 2012, the National Planning Policy Framework (NPPF) was published. This document sets out the Government's approach and expectations with regard to planning and development. It places heavy emphasis on sustainable development and the need for the planning system to be proactive in driving economic growth. There is a presumption in favour of development where there are no over-riding material considerations. The Framework makes it clear that all developments should be of a high standard of design and should secure a good standard of residential amenity. Paragraph 64 states that 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. This emphasis on the need for good design is repeated in the National Planning Practice Guidance (NPPG) which was introduced in March 2014.

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
- LQ14 Extensions and Alterations
- BH3 Residential Amenity
- AS1 Access and Parking

The Extending Your Home Supplementary Planning Document (SPD) expands upon the requirements of Policy LQ14 with particular relevance to household extensions and is therefore directly relevant to this application.

EMERGING PLANNING POLICY

Blackpool Local Plan: Part 1 - Core Strategy: Proposed Submission

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16th June 2014 and by the full Council on 25th June 2014. The document was subsequently published for public consultation on 4th July 2014 for a period of eight weeks. Once this consultation period has closed, the intention is that the document will be submitted for consideration by an independent Planning Inspector through an Examination in Public in 2015.

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

- CS7 Quality of Design

This policy does not conflict with or outweigh the provisions of the adopted Local Plan policies listed above.

ASSESSMENT

Principle

There are no planning policy considerations that would preclude the extension of the property in principle.

Design

The scale and position of the extension has been amended since the previous submission. The extension would now be set back from the front building line by 1m and down from the roof ridge by 0.5m as advocated by the Council's Extending Your Home SPD. A rear roof-lift had previously been proposed and been judged over-bearing. This has now been omitted from the scheme as has a front gable detail which would have unbalanced the frontage. A section of flat roof is proposed in place of a traditional ridge to maximise the footprint of the extension, whilst meeting the requirements of the SPD and ensuring that the roof pitch of the extension corresponds with that of the main house. This would not be noticeable from ground level. The fenestration proposed would align with what is existing and a condition would be attached to any permission granted ensuring appropriate materials are used. In light of the changes made since the previous application, the design of the extension is now in line with the Council's Extending Your Home SPD and is therefore considered acceptable.

Amenity

The two-storey side extension proposed would sit further forward than the existing garage by 1m and would be 3.15m taller to the roof ridge. The extension would sit 1m from the side elevation of the neighbouring property to the north-east and, by virtue of its size and position, would reduce levels of natural daylight into the existing ground floor hallway window of this property. However, as this is not a habitable room, it is not considered that this could be sustained as a reason for refusal. It is not considered that the provision of an additional bedroom would generate additional noise or disturbance from activity so as to have a detrimental impact on neighbour amenity.

Parking and Highway Safety

At present the property offers two bedrooms and an off-street parking space in the existing side garage. The scheme proposed would see the number of bedrooms increase to three, albeit the third bedroom would be a single bedroom. The side garage provision would be retained but would sit further forward than what is existing. At present, the distance from the back of pavement to the existing garage is 4.6m. Whilst this falls short of the 5m required by the Council for a parking space, it would nevertheless accommodate the parking of a small car off-street at the front of the property. Following the construction of the extension proposed, only 3.6m would be available to the front of the garage and this would not be sufficient for the parking of a vehicle.

The applicant has suggested that a car would be able to drive onto the front of the property curtilage and park parallel with the front elevation of the property. A parking space of some 5.3m by 2.6m has been indicated. However, when measured on site, the distance between the rainwater goods and the back of pavement was found to be 2.35m and the distance from the existing landscaped area to the edge of the shared access pathway was 4.35m. The removal of the existing landscaping to increase the size of the parking area would have a detrimental impact on the appearance of the property but it is not habitat landscaping and is not protected. It is not considered that a car would be able to access the space without driving over the shared access walkway. A relatively difficult manoeuvre would be required

to gain access to the space without causing damage to the neighbouring property's existing landscaping.

However, given the improvements to the extension itself since the first submission which overcome the design issues previously identified; the fact that the additional bedroom would be a single bedroom; and the fact that the existing parking space does not meet the Council's minimum standards, it is not considered that the application could reasonably be resisted on highway grounds alone.

Other Matters

It is not considered that sufficient disturbance would be generated during construction to warrant a requirement for a Demolition and Construction Management Plan.

CONCLUSION

The scheme has been amended significantly since the submission and subsequent refusal of the first application (ref. 14/0115). Although the proposal would increase the level of accommodation available at the property, a parking space would still be available within the garage and it would be possible for a second parking space to be created at the front of the property. Any damage to adjacent landscaping would be a private legal matter and the manoeuvre required to utilise the space would become easier with repetition. The extension has been amended since first submission to overcome the other issues identified as warranting refusal. The proposal now accords with the guidance set out in the Council's Extending Your Home Supplementary Planning Document. Given the inadequacy of the existing driveway parking space when judged against the Council's minimum standards, and the improvements to the design of the extension, it is considered that the application could not be reasonably resisted on parking grounds alone. As such, the Committee is respectfully recommended to approve planning permission for the extension proposed subject to the conditions listed below.

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. The external brickwork and roof tiles to be used on the extension hereby approved shall be the same colour, texture and design as those on the existing dwelling, unless otherwise agreed in writing by the Council as Local Planning Authority before the development commences.

Reason: In the interests of appearance of the locality, in accordance with Policies LQ1 and LQ14 of the Blackpool Local Plan 2001 - 2016

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the garage shall not be used for any purpose which would preclude its use for the parking of a motor car.

Reason: In the opinion of the Local Planning Authority the retention of parking space within the site is of importance in safeguarding the appearance of the locality and highway safety, in accordance with Policies AS1 and LQ1 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.

COMMITTEE DATE: [11/08/2014](#)

Application Reference: 14/0281

WARD: Clifton
DATE REGISTERED: 28/04/14
LOCAL PLAN ALLOCATION: Main Industrial / Business Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: Think Architecture and Design

PROPOSAL: External alterations including new windows and entrance doors to front elevation and new fire doors to front and rear elevations, and use of premises as altered as a gymnasium within Use Class D2 with associated car parking and bin storage.

LOCATION: 20 SANDERSON WAY, BLACKPOOL, FY4 4NB

Summary of Recommendation: Refuse

CASE OFFICER

P Greenway

SITE DESCRIPTION

Vacant industrial premises forming part of the Vicarage Lane Industrial Estate, a long established estate comprising a mix of employment uses on 15.6 ha of land. The estate has developed piecemeal over a period of years. The central part includes Tangerine Confectionery on Burton Road which provides poor access through the middle of the estate to a range of older premises and two small undeveloped sites at the rear. The northern part wraps around the Iceland, Greggs and Asda retail units (which replaced Duple Coachbuilders in the 1980s and was removed from the employment allocation) and includes vehicle distribution / servicing uses. The southern part of the site contains a mix of small industrial businesses around Cowley Road, mainly in older premises. Sanderson Way forms the southerly boundary of the Estate and gives access through to a block of retail properties fronting Vicarage Lane, a former BT call centre (now vacant), the vacant application premises and also provides rear access through to the Asda retail complex which fronts Cherry Tree Road. It also gives access to the DW Sports fitness club (and proposed five-a-side football facility) to the south. The Estate is in a predominantly residential area and adjacent to Marton Retail Park.

The application site area comprises 4560 square metres, with the detached building having a floorspace of 1802 square metres. The building is vacant at the present, having previously been occupied as a Use Class B8 stockroom for the MFI retail unit, which was across Sanderson Way and is now occupied by DW Sports. Planning permission for the whole site (84/1229) expressly forbids the use of the building for selling, whether by retail, wholesale or cash and carry and this particular building is restricted by a S52 (now S106) agreement to a use ancillary to the MFI retail unit. The application site is designated as a Main Industrial/ Business Area under Policy DE1 of the Local Plan.

DETAILS OF PROPOSAL

The proposal is for external alterations including new windows and entrance doors to front elevation and new fire doors to front and rear elevations; and use of premises as altered as a gymnasium within Use Class D2 with associated car parking to the front and bin storage. The floor area would go from the current 1802 sq m B8 floorspace to 2842 sq m of D2 floorspace by the insertion of a mezzanine of 1040 sq m as permitted development. There would be a small ancillary sales area but no café. It is stated that the proposal would create jobs for up to 40 local people (20 full time and 20 part time) and that the opening hours would be from 6am to 10pm Mondays to Fridays and from 8am to 10pm on Saturdays, Sundays and Bank Holidays.

The application is accompanied by:

- Sequential Test and Impact Assessment
- Transport Assessment
- Design and Access Statement
- Marketing Details
- Draft S106 Agreement

The Committee will have visited the site on 11th August 2014.

MAIN PLANNING ISSUES

The main planning issue is considered to be:

- The principle of use and the loss of employment land

This will be discussed in the assessment section of this report.

The proposal is not considered to have any impact on residential amenity or highway safety/parking.

CONSULTATIONS

Head of Transportation: The Head of Transportation considers the application site to be in a accessible location from the surrounding area via different modes of transport. Car parking provision is being increased from 26 spaces to 70 spaces, and the level of parking provision should meet demand. A Travel Plan condition to be included, to extend to staff and future members as membership will be greater than the total number of staff present on site at anyone time. Whilst parking provision has been increased, Travel Planning measures may help also.

In terms of the layout of the car park:

1. The application site currently benefits from two vehicle access points, one will become redundant when the new parking layout is amended. The applicant should contact the Head of Transportation to determine the scope of works needed.
2. The width of the retained vehicle access is shown to be 5700mm on drawing no: 13/028(20)001 but the actual width on site is 6000mm - the wider width should be retained.
3. Cycle parking is proposed but none is shown on drawing no: 13/028(20)001 - details need to be agreed.

4. The bin store could do with relocating closer to either the main entrance or the vehicle access point, a tracking plan should be provided showing how a 3m x 11m refuse truck can access the site.

Head of Environmental Services: has no adverse comment to make on this application.

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 30th April 2014

Neighbours notified: 30th April 2014

In response to neighbour notification, no objections have been received and one letter of support has been received from 11 Kinross Crescent.

NATIONAL PLANNING POLICY FRAMEWORK

In March 2012 the National Planning Policy Framework (NPPF) was published. A core planning principle is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision making. 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.

At the heart of the NPPF 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 a whole; or
 - specific policies in this Framework indicate development should be restricted.

Chapter 1 is concerned with building a strong, competitive economy:

para 18) The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.

19) The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

20) To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

21) Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing. In drawing up Local Plans, local planning authorities should:

- set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth;
- set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
- support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances;
- plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries;
- identify priority areas for economic regeneration, infrastructure provision and environmental enhancement; and,
- facilitate flexible working practices such as the integration of residential and commercial uses within the same unit.

22) Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regards to market signals and the relative need for different land uses to support sustainable local communities.

Chapter 2 of the NPPF is concerned with ensuring the vitality of town centres:

It states that local planning authorities (LPAs) should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. LPAs should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale. The application proposal is a main town centre use in terms of the NPPF.

23) When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local 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 2,500 sq m). This should include assessment of:

- 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
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

27) Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.

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:

BH3- Residential and Visitor Amenity

BH12- Retail Development and Supporting Town Centre Uses

BH19 - Neighbourhood Community Facilities

LQ1- Lifting the Quality of Design

LQ14- Extensions and Alterations

DE1- Industrial and Business Land Provision (E5 Vicarage Lane / SS Business Park)

AS1- General Development Requirements

EMERGING PLANNING POLICY

Blackpool Local Plan: Part 1 - Core Strategy: Proposed Submission

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16th June 2014 and by the full Council on 25th June 2014. The document is due to be published for public consultation on 4th July 2014 for a period of eight weeks. Once this consultation period has closed, the intention is that the document will be submitted for consideration by an independent Planning Inspector through an Examination in Public in 2015.

Emerging policies in the Core Strategy: Proposed Submissions that are most relevant to this application are:

Policy CS3- Economic Development and Employment- states that sustainable economic development will be promoted to support and grow the local economy to meet employment needs with a focus on safeguarding around 180 hectares of existing industrial/ business land.

Policy CS4- Retail and Other Town Centre Uses

There are no policies within the emerging document that would contradict those in the adopted Local Plan with regard to this proposal.

ASSESSMENT

Principle - loss of employment land

Vicarage Lane Industrial Estate is a long established industrial estate comprising a mix of employment uses and has developed in a piecemeal manner over a period of years. Despite the estate's layout, restricted access, age of premises and low environmental quality, the estate's occupancy level remains relatively high (this has been confirmed by a recent study - Blackpool Employment Land Study 2013 Final Version issued June 2014), and it remains an appealing location for a range of employment uses wanting to locate within an established estate. It is a defined industrial/business area where longstanding policy has been to retain the area for industrial/business use. The granting of planning permission to permit a substantial widening of non business/industrial uses would conflict with Policy DE1, which restricts new development of land and premises within the defined industrial estate and does not permit retail uses. The Policy also states specifically that retail or other non- Class B uses will not be permitted. The proposed fitness facility falls within Use Class D2 'Assembly and Leisure' whereas the authorised use of the premises is an industrial use falling within Class B8. The proposal is therefore contrary to Policy DE1 of the Local Plan.

