

Blackpool Council

24 October 2014

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

The above members are requested to attend the:

PLANNING COMMITTEE

Monday, 3 November 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 6TH OCTOBER 2014 (Pages 1 - 10)

To agree the minutes of the last meeting held on 6th October 2014 as a true and correct record.

3 PLANNING ENFORCEMENT UPDATE REPORT (Pages 11 - 14)

The Committee will be asked to note the outcomes of the cases and approve the actions of the Head of Enforcement and Quality Standards.

4 PLANNING APPLICATION - 343-347 PROMENADE (Pages 15 - 22)

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

5 PLANNING APPLICATION - 94-98 PROMENADE AND 2-8 WEST STREET (Pages 23 - 32)

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 Governance 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.

Present:

Councillor Owen (in the Chair)

Councillors

Brown
Elmes

Hutton
Mrs Jackson

Matthews
Smith

Stansfield

In Attendance:

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

Also Present:

Councillor Cox

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE MEETING HELD ON 8TH SEPTEMBER 2014

Resolved: That the minutes of the meeting held on 8th September 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 2nd September 2014.

(2) Letter from the Planning Inspectorate dated 2nd September 2014.

(3) Letter from the Planning Inspectorate dated 10th September 2014.

(4) Letter from the Planning Inspectorate dated 10th September 2014.

(5) Letter from the Planning Inspectorate dated 15th September 2014.

(6) Letter from the Planning Inspectorate dated 16th September 2014.

4 PLANNING ENFORCEMENT UPDATE REPORT

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 advising the Notices.

MINUTES OF PLANNING COMMITTEE MEETING - MONDAY, 6 OCTOBER 2014

5 REVISED STUDENT ACCOMMODATION ADVICE NOTE

The Committee considered a report on the revised version of the Council's Student Accommodation Advice Note.

Mr Johnston, Head of Development Management advised that the existing version of the Student Accommodation Advice Note was now outdated, no longer conformed with the Council's planning policy and did not adequately support the Council's objectives of improving the quality of the