The proposal involves the loss of allocated industrial land and both the Local Plan and emerging Core Strategy policies seek to safeguard Blackpool's existing industrial/ business estates of around 180 hectares for employment use given the limited supply of employment land within the town. Evidence of marketing has been submitted which states that the instruction to market the unit was given by MFI in May 2004, albeit it was still used for storage purposes until circa November 2006 and the property has stood empty since then i.e. seven and a half years. Marketing has been by conventional means, namely by the use of boards, particulars, mailshots to local occupiers and agents, and internet listings for over 10 years. In October 2008 approximately 100 former MFI premises were instructed to be disposed of: of that 100 only this and five others remain to be disposed of. There has been interest in the unit from time to time but it has been limited and come to nothing; the marketing agent states that the gym proposal is the first substantive interest in that time. No evidence has been put forward with regard to subdivision which might have resulted in space being let.

The NPPF states that long term protection of employment sites should be avoided where there is no reasonable prospect of the site being used for that purpose. However given the shortage of available employment land within the town, and the desire of having a range of sites, in terms of size, type and location, protected and kept available for use, the proposal involves the long term loss of a significant amount of floorspace which would set a damaging precedent making it difficult to resist significant other non employment uses being introduced into designated industrial/ business areas. The dearth of industrial land available in Blackpool means that the Council has had to look to the neighbouring borough of Fylde to allocate 15 hectares of land to meet Blackpool's needs.

Whilst the proposal could be said to be employment generating, this argument could be used to justify other inappropriate development e.g: retail development (e.g. on the recently vacated former Tangerine Confectionery office site fronting Vicarage Lane), and is not in itself justification to permit the loss of Class B employment premises. The existing DW Sport fitness gym across Sanderson Way approved in 2010 (10/0793 refers) is not within an industrial allocation and although its last use was as bulky goods retail, it is actually within an

unallocated site. The existing gym within the industrial estate (within part of the former Woodmans car showrooms buildings fronting Vicarage Lane) was granted permission in 2006 (06/0948 refers) and was also contrary to planning policy. However, the facility is much smaller, serves an identified local need, and could be argued to be actually supporting existing employment businesses. It is also more flexible in nature being readily capable of being converted back into industrial/ employment uses with the removal of the equipment. The principle of losing 1802 sq m of floorspace to a Class D2 use is therefore considered unacceptable. The marketing details submitted with the application shown that there was no serious interest in occupying the premises for business/ industrial use, however no evidence of whether the unit had been offered as sub-divided into smaller units to meet any potential demand for such smaller units.

In terms of meeting the criteria set out in Policy BH12 of the Local Plan, the revised sequential test submitted specifies the parameters for the search i.e. a size of 2750 – 3000 sq m; rent of £3 – £5 sq ft and 60+ car parking spaces. Within the town centre, three sites were identified and considered (and discounted):

- Talbot Gateway – too small, rents too high, not available immediately
- Rumours Talbot Road – not large enough, exceed the £5/sq ft budget
- Ibis Talbot Square – basement site is not large enough, rent too high.

The Sequential Test concludes that there are no sequentially preferable sites in the town centre or edge of centre which is suitable or viable compared to Sanderson Way. There are sequentially preferable sites (such as Central Station and the Apollo Electrical site on Talbot Road), however these would require the construction of new buildings and the applicant has restricted his search to existing premises.

The Impact Assessment states that there is a local authority run facility within a mile of the application site which offers a broad range of services based around a swimming pool and also offers specialist services such as cycling. The proposed facility cannot compete with this (the business model for the applicant company relies on large space and low rent so that it can offer low membership fees and excellent equipment, but does not have facilities such as a pool, and has no specialisations) and cannot offer the same sort of combined membership services (three sites available for local authority gyms). There are a number of private facilities in the area which offer bespoke services such as dance or weight loss facilities with which the applicant would not be competing. DW Sport is a mid to upper market gym with pool and spa. The applicant considers that the large format nature of the proposed site would complement (rather than compete with) the existing public and private sector facilities as these specialist services would not be available here.

Although the proposal has been considered in the context of a limited sequential test, no assessment of need has been made by the applicant and in the absence of demonstrated need, the proposed gym use would set an undesirable precedent for increased town centre uses in 'out of centre' locations and specifically, in allocated industrial business estate locations. This change of use would be contrary to the Council's town centre strategy and make other similar proposals within defined industrial/business areas hard to resist. The proposal would thereby be contrary to Policy BH12 of the Local Plan and Policy CS4 of the emerging Core Strategy.

Other Issues

The Head of Transportation has no issues with the Parking/ Traffic Generation/ Highway Safety, subject to a number of conditions, including a Travel Plan. As the site is within the middle of an industrial estate and remote from the nearest houses on Vicarage Lane, I do not consider that the proposal would have any significant impact on residential amenity.

CONCLUSION

The applicant has suggested other material considerations, such as the employment of up to 40 local people (20 full time and 20 part time staff), the investment of £1 million in the facility and the bringing back into productive use of a building that has been empty for over 6 years should outweigh the policy objection to the proposal. Along with employment opportunities and investment in the local economy, the applicant is suggesting he would offer affordable health and fitness to the community with memberships starting at £9.99. Due to the low membership fee he is suggesting that the accessibility and promotion of healthy lifestyles would be available to a much larger percentage of the Blackpool population, taking the pressure off local NHS services.

In response, there has been no assessment of need for this type of facility submitted by the applicant and there are already a number of facilities both Council and private in the area. Should permission be granted, the Council could not control the pricing policy; nor could it prevent the type of activities carried out within the D2 use class, nor restrict the user to this particular applicant.

Taking into account all of the above, the principle of the use as a gym is contrary to the NPPF, Policies DE1 and BH12 of the Blackpool Local Plan 2001-2016 and emerging Policies CS3 and CS4 of the Core Strategy Proposed Submission and should be resisted.

Whilst the application premises have been vacant for a number of years the overriding matters in this case are considered to be shortage of available employment land in Blackpool (demonstrated recently with the employment land allocation of 15 hectares by Fylde Borough Council to meet Blackpool's future needs). There has been no investigation into sub-dividing the premises to make it more lettable for business/ industry. Whilst there would be employment opportunities offered, it would make the continued resistance to the loss of other designated employment land much more difficult.

The recommendation is for refusal, but should the Committee be minded to approve the proposal, given the material considerations raised by the applicant, then the proposal should be deferred for delegation to the Head of Development Management pending the signing of the S106 agreement (mentioned below) and the formulation of conditions to cover the parking and highway matters raised by the Head of Transportation.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

A Section 106 agreement has been submitted which covenants the owner to occupy the site in accordance with the terms and conditions of the planning permission. This replaces the current Section 52 agreement, which ties the building to Use Class B8 storage and collection of goods in connection with the now non-existent MFI retail unit.

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: Refuse

Conditions and Reasons

1. The proposal would result in the loss of safeguarded employment land to a non-employment use which would be contrary to the National Planning Policy Framework and Policy DE1 of the Blackpool Local Plan 2001-2016. It would have a detrimental impact on Blackpool's future employment land supply and the proposed redevelopment does not constitute enabling development to satisfy Policy CS3 of the emerging Core Strategy. Furthermore, Blackpool's employment land constraints are acknowledged in the emerging Fylde Core Strategy, which proposes around 15 hectares of employment land in Fylde to help meet Blackpool's future requirement. To allow the release of existing employment land contrary to policy would potentially compromise this joint approach to meeting Blackpool's employment land needs.
2. The proposed development would introduce a large leisure (Use Class D2) use outside the town centre or an edge of town centre location where there are considered to be sequentially more preferable site(s) for such development and hence if approved the proposal would undermine the Council's regeneration objectives for the resort and set a precedent making it difficult for the Council to resist future applications for other out of town centre leisure proposals elsewhere in the Borough. Without an adequate demonstration of need and a limited sequential test, the proposal is contrary to Policy BH12 of the Blackpool Local Plan 2001-2016 and the National Planning Policy Framework (Core planning principle 2 'Ensuring the vitality of town centres').
3. **ARTICLE 31 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)**

The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors - conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan 2001-2016 - which justify refusal and which cannot be overcome by negotiation.

Advice Notes to Developer

Not applicable

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COMMITTEE DATE: 11/08/2014

Application Reference: 14/0460

WARD: Hawes Side
DATE REGISTERED: 12/06/14
LOCAL PLAN ALLOCATION: Protected School Playing Fields/Grounds

APPLICATION TYPE: Full Planning Permission

APPLICANT: School Governors

PROPOSAL: Erection of two single storey extensions to front elevation to enlarge the existing staff-room and media suite and provide additional office space and a first aid room with associated landscaping works.

LOCATION: BAINES ENDOWED C OF E SCHOOL, PENROSE AVENUE, BLACKPOOL, FY4 4DJ

Summary of Recommendation: Grant Recommended

CASE OFFICER

Miss S. Parker

INTRODUCTION

This application is being brought back before Committee following deferral on 14th July 2014. When the Committee visited the site and considered the proposal on that day some concern was expressed regarding the provision of flat roofed extensions to the front of the traditional school building. The application was deferred to enable the applicant to explore the potential to provide a pitched roof solution as it was felt that this form of roof would be more appropriate given the traditional form and design of the main building.

Since then the applicant has submitted six alternative options for the extensions, all of which have pitched roofs in some form. In exploring these options, the key constraint has been the desire for the roof of the original school building to remain visible and its integrity to remain, and to ensure that the roof proposed would drain adequately. It would be possible to replicate the main school roof on the extensions but this would still result in a large area of flat roof and would entirely obscure the original roof of the building. As such, the options show smaller sections of pitched roof in various formats. None of the formats proposed would match the art deco design of the original building and all would appear either overly bulky and would therefore obscure the main building, or would be out-of-character and contrived. All would create valley gutters which would complicate maintenance. One option has been proposed that would see a pitched roof which would be

provided behind the parapet wall currently proposed but this is not considered to represent an improvement over the current scheme and would again obscure the main school roof. The options have been considered by the Council's Built Heritage Manager who concurs that the option brought before Committee on 14th July is the most appropriate. This design provides visual interest and reflects the art deco character of the main school building but does not affect the form of its original roof. The flat roof would be concealed behind a parapet wall designed in art deco style. The flat roof form would minimise the impact of the extensions on the bulk of the school building and the resulting impact on the streetscene would be lessened. It is recommended that a condition be attached to any permission granted to ensure that a scheme to secure the proper drainage of the roof be submitted to and agreed in writing by the Council. The Built Heritage Manager has stipulated that a more traditional link between the original school building and the extensions be provided, and that matching, conservation-grade bricks are used. Both have been agreed by the applicant.

The Committee is respectfully reminded that this option represents a substantial improvement from the original submission in April of this year that was brought before the Committee with an officer recommendation for refusal in May. No pre-application advice had been sought prior to that application and the extensions proposed were boxy in design and made no reference to the historic character of the main school building. The development would also have resulted in the loss of the existing mature landscaping along the frontage of the site with no replacement planting proposed. The application was refused on 7th May 2014 in line with the officer recommendation and a meeting was subsequently held between Council officers, the Headteacher of the school and the architects who designed the scheme. Amendments to the scheme were discussed and have led to the submission of this application which has the full support of the Council's Built Heritage Manager.

With the exception of the site visit date, the remainder of this report remains as submitted to the Committee in advance of its meeting on 14th July 2014.

SITE DESCRIPTION

The application site sits on the southern side of Penrose Avenue between the junctions with Colwyn Avenue and Skipton Close. The main building consists of a long section of building along the frontage with additional sections of building arranged around a central courtyard to the rear. At the back of the site is another long building running along the boundary that is shared with the industrial units on Burton Road. More modern buildings have been added in the south-eastern corner and at the eastern end of the site and immediately to the south-east of the main building.

The main building is of high-quality, period design and has been put forward for inclusion on the Local List. It is constructed of smooth Accrington red bricks with rosemary roof tiles and is of art deco design. The building is single-storey but the central portion of the frontage rises up above the side wings to create a focal feature with taller arch-topped windows and stonework detailing. The building frontage has strong symmetry and makes a very positive contribution towards the quality of the streetscene. At present there is a significant amount of established landscaping to the front of the school behind the boundary railings which adds to the visual appeal of the site.

DETAILS OF PROPOSAL

The application seeks planning permission for the erection of two single storey extensions to the front elevation to provide a first aid room, an enlarged foyer, additional office space, a new staff room and to extend the group room and multimedia suite. These extensions would sit on either side of the raised central section and would follow the sections of recess and projection of the existing elevation. They would project forward by some 3.3m. The extensions would be 3.2m in height and would be linked into the main building by a lower section some 2.8m in height. The extensions would reflect the character of the original building and would be of brick construction with some stone detailing.

The application is accompanied by a Design and Access Statement and an Arboricultural Statement.

The Committee will have visited the site on 11th August 2014.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- The impact of the extension on the appearance of the building and streetscene;
- The value of the additional space created to the provision of education at the school.

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

CONSULTATIONS

Head of Transportation: No objection. The proposal seeks to upgrade the existing facilities rather than provide new teaching space and so staff numbers, access and parking requirements are unlikely to be affected.

Built Heritage Manager: No objection to the scheme following the changes made since the previous application.

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 23rd June 2014

Neighbours notified: 18th June 2014

No representations 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.

NATIONAL PLANNING POLICY FRAMEWORK

In March 2012, the National Planning Policy Framework (NPPF) was published. This document sets out the Government's approach and expectations with regard to planning and development. It places heavy emphasis on sustainable development and the need for the planning system to be proactive in driving economic growth. There is a presumption in favour of development where there are no over-riding material considerations. In particular, paragraph 72 states that Local Planning

Authorities should give great weight to the need to create, expand or alter schools to widen choice in education. The Framework makes it clear that all developments should be of a high standard of design and paragraph 64 states that 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. This emphasis on the need for good design is repeated in the National Planning Practice Guidance (NPPG) which was published in March 2014. The Framework also places emphasis on the need to protect the historic environment. Paragraph 135 requires applications that would affect non-designated heritage assets to be carefully judged with regard to the scale of any harm 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
- LQ14 Extensions and Alterations
- BH3 Residential Amenity
- AS1 Access and Parking

EMERGING PLANNING POLICY

Blackpool Local Plan: Part 1 - Core Strategy: Proposed Submission

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16th June 2014 and by the full Council on 25th June 2014. The document is due to be published for public consultation on 4th July 2014 for a period of eight weeks. Once this consultation period has closed, the intention is that the document will be submitted for consideration by an independent Planning Inspector through an Examination in Public in 2015.

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

- CS7 Quality of Design

This policy does not conflict with or outweigh the provisions of the adopted Local Plan policies listed above.

ASSESSMENT

Principle

There are no planning policy considerations which would preclude the extension of the school to provide new and improved facilities.

Design

The original main school building is of high-quality, period design and construction. The frontage has strong symmetry and features of architectural interest and the building as a whole make a strong, positive contribution towards the quality of the wider streetscene. It is proposed that the building be included on the Local List as a heritage asset of local value. To the front of the site established landscaping including a number of trees forms a green buffer between the main building and the boundary railings. This softens the appearance of the site and again makes a strong positive contribution to the quality of the streetscene.

The application proposes two extensions to the front of the main building with one on either side of the raised central section. Each extension would run 13m along the frontage of the building before stepping in by 1.5m to create a recessed section some 4.5m in length. The extensions would then step out again for a final 5.2m until they reach the end of the existing building. The two recessed sections would each have a flat roof and a central doorway giving access to the school. These doorways would be glazed and topped by a glazed gable feature. The projecting sections would also have flat roofs but these would be concealed behind a parapet wall with raised corner sections topped with ball finials. To provide a visual break between the extension and the main building, the parapet wall would not extend all the way back to the main building and a glazed section stepped in from the side elevations would be provided. The fenestration would match the style and format of that on the original building.

Although the extensions proposed would obscure the existing building, the design has substantially improved since the previous application. The parapet wall detailing would be art deco in style and would reflect the suggestions of the Council's Built Heritage Manager. The areas of recess would be effective in breaking up the massing of the extension and providing depth and visual interest.

In response to previous concerns, a revised planting scheme is now proposed. The existing trees would still be removed from the frontage but new planting would now be provided with a central focus to the front of the existing school hall. Details of this planting would be agreed through condition should planning permission be granted.

On balance, following the changes made since the refusal of the previous application, the design of the extensions and the amount of landscaping proposed is now considered to be acceptable.

Amenity

It is not considered that the extensions proposed would have an unacceptable impact on residential amenity by virtue of loss of privacy, outlook daylight or sunlight.

Parking and Highway Safety

The extensions proposed would not result in the loss of any off-street parking spaces and would not generate any additional demand for car parking provision. As such, no highway safety issues are identified.

Other Issues

An arboricultural report has been submitted with the application which notes that none of the trees proposed for removal are of particularly high quality. However, six category B (moderate quality) and three category C (low quality) trees would be lost. It is recommended that a condition be

attached to any permission granted to ensure that replacement planting is carried out elsewhere on the site to ensure that overall levels of biodiversity value are not detrimentally affected.

CONCLUSION

The application is a resubmission of a proposal previously refused on design grounds. A number of key changes have been made to the design of the extensions proposed and a meaningful area of landscaping would now be provided at the front of the school to compensate for the loss of the existing trees. Subject to the recommended conditions listed below, the scheme is now considered to be acceptable. As such, the Committee is respectfully recommended to agree in principle to the application but to delegate the issuing of the decision to the Head of Development Management after the notification period has expired (14th July 2014)

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 Recommended

- 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 the bricks, window frames, door frames and stonework 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 Notwithstanding the details shown on the approved plan, the floor to ceiling windows proposed in the east and west elevations of the extensions hereby approved shall be set back from the frontage of those elevations by at least 100mm.

Reason: In order to ensure that a clear visual break would be provided between the existing main school building and the proposed extensions in order to safeguard the historic character of the existing building and to provide depth and visual interest in the interests of the character and appearance of the development, in accordance with Policies LQ1 and LQ14 of the Blackpool Local Plan 2001-2016.

- 4 Notwithstanding the details shown on the approved plan, the fenestration and doorways proposed in the front elevations of the extensions hereby approved shall be set back from the frontage of those elevations by no less than the width of one of the bricks approved pursuant to condition two attached to this permission.

Reason: In order to provide visual depth and interest in the interests of the appearance of the development in accordance with Policies LQ1 and LQ14 of the Blackpool Local Plan 2001-2016.

- 5 Details of the rainwater goods and the means of draining water from the roof the main building and the extensions hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development. The approved rainwater goods and means of drainage shall then be provided as part of the development and shall thereafter be retained.

Reason: In order to prevent rainwater ingress into the historic main school building and in the interests of the appearance of the development in accordance with Policies LQ1 and LQ14 of the Blackpool Local Plan 2001-2016.

- 6 a) Notwithstanding the information shown on the approved plan, 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. These details shall also demonstrate that the overall biodiversity value of the site would be maintained following the removal of the existing trees along the frontage of the site.

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.

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.

COMMITTEE DATE: [11/08/2014](#)

Application Reference: 14/0275

WARD: Victoria
DATE REGISTERED: 03/06/14
LOCAL PLAN ALLOCATION: Local centre

APPLICATION TYPE: Full Planning Permission
APPLICANT: Noor a Madina

PROPOSAL: External alterations including removal of shop frontage, re-instatement of bay windows to front elevation and use of premises as altered as a place of worship (Mosque) and community/education centre, with two ancillary self-contained flats at first floor level and associated parking to the rear, following demolition of existing rear outbuildings.

LOCATION: 187-197 WATERLOO ROAD, BLACKPOOL, FY4 2AE

Summary of Recommendation: Refuse

CASE OFFICER

Miss. S. Parker

BACKGROUND

The application site has been occupied by Noor-a-Madina Mosque since late summer 2010, but it is understood that the site has not been used for public worship since the start of this year. Enforcement notices relating to the poor condition of the frontage were served in August 2010 and became valid from October 2010 requiring compliance by April 2011. These enforcement notices followed an investigation dating back to 2008 and are referenced 08/8552 and 08/8553. Action had been held in abeyance pending the submission and determination of a planning application. An invalid planning application seeking retrospective permission for the retention of the Mosque use was submitted in October 2010 but was withdrawn and returned two months later on the basis of inadequate information. Enforcement investigations were resumed in spring 2011 and culminated in a second planning application (ref. 11/0593) being submitted in June 2011 and validated the following month.

This second application related to a run of four properties fronting Waterloo Road, and a fifth building situated to the rear of the terrace (nos. 187-189, 191, 193-195, 197 and 199 Waterloo Road). It was stated that the properties would be used in conjunction with one another as a Mosque offering male and female prayer areas, an ancillary prayer area, a space for workshops and activities, a community lounge and television recording studio and an education and training centre which could also be used for special events and celebrations. Three existing residential flats were to be retained. It was proposed at that time that existing small outbuildings would be removed and six parking spaces would be made available for staff use with a further eight parking spaces available for use to the front of the site on the forecourt.

The application was put before the Council's then Development Control Committee on 28th November 2011 and was refused for the following reason:

The uses proposed would generate a demand for car parking which could not be met by provision within the application site and, as such, this would lead to additional on street car parking in the area which would be detrimental to highway and pedestrian safety. As such the proposed uses on the application site and in this location would be contrary to Policy AS1 of the Blackpool Local Plan 2001-2016.

This decision was subsequently appealed and the appeal dealt with through the written representations procedure. The Inspector acknowledged that the level of parking proposed would fall significantly short of that required. Whilst he considered the site to be highly accessible he judged that many patrons would nevertheless arrive by private car and that vehicles parked at the front of the premises for short periods would compromise highway and pedestrian safety. He noted that patrons could park in public car parks but observed that whilst reference had been made to a shuttle bus service, no details had been provided. Similarly, he did not feel that the Travel Plan contained sufficient detail to demonstrate that measures to promote use of more sustainable modes of transport would be effective. The main Friday lunchtime prayer period was of particular concern to the Inspector who did not accept that parking could be controlled and felt that highway and pedestrian safety would be severely harmed at these times. Taking all other relevant matters into consideration, the Inspector supported the Council's decision and dismissed the appeal on 12th June 2012.

Following this decision a formal planning enforcement notice against the use of the site as a Mosque was authorised in September 2012 and served in January 2013 (ref. 10/8428). This notice was breached and legal action was therefore taken against the owner of the properties. The case was heard in court on 18th December 2013 and a fine and costs totalling £1,077 imposed.

Enforcement action has also been taken against the poor condition of the properties (refs. 12/8062, 12/8063*, 12/8064*, 12/8065, 12/8066* and 12/8068*). Legal action was taken against the owner and the starred cases were heard in court on 2nd April 2014. A fine and costs totalling £750 was imposed.

SITE DESCRIPTION

The application site has been changed since the previous appealed application. The proposal now relates to nos. 187-189, 191, 193-195 and 197 Waterloo Road. With the exception of no. 191 which is a detached building to the rear, the properties are all two-storey terraced buildings. No. 199 Waterloo Road remains in the applicant's ownership but no longer forms part of the scheme. The properties fall within a large Local Centre as defined by Policy BH14 of the Blackpool Local Plan based around the junction of Waterloo Road and St. Annes Road and Central Drive. An alleyway runs along the back of the application site and separates the commercial properties fronting Waterloo Road from the residential properties fronting Gladstone Street. The access to this alleyway is from Gladstone Street. The application properties were formerly in retail and hot-food take-away uses at ground floor level but have collectively been in use as a Mosque with ancillary spaces and residential accommodation. The yard areas to the rear of the properties and around no. 191 Waterloo Road have been combined to create a large open space. At present this space accommodates some out-buildings in poor condition.

With the exception of new signage and repainting, the Waterloo Road frontage of the application site has been little altered since the conversion of the properties into a Mosque. The result is an incoherent frontage which remains in poor condition despite attempts to improve its appearance. The properties themselves are of traditional design with bay windows at first floor level at nos. 187-189, 193-195 and 197. Two of the properties (nos. 193-195 and 197) have a front gable feature. All of the properties have modern shop-fronts with large areas of glazing at ground floor level.

DETAILS OF PROPOSAL

The application seeks planning permission for the use of the premises as place of worship (a Mosque) and education centre, with two ancillary self-contained flats at first floor level. It is proposed that the properties would be laid out as follows:

- nos. 187-189 - the ground floor would provide the main entrance point for the Mosque with a store room and kitchen to the rear, the first floor would remain as an ancillary residential flat;
- nos. 193-195 - the ground and first floors would remain as the prayer space;
- no. 197 - the ground floor would be used as a community/education centre with toilet and washing facilities to the rear, the first floor would remain as an ancillary residential flat.

At the rear of these properties, no. 191 Waterloo Road would be demolished to extend the open yard area which would then be laid out for car parking with seventeen spaces proposed. The submitted plans indicate a further six off-street parking spaces on the forecourt at the front of the property.

The application proposes external alterations to the front of the building to remove the existing shop-fronts and the non-original first floor bay at nos. 187-189, all of which are in poor condition. Traditional-style, angular bays would be reinstated at ground floor level below the existing, original first floor bays at nos. 191-193 and 195-197, with two new windows installed at first floor level in nos. 187-189. These windows would have stone cills and lintels and would replicate the original windows on the neighbouring property. The ground floor bay to nos. 195-197 would incorporate a central doorway providing access into the education/community space. The main entrance to the Mosque would be within the frontage of nos. 187-189. The double entrance doors shown would have strip windows on either side and signage above. The whole would be framed by a peaked arch making reference to traditional Islamic design.

The previous appealed application proposed three self-contained flats and 539sq m of floorspace associated with the Mosque use. Following the exclusion of no. 199 Waterloo Road and the proposed demolition of the building to the rear (no. 191 Waterloo Road), the scheme now proposes 2 self-contained flats and 327sqm of floorspace associated with the Mosque use.

The application is accompanied by a Planning Statement and a bat survey.

The Committee will have visited the site on 11th August 2014.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- the acceptability of a place of worship and education centre in this location;
- the impact of the proposal on residential amenity;
- the impact of the proposal on parking and highway safety;
- the acceptability of the external alterations proposed.

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

CONSULTATIONS

Waste Management: domestic and commercial waste would have to be segregated and adequate storage and disposal provision would have to be in place. The applicant should contact the Council's Waste Management team in the first instance to discuss requirements.

Head of Housing and Environmental Protection Service: no comments have been received in time for inclusion in this report. Any comments that are received prior to the Committee meeting will be reported through the update note.

Police Architectural Liaison Officer: in the period June 2013 to June 2014 there have been reported crimes including burglary and criminal damage in the vicinity. The front and rear external doors and the flat entrance doors should be of enhanced security standard certified to PAS 24 2012. They should incorporate a multi-point shoot bolt locking system. Replacement windows should meet standard PAS 24 2012 and ground floor glazing should be laminated. The building should be fitted with an intruder alarm system and CCTV should be installed to provide coverage of the perimeter of the building, in particular doors and windows and the lobby. Access control arrangements such as a keypad should be fitted to the flat entrance points. The parking bays to the rear of the building should be illuminated with lighting columns to British Standard 5489 and PIR dusk until dawn security lighting to discourage criminal activity. The refurbishment should proceed in accordance with Secured By Design Guidance.

Head of Transportation: Objection. The revised application proposes a gross internal floor area of 327sq m and the retention of two self-contained flat units. Six off-street parking spaces are shown to the front of the premises of which only five are considered to be usable due to the presence of a speed camera housing unit adjacent to the carriageway. A further 17 off-street parking spaces are proposed at the rear but these are considered to be unusable. Access would be from Gladstone Street via a narrow back alley. Gladstone Street is 5.4m wide and the alleyway access is 3.3m wide with a 90 degree bend leading onto the 3.7m wide rear alley. The alley is gated. Should traffic emerge from any other part of the alley, a reversing manoeuvre would be required leading to blockage. Emergency access could be compromised. Gladstone Street is well-parked and tight for turning space. Whilst the aisle width within the car park is considered to be sufficient to serve spaces 03-07 and 10-11, the use of the alleyway as manoeuvring space for spaces 12-14 would be considered inappropriate. Spaces 01-02 and 08-09 should be rotated by 90 degrees. Space 07 would still remain difficult to access. All the car parking spaces shown in the rear car park are below the minimum space standard of 2.4m x 4.8m. As the spaces to the rear are not deemed to be adequately accessible, and given the position of the speed camera housing on Waterloo

Road, the site is considered to provide only five off-street parking spaces which are functional and fit for purpose. As the Mosque proposed would have a gross floorspace of less than 500sq m, there is no accepted reduction of the maximum parking standards related to the level of accessibility. The maximum parking requirement would be 33 for the Mosque and education centre and three for the residential accommodation. Given the limited level of usable parking provision available, it is felt that the development would lead to increased demand for on-street parking in an area where there is limited supply. It is considered that this would have a detrimental impact on highway and pedestrian safety.

PUBLICITY AND REPRESENTATIONS

Site notices displayed: 9th June 2014

Neighbours notified: 5th June 2014

Representations have been received in relation to this application from the following addresses:

Aintree Road; nos. 5 and 53
Arnside Avenue; no. 21
Central Drive; no. 336
Chislehurst Avenue; nos. 3A and 54
Falmouth Road; nos. 7 and 35
Fernhurst Avenue; no. 27
Gladstone Street; nos. 9, 18, 22 and 23
Hampton Road; no. 11
Harcourt Road; no. 20
Hemingway; no. 53
Hurstmere Avenue; no. 30
Lowfield Road; no. 27
Marsden Road; no. 11
Molyneux Drive; no. 112
Newbury Avenue; no. 6
Severn Road; no. 22
Shetland Road; no. 58
St. Annes Road; nos. 8 and 33
St. Heliers Road; no. 110
Stadium Avenue; no. 54
Stamford Avenue; no. 35
Waterloo Road; nos. 185, 209, 215 and 241
Watson Road; no. 240
Westbank Avenue; no. 17
Weston Place; no. 2
York Street; no. 24

These representations raise the following issues:

- no need for use as a Mosque
- no need for education centre
- inappropriate use in area
- impact on character of area

- impact on vitality of local businesses
- poor impression for visitors to the resort
- potential for use to lead to racially-motivated aggression
- inadequate access from Gladstone Street and over pavement to front
- traffic generation
- highway safety
- illegal vehicle crossing of the Waterloo Road footpath
- parking pressure
- increased congestion
- impact on public transport timetables from increased congestion
- air pollution from increased traffic generation
- inadequate access to rear car park
- noise and disturbance from vehicle access to car park
- noise and disturbance from use and from calls to prayer
- noise and disturbance from people congregating on Waterloo Road
- loss of privacy
- incongruent design
- existing condition of building
- damage caused through demolition of building to rear
- loss of security through alley gates being left open to enable access to car park
- disturbance of refuse left in alleyway for collection leading to litter
- use is illegal
- positive discrimination by the Council on racial grounds
- should not be allowed to resubmit
- inadequate notification
- disingenuous application (i.e. amended from previous submission purely to correspond to parking standards)

Proforma responses have been received from the following addresses:

Cavendish Road, Bispham; no. 220
 Chesterfield Road, Blackpool; no. 59
 Exchange Street, Blackpool; no. 58
 General Street, Blackpool; no. 50
 Green Drive, Thornton Cleveleys; no. 9
 Greetby Hill, Ormskirk; no. 18 Orme House
 Ridgeway, Thornton Cleveleys; no. 133
 St. Annes Road, Blackpool; no. 229
 Whitley Avenue, Cleveleys; no. 7

These responses do not raise any additional issues.

Two representations have been received which could not be published on the Council's website because of what is considered to be racist content. A further anonymous objection has been received as has one from Lytham Road that does not specify the address. None of these representations raise additional planning issues to those listed above.

The planning issues raised will be discussed in the assessment section of this report.

As the proposal has changed from the previous submission, the Council is legally obliged to consider the application.

Any damage arising to private property as a result of any development on site would be a private legal matter for resolution between the land-owners.

The application has been publicised in line with the statutory requirements. Site notices have been displayed and all addresses notified for application ref. 11/0593, all those from which representations were received and all residents of Gladstone Street have been renotified for this application.

A significant proportion of the objections received have made specific reference to the fact that the proposal is for a Mosque. The Committee is respectfully reminded that the planning system is concerned with land uses and not the specific characteristics of owners or occupiers. This application must therefore be determined on the basis of the acceptability of the use of the site as a place of worship and associated community/education centre without regard to the religion to be practised.

NATIONAL PLANNING POLICY AND GUIDANCE

In March 2012, the National Planning Policy Framework (NPPF) was published. This document sets out the Government's approach and expectations with regard to planning and development. There is a presumption in favour of sustainable development where there are no over-riding material considerations. The Framework makes it clear that the planning system should empower local people to shape their surroundings that developments should seek to secure a high standard of design and amenity. The importance of healthy and inclusive communities is recognised.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

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

- BH3 - Residential and Visitor Amenity
- BH11 - Shopping and Supporting Uses - Overall Approach
- BH14 - Local Centres
- BH19 - Neighbourhood Community Facilities
- LQ1 - Lifting the Quality of Design
- LQ14 - Extensions and Alterations
- AS1 - General Principles (Access and Parking)

EMERGING PLANNING POLICY

Blackpool Local Plan: Part 1 - Core Strategy: Proposed Submission

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16th June 2014 and by the full Council on 25th June 2014. The document was subsequently published for public consultation on 4th July 2014 for a period of eight weeks. Once this consultation period has closed, the intention is that the document will be submitted for consideration by an independent Planning Inspector through an Examination in Public in 2015.

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

CS4 - Retail and Other Town Centre Uses

This policy does not conflict with or outweigh the provisions of the adopted Local Plan policies listed above.

ASSESSMENT

Principle

The application is seeking planning permission for the use of the site as a place of worship and community centre with two existing self-contained flats retained at upper floor level. Saved Policies BH11 and BH19 of the Local Plan, and draft Policy CS4 of the Core Strategy seek to direct community uses to the established retail centres and, in particular, to centres of a size and function appropriate to the use proposed. The application site is situated within a large Local Centre which covers the junction of the Central Drive/St. Annes Road and Waterloo Road, both of which are main arterial routes. The Local Centre accommodates a wide range of retail and service uses over and above day-to-day convenience shopping needs. There is also an ambulance station, fire station, primary school and youth centre in the immediate vicinity. The application proposes a place of worship and community/education centre related to the religious use of the site. Previously the applicant had proposed an ambitious scheme seeking to offer numerous and varied community classes, workshops and activities. It is understood that the scope of the proposal has been considerably reduced and that the education and community activities proposed to take place from the site, rather than being more general, would be directly related to the religious use of the premises. The supporting statement submitted with the application states that the education classes would be offered between 5pm and 7pm with community uses taking place in the morning so as not to conflict with prayer times. It is noted that the space available for education and community activities is much reduced from the previous application and would now amount to some 38sq m on the ground floor of nos. 195-197. Peak levels of usage of the Mosque are likely to be around the Friday lunchtime prayer and certain religious festivals where up to 60 visitors would be expected.

A number of the representations received object to the proposal on the basis of lack of need due to the existence of a Mosque on land between Central Drive and Grasmere Road. The Committee is advised that there is no planning policy requirement for need to be demonstrated in support of a new community use. As the nature and scale of the use is in-keeping with the character and scale of the Local Centre, and as the premises were previously vacant and under-used, the proposal satisfies Policies BH11, BH14 and BH19 and no sequential appraisal is necessary.

Given the size of the site, the activities proposed and the level of use anticipated, it is considered that the use of the site as a place of worship and community centre is appropriate in the context of the size, character and function of the Local Centre and is therefore acceptable in principle.

Impact on Amenity

There are residential properties to the rear of the site fronting Gladstone Street, on the opposite side of Waterloo Road and at upper floor level above commercial uses within the

Local Centre. The main buildings are separated by some 25m from the rear elevations of the houses fronting Gladstone Street. The rear gardens of these properties and the rear alleyway provide a buffer of some 8m between the houses and the site.

The application form states that the hours of operation of the Mosque would be 6am to 11pm. It is understood, however, that outside of special periods of religious observance, the early morning and later evening prayer times would be likely to be attended by the applicant's family only. As two existing self-contained flats would be retained on site for occupation in conjunction with the Mosque use, this would be unlikely to generate vehicle movements. It would be open to the Council to apply a restrictive condition to any permission granted to limit public use of the site to a lesser number of hours during the day and early evening for the majority of the year. However, during periods of special religious observance, such as Ramadan which lasts for approximately one month, public prayers would take place at specific times of the day and night as dictated by the Islamic lunar calendar, and may fall during the night or in the very early morning. In the supporting statement submitted with the application it is stated that Friday prayers and specific religious occasions are grouped together and it is suggested that up to 60 visitors could attend. Although a congregation of 60 may gather for Friday prayers and for other special prayers during the working day, it is likely that a significant number of the prayers outside of normal working hours could be taken at home or at a different Mosque closer to home for those Muslims who work but do not live in Blackpool. As such, this size of congregation would be highly unlikely to attend all prayer times.

The Local Centre within which the application properties sit covers the junction of two main arterial routes and accommodates a range of late-night uses. As such, given that the Islamic periods of specific religious observance are lunar dependent and that the Mosque would be unlikely to be otherwise used by the public during early morning or late evening, it is not considered that residential amenity would be unacceptably affected by noise and disturbance generated by the operation of the Mosque. The Committee is respectfully reminded that the application does not include any proposals for the installation of equipment for the amplification of speech (i.e. call to prayer). It must also be noted that the Mosque operated prior to prosecution without any complaints being made to the Council's Environmental Protection Service regarding noise nuisance.

This application differs from the previous submission in proposing the demolition of no. 191 Waterloo Road to provide a car parking area to the rear of the site. This car park would be separated by some 8m from the rear elevations of the properties fronting Gladstone Street and would be accessed by a relatively narrow alleyway. Whilst the operation of the Mosque itself is considered to be unlikely to have an adverse impact on residential amenity through noise and disturbance, it is considered that vehicle access to the car park and the sounds of car doors opening and closing late at night and in the early hours of the morning could cause a noise nuisance. The acceptability of the proposed car park is discussed further in the next section of this report.

The flats proposed to be retained would be occupied in conjunction with the operation of the Mosque. As such, residents would be likely to be involved in activities taking place and the consequent impact on the residential amenity of these occupants would be minimal. This occupancy could be controlled by condition.

Parking and Impact on Highway Safety

The application proposes six parking spaces to the front of the site on the forecourt that would be accessed from Waterloo Road, and a further seventeen spaces to the rear of the site following the demolition of no. 191 Waterloo Road. These would be accessed from Gladstone Street via a back alleyway. It is proposed that the seventeen spaces to the rear be arranged as a row of seven spaces along the eastern boundary and four spaces including an accessibility space along the western boundary. An aisle of more than 7m in width would be provided between these two rows for manoeuvring. Within this space, however, it is proposed that a further six spaces could be created for use during Friday prayers and periods of special religious observance. It is suggested that these spaces would be used under the supervision of a parking marshal.

The Head of Transportation has considered the parking proposed and does not believe that six spaces can be provided to the front because access is partially blocked by the existing speed camera housing adjacent to the carriageway. However, it is accepted that five usable spaces would be available to the front of the site. With regard to the parking provision at the rear of the site, in response to the Head of Transportation's comments, some spaces have been rotated and all now meet the Council's minimum size standards. It is accepted that a satisfactory car park layout could be proposed that would accommodate seventeen vehicles. This would make use of the central manoeuvring space during busy periods and would mean that some cars would be blocked in. The parking spaces proposed in the middle of the car park could only be adequately accessed if the existing alleyway forms part of the manoeuvring space and this is not ideal. Regardless of the adequacy or otherwise of the layout, however, the Head of Transportation has judged that the car park would not be adequately accessible from Gladstone Street. This street is a secondary road which is well parked meaning that turning space is tight. The access to the alleyway from Gladstone Street is only 3.3m wide and the alleyway itself, accessed via a 90 degree bend, is 3.7m wide. This is considered to be inadequate to provide safe and convenient access to the car park. Cars would not be able to pass and any manoeuvres within the alleyway would block access. As such, the Head of Transportation has concluded that only five usable car parking spaces could be provided on the site.

The application seeks planning permission for 327sq m of floorspace for use as a Mosque (including the associated education/community centre) and the retention of two self-contained flats. This would give a maximum parking requirement of 33 spaces for the Mosque and up to three spaces for the flats, a total of 36 spaces. The number of accessible spaces proposed (the five at the front of the site) would equate to just 14 per cent of this maximum requirement. Even if it were accepted that three parking spaces at the rear of the site could reasonably be used by the residents of the flats who would be more accustomed to the nature of the rear alleyway, the overall level of usable parking would equate to only 22 per cent of the maximum requirement.

It is acknowledged that the site falls within a defined Local Centre which is served by three bus routes, lines 5, 10 and 16, with 10 minute, hourly and half-hourly frequencies respectively. As the floorspace of the Mosque falls below 500sq m, no reduction on the baseline standard is applicable. However, even if an allowance were made for the accessibility of the site (which could reduce the maximum requirement to 22 spaces if the highest discount were applied) the level of usable provision proposed would still fall significantly short of this number.

Whilst it is also acknowledged that there is a large public car park at Central Corridor within walking distance (less than 400m), it is felt that regular users of the Mosque and education/community centre would be unlikely to use nearby pay-and-display facilities preferring instead to look for parking spaces in the immediate vicinity. It is noted that parking restrictions are in place on nearby residential streets and limitations on Waterloo Road. Existing on-street parking spaces would have to be lost from the front of the site to enable safe access to the forecourt. As such, the Head of Transportation is concerned that the lack of off-street parking would lead to inconsiderate and potentially unsafe parking or waiting on the highway for drop-off and collection to the detriment of highway and pedestrian safety.

The application does not include a Travel Plan to promote use of sustainable travel modes or otherwise reduce parking demand but this could be dealt with by condition.

Appearance

At present, as stated above, the application site is in visually poor condition despite attempts to improve its appearance and the frontage lacks the coherence normally associated with a single use. The application proposes the removal of the garage at the rear of nos. 187-189 and of no. 191 Waterloo Road to create a parking area. Should permission be granted, a condition would be imposed requiring this area to be hard-surfaced and properly marked out, thereby significantly improving the appearance of the site from the alleyway.

At the front of the site, the application proposes the removal of the existing shop fronts and the reinstatement of traditional style bays and fenestration. This in itself would substantially improve the appearance of the buildings. A central doorway would be provided within the ground floor bay of nos. 195-197 to give access to the education/community centre. The main entrance to the Mosque would be within the frontage of nos. 187-189. The double entrance doors proposed would have strip windows on either side and signage above with the whole framed by an Islamic-style peaked arch. Overall it is considered that the works proposed would give the site greater coherence and have a positive impact on the quality of the streetscene.

Other

The Committee is advised that no bodies brought to the Mosque for funeral preparations would be stored overnight. It is understood that the ceremonial procedure of preparing a body for burial is undertaken by the family of the deceased and that burial typically takes place on the same day.

A bat survey was undertaken by Arbtech Consulting Limited in May 2014. The subsequent report judged that the proposed demolition of no. 191 Waterloo Road would present a low probability of harm to bats.

The use of the application site as a place of worship and community centre is not subject to a requirement for a financial contribution towards the provision of public art or public open space.

It is not anticipated that the use of the site as a place of worship and a community centre would place a greater demand on existing drainage systems than the use of the site as shops and hot-food take-aways. United Utilities have previously raised no objections to the application. As such, no drainage issues are identified.

Refuse would be stored in the rear yard area and a condition requiring the submission of details of a formal store could be imposed should the Committee be minded to support the application.

Concerns have been raised regarding the potential impact of the proposal on the vitality and viability of the Local Centre and on the regeneration and the tourism economy of Blackpool. The application site is some considerable distance from the Promenade, Resort Core and Town Centre. The site is situated within a large Local Centre which is intended to serve local community needs. As discussed above, the use is considered appropriate in the location. Consequently, no wider detrimental impacts are anticipated.

CONCLUSION

Whilst the use of the premises as a place of worship is considered to be acceptable in principle, the amount of usable off-street parking that could be created to serve the use is considered to be inadequate. Although seventeen parking spaces have been shown to the rear of the buildings, it is not considered that these spaces could be accessed safely because of the width of the alleyway to the rear of Gladstone Street and the tight corner that must be negotiated. The Head of Transportation considers that only five usable spaces could be provided and is concerned that the lack of off-street parking would lead to increased parking pressure and inconsiderate parking to the detriment of highway safety. As such, the application is considered to be contrary to Policy AS1 of the Blackpool Local Plan.

On this basis, the Committee is respectfully recommended to refuse planning permission for the use proposed.

LEGAL AGREEMENT/DEVELOPER CONTRIBUTIONS

N/A

HUMAN RIGHTS ACT

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

CRIME AND DISORDER ACT 1998

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

Recommended Decision: Refuse

Conditions and Reasons

1. The uses proposed would generate a demand for car parking which could not be met by provision within the application site and, as such, this would lead to additional on street car parking in the area which would be detrimental to highway and pedestrian safety. Notwithstanding the accessibility of the parking proposed to the rear, use of this provision early in the morning or late at night would have the potential to cause noise nuisance to nearby residential neighbours. As such the proposal would be contrary to Policies AS1 and BH3 of the Blackpool Local Plan 2001-2016.

2. **ARTICLE 31 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)**

Wherever possible, the Local Planning Authority seeks to work proactively with applicants to secure sustainable development that would improve the economic, social and environmental conditions of Blackpool. However, it is considered that the current proposal would be sufficiently detrimental to highway safety and residential amenity as to conflict with paragraph 14 of the National Planning Policy Framework and Policies AS1 and BH3 of the Blackpool Local Plan 2001-2016 and thereby justify refusal. It is considered that these issues cannot be overcome through negotiation.

Advice Notes to Developer

Not applicable

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COMMITTEE DATE: [11/08/2014](#)

Application Reference: 14/0514

WARD: Bloomfield
DATE REGISTERED: 10/07/14
LOCAL PLAN ALLOCATION: Resort Core
Central Promenade and Seafront
Resort Neighbourhood
Defined Inner Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: THE ROYAL CARLTON

PROPOSAL: Retention of partially covered timber decking area to front elevation with glazed windbreaks and disabled access ramp and retention of first floor level balcony to front.

LOCATION: 343-347 PROMENADE, BLACKPOOL, FY1 6BJ

Summary of Recommendation: Refuse in principle but to delegate the issuing of the decision to the Head of Development Management.

CASE OFFICER

Miss. S. Parker

BACKGROUND

In March of this year the applicant submitted a similar planning application for the erection of a partially covered timber decking area to front of the hotel with a covered entrance walkway, glazed windbreaks, and a disabled access ramp. The formation of a first floor level balcony to the front elevation was also proposed. The decking proposed extended out to the back of the Promenade pavement. The Committee considered the application at its meeting on 7th May 2014 and refused permission on the following grounds:

- the plans lacked detail and were unclear, confusing and inconsistent. The applicant had not explained how the decking would be used and so it was not possible to accurately and robustly assess the likely impacts of the proposal;
- the works proposed when taken as a whole would have presented an overly large and dominant feature within the streetscene that would have appeared incongruous and detracted from the quality, character and function of the immediate area;
- the provision of the decked area would have resulted in the loss of all off-street parking available on the site and the extension of the decking up to the back of pavement would have lead to visitors and luggage blocking the pavement. No coach parking was to be provided. Detriment to highway safety was anticipated through increased parking pressure, the potential for inconsiderate parking, and the potential for pedestrians to have to step out into the carriageway to avoid visitors and their luggage on the pavement.

Following the refusal of the application, officers from the Development Management team met with the applicant and his agent on site to discuss potential solutions. It was suggested that the decking be pulled back to retain some off-street parking at the front of the site and create an area where visitors disembarking from coaches could wait with their luggage without blocking the pavement. It was also suggested that the entrance walkway be rationalised to reduce the bulk of the development. The strong emphasis was on limiting the extent of the decking. Two options were then submitted for comment, one showing a set back of some 4.5m and the other showing a set back of just 2.5m. It was confirmed that the option leaving the most open space at the front of the site was preferred. An earlier letter from the Head of Development Management had advised that some off-street car parking provision should be retained.

Notwithstanding this meeting and what appeared to be an agreement between the applicant and officers, and prior to the submission of the current application, works on site have been ongoing and the decking installed extends to the back of pavement.

SITE DESCRIPTION

The application property is a three-storey hotel with an additional floor of accommodation contained within a mansard roof. It sits on the southern side of the junction of Crystal Road with the Promenade. The building has a four-storey lift shaft adjacent to Crystal Road which is topped by a pyramid-style roof. At the front of the property is a large forecourt that was previously marked out as 23 triple-banked parking spaces but which has since been covered with terraced timber decking. The building has an art-deco appearance with a plain render finish and a curved frontage. The property has been recently refurbished internally and has now reopened as a hotel.

DETAILS OF PROPOSAL

The application seeks retrospective planning permission for the erection of a partially covered timber decking area to the front elevation. The decking would be split into three sections of different levels extending up to the back of pavement with glazed windbreaks along the front of the top two levels and along the sides. A disabled access ramp is proposed along the southern edge of the decking approximately 1.5m from the boundary with no. 349 Promenade. The application also seeks retrospective permission for the formation of a balcony at first floor level above the existing front sun-lounge. The scheme no longer includes the provision of a covered walkway or a glazed windbreak along the back of the pavement as previously proposed.

The applicant's agent has submitted an email explaining that the refurbishment undertaken has cost some £400,000 and emphasising the number of visitors and associated spend brought to Blackpool through his client's company, Blackpool Promotions. The email states that the decked area is to be used for sales, rest and relaxation. It is assumed that the sales would relate to food and drink but this is not clear. The canopy is to offer protection from the weather and provide a covered smoking area.

The Committee will have visited the site on 11th August 2014.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- The acceptability of the creation of a terraced area to the front of the hotel;
- The impact of the works on the appearance of the site and this section of the Promenade;
- The impact of the works on the amenity of visitors at neighbouring hotels;
- The acceptability of the loss of the existing off-street car parking.

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

CONSULTATIONS

Head of Transportation: no response has been received in time for inclusion in this report. Any comments that are received will be reported through the update note.

Head of Housing and Environmental Protection Service: no response has been received in time for inclusion in this report. Any comments that are received will be reported through the update note.

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 22nd July 2014

Neighbours notified: 22nd July 2014

No representations 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.

NATIONAL PLANNING POLICY FRAMEWORK

In March 2012, the National Planning Policy Framework (NPPF) was published. This document sets out the Government's approach and expectations with regard to planning and development. It places heavy emphasis on sustainable development and the need for the planning system to be proactive in driving economic growth. There is a presumption in favour of development where there are no over-riding material considerations. The Framework makes it clear that all developments should be of a high standard of design and paragraph 64 states that 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. This emphasis on the need for good design is repeated in the National Planning Practice Guidance (NPPG) which was introduced in March 2014.

SAVED POLICIES: BLACK POOL 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:

- RR2 Visitor Accommodation
- RR7 Promenade Frontages within the Resort Core
- LQ1 Lifting the Quality of Design
- LQ2 Site Context
- LQ14 Extensions and Alterations
- BH3 Residential and Visitor Amenity
- BH11 Shopping and Supporting Uses - Overall Approach
- BH12 Retail Development and Supporting Town Centre Uses
- AS1 General Principles (Access and Parking)

EMERGING PLANNING POLICY

Blackpool Local Plan: Part 1 - Core Strategy: Proposed Submission

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16th June 2014 and by the full Council on 25th June 2014. The document was subsequently published for public consultation on 4th July 2014 for a period of eight weeks. Once this consultation period has closed, the intention is that the document will be submitted for consideration by an independent Planning Inspector through an Examination in Public in 2015.

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

- CS7 Quality of Design

This policy does not conflict with or outweigh the provisions of the adopted Local Plan policies listed above.

ASSESSMENT

Principle

The principle of improving visitor accommodation is supported by Policy RR2 of the Blackpool Local Plan. However, this policy primarily seeks to ensure that hotel bedrooms or holiday flats are of a good size and layout and that they are supported by appropriate facilities of a high standard. Policy RR7 of the Plan relates more generally to new developments on the Promenade. This policy is supportive of schemes that would provide an active frontage to the Promenade, reinforce existing concentrations of uses, and enhance the amenity, character and appearance of the area. As such, works to improve the appearance, character and function of the building as a hotel would be considered to be acceptable in principle.

The current application seeks to planning permission for the retention of three levels of decking over the existing forecourt of the hotel, the top section of which is proposed to be covered with a canopy. The proposal also includes the retention of a balcony above the existing front sun-lounge which is split into four sections for private use by the occupants of four of the front bedrooms at first floor level. Whilst this latter aspect of the scheme would directly improve the quality of visitor accommodation, the works to create the decking and covered terrace area would be less clearly linked to an improvement in the standard of visitor accommodation, particularly given its size and extent of coverage. The impact of the

scheme on the amenity, character and appearance of the area will be discussed in the sections below. The decking would be accessible from the hotel lounge and dining room and is proposed for sales, rest and relaxation. It is understood that the decking would be used as an extension of the hotel restaurant and bar and it is noted that the space is set out with tables and chairs. It is unclear from the information submitted whether or not the decked area would primarily be used by occupants of the hotel or to accommodate passing trade from the Promenade. However, at the time of the officer site visit the decking was set out with tables and chairs on all three levels and signage was displayed stating that the facility was available for use by non-hotel guests up until 11pm. Whilst this would undoubtedly create an active frontage, predominant use by non-guests would suggest a material change of use requiring planning permission which would be contrary to Policies BH11 and BH12 of the Blackpool Local Plan which seek to direct independent cafe and restaurant uses to the Town Centre, District Centres and Local Centres, and contrary to Policy RR7 of the Plan which seeks to safeguard Promenade character. It is contended that, by virtue of its size, the decking is above and beyond that which could be considered to be an ancillary facility to the hotel.

Appearance

The application seeks to retain three levels of decking across the existing forecourt to the hotel with access points in the form of steps at either side. A ramp would run along the southern edge of the decking some 1.5m from the boundary with no. 349 Promenade. The space between would be left as existing. The covered walkway previously proposed between the hotel and the Promenade pavement has been omitted from this proposal. Glazed windbreaks would be provided along the frontage of the top two sections of deck and along the sides of the decking. The windbreaks would be some 1.1m in height above the deck. It is not clear what kind of divide would be provided between the proposed ramp and the area of tarmac adjacent to the boundary of the site. The top level of decking closest to the hotel would be covered by a glazed canopy some 2.6m above the level of the deck and 3.4m above existing surface level. The first level of deck at the back of the Promenade pavement would be some 0.15m above the level of the highway. A windbreak across the frontage was formerly proposed at this point but this has now been omitted from the scheme. The first windbreak would be positioned on the edge of the middle section of decking and would sit within 3m of the back of pavement at a total height of 1.6m. Double doors would be installed in place of the double window in the front elevation closest to the southern boundary in order to provide an access between the hotel and the decked area.

Although timber frames have been installed on site, the details provided with the application show that the windbreaks would consist of glazed panels with curved top corners held between stainless steel posts. The design of the windbreaks, viewed in isolation, is considered to be acceptable. Similarly the formation of the first floor balcony and the replacement of a double window with a double door within the front elevation at ground floor level are considered to be acceptable.

The plans remain of poor quality and are difficult to decipher with confidence. Given the scale and level of detail on the drawings it is very difficult to get an accurate idea of what the scheme would look like from the plans. No elevation or section drawings of the northern and southern boundaries of the site have been provided. However, the decking has been installed on site albeit without a canopy or the glazed windbreaks and can therefore be viewed in situ. None of the surrounding hotels have forecourt features of this kind or size and the Committee is respectfully advised that the timber structures to the front of no. 351 Promenade are currently subject to a planning enforcement investigation (ref. 13/8370).

The Resort Core has long been acknowledged as Blackpool's "shop-front" and it is imperative that any development along this stretch of the Promenade makes a positive contribution towards the appearance, character and function of the area. By virtue of its height and extent across the width and depth of the forecourt, it is considered that the decking is an overly dominant, overly large and incongruous feature which is visually detrimental to the quality of the streetscene. The applicant has been advised that some redevelopment of the forecourt setting the decking well back from the back of pavement and retaining some off-street car parking would be likely to be acceptable, but it is considered that the current scheme is overly-intensive.

Amenity

The balcony at first floor level would be split into four sections and made available for use by the occupants of four of the bedrooms at the front of the hotel. As such, the amount of noise that would be likely to be generated on these balconies is likely to be limited. As the Promenade is a busy road for both vehicular and pedestrian traffic, it is relatively active and background noise levels will be above average for much of the day and into the evening. On this basis, the balcony is not anticipated to have an unacceptable impact on the amenities of visitors at the neighbouring hotel by virtue of increased noise or disturbance.

As previously stated, the applicant has provided little information to explain how the terraces would operate, or if they would be used predominantly by visitors at the hotel or passing trade from the Promenade. As such, it is difficult to determine whether or not the creation of the terraces would have a detrimental impact on visitor amenity. However, at the time of the officer site visit the decking was set out with tables and chairs on all three levels and signage was displayed stating that the facility was available for use by non-hotel guests up until 11pm. Whilst it is recognised that background noise levels in the area immediately surrounding the application site will be higher than average, it is also noted that the properties fronting the Promenade to the north and south for some distance are all in use as hotels. The nearest cafe is the New Yorker one block to the south and this has a much smaller forecourt area than the application property. On this basis, given the size of the decking and the number of tables that can be supported, it is likely that a significant amount of additional noise would be generated which could cause nuisance to the occupants of neighbouring properties.

Parking

The installation of the decking has resulted in the loss of all off-street parking at the hotel. Previously 23 parking spaces were marked out on the forecourt. These spaces were triple banked and so were not particularly convenient for use, but it is likely that they were offered to visitors for the duration of their stay with access for arrival and departure managed by the hotel. The applicant has suggested that his business operates entirely on coach-borne custom with no requirement for visitor parking. However, the Council would not be able to control the operation of the business in this regard. The hotel is on the southern side of the junction of Crystal Road and the Promenade and there are double yellow lines across the frontage of the site to prevent parking. As such, the site is not ideally located for coach drop-off and pick up. The provision of raised decking up to the back of pavement and the use of this space in conjunction with the restaurant with chairs and tables set out would be likely to result in disembarked visitors and luggage blocking the pavement. The applicant has suggested that this space would be left clear on days when coach parties are expected but this could not be controlled by the Council. Consequently, the extent of the raised deck may

result in pedestrians stepping out into the carriageway to move past the site. Private cars or a coach pulled up at the roadside would impede visibility for motorists and may lead to dangerous manoeuvres on the highway. Although the Head of Transportation has not provided formal comments on this application at the time of writing this report, he was previously unwilling to support the scheme for the reasons set out above.

Other Issues

The applicant has previously asserted that his business brings in the region of 200,000 overnight stays to Blackpool each year and, on that basis, he is looking for Council support with this venture. A statement submitted with the previous application notes that the Royal Carlton previously lay vacant following fire damage and that significant investment has been required to bring the hotel back into viable use. However, no financial information has been provided to demonstrate that the property could not viably operate as a hotel without the amount of decking that has been provided for use in conjunction with the hotel bar and restaurant at the front of the site.

CONCLUSION

The application property is in a key location within Blackpool's Resort Core and on the Promenade. It has recently been refurbished and brought back into use as a hotel after being vacant for some time following fire damage and this is to be welcomed. The application seeks planning permission for a first floor balcony and three levels of decking over the existing hotel forecourt. The terrace nearest to the hotel would be covered. Glazed windbreaks would be provided across the top two levels of decking and along either side. The scheme would result in the loss of all 23 off-street car parking spaces currently available on the site. The plans submitted are of poor quality, lack detail and are difficult to decipher with confidence. It is considered that the decking that has been erected is overly-large, dominant and incongruous within the streetscene and is therefore detrimental to the appearance, character and function of this section of the Promenade. It is also felt that the complete loss of car parking and the development of the forecourt up to the back of the pavement will have a detrimental impact on highway safety. Finally, the size of the decking and the fact that it is advertised as being available for use by non-hotel guests prevents the feature from being considered to be entirely ancillary to the hotel use. As such, the proposal is considered to be contrary to Policies BH11, BH12, RR7, LQ1, LQ2, LQ14, BH3 and AS1 of the Blackpool Local Plan. Whilst all applications must be considered on their own merits, it is considered that an approval in this instance would make it harder for the Council to resist similar proposals elsewhere, leading to a more significant, cumulative detrimental impact on the appearance, character and function of the Resort Core and more particularly the Promenade.

RECOMMENDATION

The site notice publicising this application was posted on 22nd July 2014. As such, the earliest date a decision can be made on the application is 12th August 2014. On this basis, the Committee is respectfully recommended to refuse the application in principle but to delegate the issuing of the decision on that date (or soon after) to the Head of Development Management.

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: Refuse in principle but to delegate the issuing of the decision to the Head of Development Management.

Conditions and Reasons

1. The plans submitted lack necessary detail and are unclear as to the precise nature of the proposals. Insufficient information has been submitted with the application to explain how the decking that has been erected at the front of the hotel would be used. As such, and as the works are not yet complete, it is not possible to accurately and robustly assess the proposal as a whole and the likely impacts of the finished scheme upon the appearance of the site, the character and function of this section of the Promenade, and the amenity of visitors. Consequently the application is considered to be contrary to Policies RR7, LQ1, BH3 and BH11 of the Blackpool Local Plan 2001-2016.
2. Notwithstanding reason 1 above, it is considered that the external works undertaken to date to erect the three levels of decking with glazed windbreaks and the covered terrace area, when taken as a whole, present an overly large and dominant feature within the streetscene that appears incongruous and detracts from the quality, character and function of this section of the Promenade. As such, the proposal is considered to be contrary to Policies RR7, LQ1, LQ2 and LQ14 of the Blackpool Local Plan 2001-2016.
3. Notwithstanding reason 1 above, the decking erected has resulted in the loss of all off-street car parking which was available on the site. Insufficient information has been submitted to justify this loss of this parking provision. The loss of this provision combined with the position of the decking up to the back of the pavement is likely to lead to visitors disembarking from coaches and their luggage blocking the pavement for pedestrians which could then lead to pedestrians having to step out into the carriageway to the detriment of their safety. There is, however, no provision for coach drop-off/collection close to the site and on-street parking is restricted along both the Promenade and Crystal Road frontages of the site. The loss of the car parking provision on-site may lead to inconsiderate drop-off/collection parking to the detriment of highway safety, and any associated reliance on coach-borne custom could similarly have a detrimental impact on highway safety. As such, the application is considered to be contrary to Policy AS1 of the Blackpool Local Plan 2001-2016.

4. **ARTICLE 31 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)**

Wherever possible, the Local Planning Authority seeks to work proactively with applicants to secure sustainable development that would improve the economic, social and environmental conditions of Blackpool. In this instance, the Council thought it had negotiated a potentially acceptable solution with the applicant. However, the current application does not reflect these discussions and lacks sufficient detail and information to enable a robust assessment of the impacts of the finished scheme. Based on the plans that have been submitted and the works carried out on site it is considered that the development, when completed, would be sufficiently detrimental to the appearance of the streetscene and potentially the amenity of neighbours and the character and function of the area so as to conflict with paragraphs 14, 17 and 64 of the National Planning Policy Framework and Policies RR7, LQ1, LQ2, LQ14, BH3, BH11 and AS1 of the Blackpool Local Plan 2001-2016 sufficiently to justify refusal.

Advice Notes to Developer

Not applicable

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COMMITTEE DATE: [11/08/2014](#)

Application Reference: 14/0305

WARD: Bloomfield
DATE REGISTERED: 02/05/14
LOCAL PLAN ALLOCATION: Resort Core
Central Promenade and Seafront
Primary Distributor Route
Resort Neighbourhood
Defined Inner Area

APPLICATION TYPE: Outline Planning Permission
APPLICANT: Messrs Sidhu

PROPOSAL: Erection of a five storey building with a raised rotunda at the northern end of the site to provide a bar, restaurant and cafe at ground floor level with hotel accommodation above comprising 124 en-suite bedrooms accessed through a ground floor reception, with associated car parking and servicing arrangements, following demolition of the existing buildings (Outline proposal) (resubmission of planning application 13/0374).

LOCATION: 115-123 PROMENADE, BLACKPOOL, FY1 5BD

Summary of Recommendation: Agree in principle but to delegate the issuing of the decision to the Head of Development Management.

CASE OFFICER

Miss. S. Parker

INTRODUCTION

This application is a resubmission following the refusal of planning permission by this Committee in March of this year for a five storey building with raised rotunda to provide a bar, restaurant and cafe at ground floor level with hotel accommodation above (ref. 13/0374). In addition to a lack of supporting information, the application was refused on the basis of the mix and of uses at ground floor level, the scale of the building and the lack of parking, cycle storage and servicing arrangements. Under the previous application the ground floor was dominated by the bar, restaurant and cafe uses with the hotel reception poorly located at the rear of the building and accessed from Foxhall Road. This layout gave the hotel use a secondary function and the dominance of the other uses was considered to be contrary to the character and function of this stretch of the Promenade. Behind the northern rotunda, the building proposed would have been five-storeys in height throughout its length. It was felt that this massing was excessive and that the building would form an overly-dominant and incongruous feature within the streetscene. Finally, the amount of off-street car parking, cycle storage and servicing provision was considered to be inadequate to serve a hotel of the size proposed.

In addition to the previous application, the current proposal has also been preceded by a formal request for pre-application advice. Originally, a part-seven, part-eight and part-ten storey building was sought and the scheme has since been subject to a significant level of discussion and negotiation for over eighteen months. These discussions have continued following the Committee decision in March and have culminated in the current application.

SITE DESCRIPTION

The application site is bounded by the Promenade to the west, Foxhall Road to the east, Chapel Street to the north and York Street to the south. At present the site is occupied by a terrace of three separate buildings. The northerly building is part two-storey, part three-storey in height and is currently occupied by a shop, a bar, a tattoo parlour and an adult entertainment venue. An art deco parapet surrounds the roof fronting Chapel Street and runs along part of the Promenade elevation. Although this provides an element of visual interest the building otherwise appears to be falling into a state of some external neglect. The central building is two storeys in height and accommodates a number of small kiosks at ground floor level. It is believed that the first floor has been used as a night-club. This building is functional in design and is again falling into a state of disrepair. Together these two buildings have a cluttered and incoherent appearance which is detrimental to the quality of the streetscene of this section of the Promenade. The third building at the southern end of the block is the Uncle Peter Webster's pub. This is a traditional building of period art deco design with some high-quality tile detailing at first floor level on the side elevation. However, it was not considered to be of sufficient quality to merit inclusion in the Local List.

To the north of the site on the opposite side of Chapel Street is the locally listed, three-storey Huntsman Building is predominantly used as an amusement arcade with a basement pub and ground floor kiosks. The two-storey Silcock's Fun Palace lies directly to the south across York Street. There are more modest commercial uses with residential accommodation above to the east on the opposite side of Foxhall Road. These properties are also three-storey in height but are much smaller than the surrounding buildings fronting the Promenade. Whilst the height of these buildings have been described in terms of the number of storeys they offer, given their format and purpose in construction this is not particularly effective in communicating their scale. The Huntsman Building is some 14m in height with Silcock's Fun Palace standing at 10.4m. The maximum height of the existing buildings on the application site is 15.5m. In contrast, the three storey properties on the opposite side of Foxhall Road are just 8.5m in height to eaves level.

The site occupies a prominent position on central Promenade and benefits from high visibility on the approach from the north and long, open views over the Promenade and seafront.

DETAILS OF PROPOSAL

The application seeks outline planning permission for the demolition of the existing buildings and the erection of a part-four and part-five storey building with an elevated rotunda at the junction of the Promenade with Chapel Street. The four-storey part of the building would be at the southern end of the site and would account for approximately one-third of the building's length. It would be some 14m high. The five-storey element would be some 17m

in height with the rotunda rising to approximately 20m in height. The building would present a Promenade frontage of some 50m and would offer a bar (241sq m - previously 234sq m), a restaurant (276sq m - previously 229sq m) and a coffee shop (93sq m - previously 135sq m) at ground floor level. The coffee shop would be combined with a reception area positioned at the northern end of the building on the southern side of the junction of Chapel Street and the Promenade. The reception would be accessed from Chapel Street and would give access to the restaurant which would also have a Promenade entrance. The bar would similarly be accessed either through the restaurant or from the Promenade. A cycle store, service areas and four off-street parking spaces would also be provided. The upper floors would be used as a hotel in conjunction with the ground floor reception and would offer 119 (previously 104) guest bedrooms. The application seeks to agree matters of access, layout and scale at this stage with details of the appearance and any landscaping left for later consideration.

The application has been supported by a Design and Access Statement.

The Committee will have visited the site on 11th August.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- the acceptability of new hotel accommodation in this location;
- the acceptability of the uses proposed at ground floor level in this location;
- the suitability of the scale of the building proposed and the impact of the proposal on the quality of the streetscene;
- the layout of the site and the impact on parking and highway safety;
- the internal layout and the quality of the accommodation.

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

CONSULTATIONS

Head of Transportation: When compared to the original proposal, the number of parking spaces has reduced by 13 although the current scheme offers an additional space to the previous application. These will most likely be allocated to staff. The 17 spaces originally proposed would not have been adequate but would have catered for the small number of visitors relying on use of the private car. Whilst the site is in a prominent and accessible location, there is pressure on nearby public car parks which this scheme would add to. A proposal such as this should provide approximately 120 car parking spaces with some coach parking. Even applying a discount of around 30 per cent, the current level of provision is clearly inadequate. An access road is shown on York Street which is currently pedestrianised. No turning area is proposed and so large vehicles would have to manoeuvre in reverse gear to the detriment of highway safety. Foxhall Road is one-way and the build-out proposed could further restrict movements for larger vehicles. The footprint of the building proposed appears larger than what currently exists and so it may encroach onto the public highway. If there are gaps between the building and highway, these must be clearly identified. Areas of public highway may have to be formally stopped-up, the most appropriate mechanism being through the Town and Country Planning Act. The pick-up and drop-off embayment on Foxhall Road together with an acceptable layout for York Street would have to be the

subject of a S278 legal agreement. There is a redundant subway nearby and there may be some vent shafts or poles in this area. A Demolition and Construction Management Plan should be conditioned. The two nearest bus stops on the Promenade should be upgraded with works including raised bus stop kerbs, new bus stop poles and flags and bus shelters.

Blackpool International Airport: no comments received in time for inclusion in this report. Any comments that are received will be reported through the update note.

NATS Safeguarding: the proposed development would not conflict with NATS safeguarding criteria and so NATS do not object. If any amendments are made to the scheme, NATS should be reconsulted. These comments are not made on behalf of any other aviation body.

Police Architectural Liaison Officer: no specific objection but additional information is required with regard to the proposed security and CCTV to be fitted.

Head of Housing and Environmental Protection Service: no comments received in time for inclusion in this report. Any comments that are received will be reported through the update note.

Contaminated Land Officer: a Phase 1 Desk Study would need to be submitted before development commences. If this shows that the land has a risk of contamination then a Phase 2 Site Investigation would be required and approved by an officer before works commence.

Commercial Waste: no comments received in time for inclusion in this report. Any comments that are received will be reported through the update note.

United Utilities Plc (Water): The site should be drained on a separate system with only foul water draining into the public sewer and surface water draining in the most sustainable way, preferably an adequate soak-away or other infiltration system. Approval from the relevant Building Control body or the Environment Agency may be required. If this is not practicable, approval must be obtained from United Utilities for discharge into a sewer. Permeable paving should be used wherever possible to reduce surface-water run-off. All pipework must comply with current standards. The applicant should contact United Utilities in the first instance regarding connection. It is the developers' responsibility to demonstrate the relationship between any assets and the development. An appropriate Building Control body should be contacted if a sewer is discovered during construction.

Built Heritage Manager: The reduced height is more acceptable, although it would be preferable for the whole building to be four storeys in height to reduce the scale and better emphasise the rotunda.

PUBLICITY AND REPRESENTATIONS

Site notices posted 16th May 2014
Press notice published 22nd May 2014
Neighbours notified 9th May 2014

No representations have been received.

NATIONAL PLANNING POLICY AND GUIDANCE

In March 2012, the National Planning Policy Framework (NPPF) was published. This document sets out the Government's approach and expectations with regard to planning and development. It places heavy emphasis on sustainable development and the need for the planning system to be proactive in driving economic growth. There is a presumption in favour of development where there are no over-riding material considerations. The Framework makes it clear that all developments should be of a high standard of design. Section 2 of the NPPF emphasises the need to ensure the vitality of town centres and paragraph 27 states that planning applications which fail to satisfy the sequential test in terms of the location of development should be refused.

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

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

RR2 - Visitor Accommodation
RR7 - Promenade Frontages within the Resort Core
RR8 - Resort Neighbourhoods
LQ1 - Lifting the Quality of Design
LQ2 - Site Context
LQ4 - Building Design
LQ7 - Strategic Views
LQ8 - Energy and Resource Conservation
BH1 - Neighbourhoods
BH3 - Residential and Visitor Amenity
BH11 - Shopping and Supporting Uses - Overall Approach
BH12 - Retail Development and Supporting Town Centre Uses
BH17 - Restaurant, Cafes, Public Houses and Hot-Food Take-Aways
AS1 - General Development Requirements (Access and Parking)

EMERGING PLANNING POLICY

Blackpool Local Plan: Part 1 - Core Strategy: Proposed Submission

The Core Strategy Proposed Submission was agreed for consultation by the Council's Executive Committee on 16th June 2014 and by the full Council on 25th June 2014. The document was subsequently published for public consultation on 4th July 2014 for a period of eight weeks. Once this consultation period has closed, the intention is that the document will be submitted for consideration by an independent Planning Inspector through an Examination in Public in 2015.

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

CS4 - Retail and Other Town Centre Uses
CS7 - Quality of Design
CS9 - Water Management
CS10 - Sustainable Design and Renewable and Low Carbon Energy

CS11 - Planning Obligations
CS12 - Sustainable Neighbourhoods
CS21 - Leisure and Business Tourism

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

ASSESSMENT

Principle of a Hotel Use

The application site falls within the Central Promenade section of the Resort Core within a Resort Neighbourhood as defined on the Proposals Map to the Blackpool Local Plan. The Resort Core has long been viewed as Blackpool's shop window and the Local Plan seeks to direct new, high-quality visitor attractions and visitor accommodation to this area to underpin and enhance the town's existing tourism offer. Policies RR2 of the adopted Local Plan and CS21 of the emerging Core Strategy both support the provision of contemporary and high-quality visitor accommodation within the defined Resort Core as part of the Council's wider and ongoing strategies for the physical and economic regeneration of this key area.

On this basis, the introduction of a new hotel use on the site, incorporating a ground floor reception space and upper floor bedrooms, is considered to be acceptable in principle.

Principle of Bar, Restaurant and Coffee Shop Uses

In addition to the hotel use proposed at upper floor levels, the application proposes bar, restaurant and coffee shop uses at ground floor level. One of the reasons for refusal of the previous application was the layout of the ground floor and the prominence given to the non-hotel uses. The scheme has subsequently been amended to provide a hotel reception with an ancillary coffee shop area at the northern end of the site on the junction of the Promenade and Chapel Street. Independent restaurant and bar uses would then sit behind the reception to the south fronting onto the Promenade. This layout more closely reflects that originally discussed at pre-application stage and in the early stages of the previous application. A cycle store and back-of-house servicing uses would run along the Foxhall Road elevation with four off-street parking spaces at the southern end of the building accessed from York Street.

Policies BH11 and BH12 of the Blackpool Local Plan relate to the development of retail and similar supporting uses. In order to support the vitality and viability of the defined Town Centre and the centres of the established retail hierarchy, all such uses are directed to these areas as appropriate to their scale and function. Policy BH17 relates specifically to bar, restaurant, cafe and hot-food take-away uses and states that such uses should be directed to existing shopping frontages. In order to support the regeneration and general health of the Town Centre, and to prevent dilution of the holiday character of the Resort Core, the Council has consistently sought to resist the development of independent retail and service uses along the Promenade. Where exceptions have been made, it has been demonstrated that the retail and service uses are necessary to make the scheme financially viable and attractive to the market, and clear regeneration benefits have been identified.

Although the applicant and agent have stated that the uses proposed at ground floor are necessary to generate additional, year-round income to support the upper floor hotel use and make the scheme financially viable, no formal viability information has been submitted with this application. However, two viability appraisals were submitted with the previous application; the first for a hotel development without any 'retail' floorspace at ground floor level and a development including 635sq m of 'retail' floorspace. These two appraisals are still considered to be broadly relevant as the current proposal would include some 607sq m of bar/restaurant/cafe floorspace. Both appraisals quoted a site value or acquisition cost of £2.35m which was described as being fixed. At the time of the previous application, these two appraisals were considered by the Council's Estates and Asset Management team. Neither was judged to be economically viable unless the site value or acquisition cost could be reduced to £1.25m. This level of reduction would equate to £1.1m or 47 per cent and was considered unlikely given that the quoted value was described as being fixed. No contingency had been allowed for. On this basis, the applicant has not demonstrated that the 'retail' uses proposed at ground floor are necessary to make the development as a whole financially viable.

Notwithstanding the issue of viability, the applicant has sought to address the concerns raised regarding the previous layout of the ground floor. The restaurant and bar would still be accessible directly from the Promenade but the restaurant would have a more meaningful point of entry from the hotel reception. The coffee shop would be contained within the hotel reception area and would be ancillary to this main use. The reception area itself would be significantly larger than that previously proposed. It would also likely be a much lighter and more visible area with large plate-glass windows indicated on the Promenade elevation serving the space. This, in combination with the position of the reception area at the northern end of the building on the junction between the Promenade and Chapel Street, would give the hotel use much greater prominence within the scheme and would make the reception area a much more pleasant and welcoming area. The applicant has now produced a letter of interest from a major hotel chain dating back to May 2011. This letter expresses interest in the development of the site, subject to a demonstration of financial viability, but does not make any reference to any range of uses or any requirement for parking provision.

Despite the improved position of the reception and the inclusion of the coffee shop as an ancillary element within it, and the improved access into the restaurant unit from the hotel, it is nevertheless recognised that the large restaurant and bar units would be likely to operate independently from the hotel use. These uses would not be located in accordance with the sequential test which would identify the Town Centre and other nearby established centres as more suitable locations for such development. It is acknowledged that the existing buildings on site comprise retail and bar uses at ground floor level and, as such, any replacement of these uses could not be considered to be diluting the holiday offer of this particular stretch of the Promenade. However, officers are mindful that the current application proposes comprehensive redevelopment of the site through a scheme which must be considered as a whole against the provisions of the Development Plan. The creation of purpose built, contemporary commercial units on the site would be likely to be more attractive to the market than the units that are on site at present. There is a danger that this could send out a damaging message to potential future investors by implying that the Council is not fully committed to the improvement of Blackpool Town Centre as the primary retail and service centre on the Fylde Coast. This in turn could compromise ongoing, wider efforts to regenerate the Town Centre and Resort Core.

In considering the development proposed as a whole, in the context of the changes to the ground floor layout that have been made since the refusal of the previous application, the nature of the existing uses, and the condition of the buildings currently on site, it is considered that the development proposed would bring clear regenerative benefits to this stretch of the Promenade. On this basis, subject to the applicant providing viability information that clearly demonstrates that the 'retail' floorspace proposed is necessary to make the scheme as a whole financially viable, it is considered that the regenerative benefits that would arise would outweigh the planning policy concerns detailed above with regard to the provision of 'retail' floorspace on the Promenade.

Suitability of Scale and Impact on Streetscene

The impact of all developments on the Promenade on strategic views of Blackpool Tower must be considered. The site is some 500m from the Blackpool Tower building and is directly to the south along the Promenade. As such, the building is not anticipated to significantly obscure strategic views of the Tower on the approach into Blackpool from Seaside Way and any conflict is likely to be momentary. On approach to the Tower from the south along the Promenade, the existing curvature of the road means that the Tower is partially and intermittently obscured by existing buildings on the eastern side of the Promenade. However, the building proposed is not anticipated to exacerbate this existing situation and overall strategic views from a distance would still be maintained.

The building proposed would be part-four, part-five storeys in height with a rotunda at the northern end of the site which would rise above the rest of the building. The main part of the building would be between 14m and 17m in height with the rotunda rising to 20m. The scale has been amended since the previous application with the southern end of the building dropped in height by one storey to reduce its bulk and break up the Promenade and Foxhall Road elevations. This has, however, increased the length of the Promenade frontage of the building. As previously stated, Silcock's Fun Palace to the south stands at some 10.4m high. The building proposed would therefore be 3.6m taller. The separation distance between the two would be some 6.4m. Despite the increase in height over what is existing, this relationship is considered to be acceptable. At the northern end of the site, the rotunda would sit some 6m higher than the existing building and nearly 5m higher than the locally listed Huntsman Building on the opposite side of Chapel Street. A distance of 32m would separate the buildings and this relationship is also considered to be acceptable.

The greatest impact from the increased scale of the building proposed would be felt by the occupants of the properties on the eastern side of Foxhall Road. These properties are predominantly in commercial use at ground floor level with permanent residential accommodation above. The existing buildings on site rise some 4.6m above the eaves level of those on the opposite side of Foxhall Road and are separated by approximately 12m. The four-storey part of the building proposed would rise 5m and the five-storey section nearly 8m above the eaves level of the existing properties on Foxhall Road with the rotunda some 11m taller. The shadow diagrams submitted with the previous application have not yet been amended to show the impact of the current proposal. However, it is reasonable to assume that very little sunlight reaches the properties on the eastern side of Foxhall Road under the existing situation and that any sunlight that does fall on the buildings would do so at a very oblique angle. Thus, whilst the proposed building may further reduce levels of daylight and sunlight, it is not anticipated to have a materially more detrimental impact on the amenities of the occupants of those properties. However, this needs to be confirmed by a sun-path analysis which has been requested repeatedly but not yet received from the applicant. Equally, given the existing relationship between the buildings on either side of Foxhall Road,

it is not considered that further loss of outlook could be successfully defended as a reason for refusal.

In light of the above and subject to the additional information required proving satisfactory, given the one-storey reduction in the height of the southern end of the building and despite the increase in its length, the scale and massing of the building proposed is now considered to be acceptable. The development would sit reasonably well within the streetscene and would not appear overly dominating or over-bearing. At present, the buildings on site are incoherent in design and appearance and are falling into a state of disrepair. Subject to a high standard of design that would be secured at reserved matters stage, it is considered that the redevelopment of the site as proposed would have a positive impact on the appearance of the streetscene and add to the appeal of this section of the Promenade and Resort Core as a visitor destination.

Parking and Highway Safety

The building would comprise 241sq m of bar space, 276sq m of restaurant space and a 119 bedroom hotel with 93sq m of ancillary coffee shop space. The maximum parking standards adopted and used by the Council are set out under Appendix B of the Blackpool Local Plan. If the ground floor uses are grouped together and a maximum accessibility score awarded, the maximum parking requirement generated by the bar, restaurant and coffee shop would be 49 spaces. This is based on a requirement of one space for every 8sq m of floorspace discounted at 35 per cent. Applying the same accessibility discount to the maximum standard of one car parking space per bedroom and one coach space for every thirty bedrooms, the hotel use would generate a maximum requirement of 77 car parking spaces and three coach parking spaces. Overall, the maximum parking requirement generated by the development proposed would be 126 car parking spaces, of which 10 per cent would be expected to be accessibility spaces, and three coach parking spaces.

The scheme proposed would include four off-street parking spaces in the south-eastern corner of the building accessed from York Street, and a cycle store measuring 3.8m by 5.6m which could potentially accommodate six cycles. A further six drop-off spaces would be created in a new lay-by along the western side of Foxhall Road along with space for servicing vehicles. The applicant has suggested that none of the major national hotel chains that have been approached would be interested in a scheme which included a greater amount of car parking provision. However, no evidence of this has been provided. The Head of Transportation considers the level of parking proposed to be inadequate to meet the needs of the development. He has previously raised concerns that the lack of parking provision would lead to ad hoc, inconsiderate and potentially unlawful parking to the detriment of highway safety.

The servicing area previously proposed on York Street has been omitted from the scheme and a space in the lay-by proposed on Foxhall Road is now suggested as the servicing and delivery point for the development. Any use of York Street by service vehicles would pose a highway safety risk to motorists and pedestrians using Foxhall Road. The use of the lay-by on Foxhall Road is considered to be acceptable but the Head of Transportation has suggested that time restrictions be applied to ensure that the parking spaces are available to guests for drop-off during the busier parts of the day.

Quality of the Accommodation

The hotel accommodation proposed would comprise 119 guest bedrooms, all of which would be en-suite. With the exception of one room on the top floor which measures at

9.9sqm, each bedroom would exceed 10sq m in area. Overall it is considered that the bedroom accommodation proposed would be of a good standard and would satisfy the requirements of Policy RR2 of the Blackpool Local Plan. The repositioned reception area would offer a welcoming arrival space and give appropriate prominence to the hotel use.

Other Issues

The applicant has previously suggested that 200 jobs would be generated by the uses proposed. No information to support this statement has been provided and it is considered to be an unrealistic figure to support 607sq m of bar and restaurant floorspace and a 119 bedroom hotel with an ancillary coffee shop. Whilst it is acknowledged that some employment opportunities would be generated by the scheme, it is likely that these would predominantly be low-skilled and part-time positions.

The following information has been requested from the applicant repeatedly since validation of the application but has not been received at the time of writing this report:

- a financial viability assessment justifying the amount, mix and arrangement of the uses and the level of car parking proposed;
- written support from hotel operators justifying the amount, mix and arrangement of the uses and the level of car parking proposed;
- a streetscene clearly showing the relationship between the existing buildings on site and the existing buildings on the opposite side of Foxhall Road, along with a sun-path analysis;
- a fully marked up cycle store to demonstrate how it could accommodate the number of cycles suggested;
- the existing building outline accurately marked on all drawings.

A letter of general interest in the development of the site dating back to May 2011 has been submitted but this does not make reference to any mix of uses or off-street parking provision.

A bat survey is required to demonstrate the presence or otherwise of bats on the site. It is understood that an appropriate survey should be submitted before the Committee meeting.

CONCLUSION

The application site is in a prominent position on central Promenade within the Resort Core. As a result of the surrounding road network, the site benefits from high visibility on the approach from the north and open views across the Promenade and foreshore. The application seeks planning permission for a part-four and part-five storey building with an elevated rotunda at the junction of the Promenade with Chapel Street. The building would comprise a hotel reception and coffee shop on the junction of the Promenade and Chapel Street with a restaurant and bar behind and four floors of hotel bedrooms above. Internal servicing areas would be located along the Foxhall Road elevation at ground floor level and four off-street car parking spaces would be provided off York Street. A lay-by would be created on Foxhall Road to offer some drop-off and collection parking and provision for servicing vehicles to park during restricted hours. Given the changes that have been made to the form of the building and the layout of the ground floor since last submission, the proposal is now considered to be acceptable. The benefits that would arise to this section of the Promenade from the new development and inward investment are considered to outweigh the potential problems that could be caused through the inadequate car parking provision.

Notwithstanding this observation, it is noted that the deadline of the previous application had to be extended three times in order to give the applicant sufficient time to resolve certain issues, and that the deadline for the current application has been extended once to enable necessary information to be submitted. At the time of writing, this information has not been received. The Council as Local Planning Authority consistently seeks to work proactively with developers to deliver sustainable development which brings positive environmental benefits and underpins wider regeneration strategies. Discussions relating to the redevelopment of this site have been ongoing since 2012.

RECOMMENDATION

The Committee are respectfully recommended to agree the application in principle, subject to the necessary information listed above being received and found to be acceptable and subject to the recommended conditions listed below, and to delegate the issuing of the decision by the Head of Development Management.

HUMAN RIGHTS ACT

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

CRIME AND DISORDER ACT 1998

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

Recommended Decision: Agree in principle but to delegate the issuing of the decision to the Head of Development Management.

Conditions and Reasons

1.
 - i). Approval of the following details (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority:
 - Appearance
 - 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. 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.

3. Prior to the development hereby approved being first brought into use the secure cycle storage provision shown on the approved plans shall be provided and shall thereafter be retained.

Reason: To enable access to and from the property by sustainable transport mode, in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

4. A scheme for the provision of a drop-off, collection and servicing bay on Foxhall Road and the upgrade of the two nearest bus stops on the Promenade shall be submitted to and agreed in writing by the Council as Local Planning Authority. No development shall be commenced until the highway works approved as part of this scheme have been completed.

Reason: In the interests of highway safety and to encourage use of sustainable transport modes in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

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

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

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

Reason: In the interests of the amenities of surrounding residents and visitors and to safeguard the character and appearance of the area in accordance with Policies RR7, LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

6. No refuse or bins shall be stored outside of the building other than on the day of presentation for collection.

Reason: In the interests of the appearance of the locality and the amenity of nearby residents and visitors, in accordance with Policies RR7, LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended);

(a) the area accessed directly from the rotunda shall be used as a hotel reception area with ancillary coffee shop facility within Class C1 of the Town and Country Planning (Use Classes) Order 1987 (as amended);

(b) the upper floors of the building hereby approved shall be used as a hotel within Class C1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose;

(c) no part of the ground floor of the building hereby approved shall be used within Classes A1 or A2 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: In order to safeguard the character and appearance of this section of the Promenade and to safeguard the vitality and viability of Blackpool Town Centre in accordance with Policies RR7, BH11 and BH12 of the Blackpool Local Plan 2001-2016.

8. No subdivision or amalgamation of the units approved at ground floor level shall take place without the written agreement of the Council as Local Planning Authority.

Reason: In order to safeguard the character and appearance of this section of the Promenade and to safeguard the vitality and viability of Blackpool Town Centre in accordance with Policies RR7, BH11 and BH12 of the Blackpool Local Plan 2001-2016.

9. No development shall be commenced until a desk study has been undertaken and agreed in writing with the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been agreed in writing with the Local Planning Authority. If remediation methods are then considered necessary, a scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented and completed prior to the commencement of the development. Any changes to the approved scheme shall be agreed in writing with the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with Policy BH4 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 need 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.

2. The works required pursuant to condition 4 attached to this permission may require the applicant to enter into a Section 278 Legal Agreement with the Council. A Traffic Regulation Order may also be required, as may an Order for the stopping up of the public highway should any encroachment result. The applicant is advised to contact the Head of Transportation on 01253 477477 or at Layton Depot, Depot Road, Blackpool, FY3 7HW in the first instance for further guidance.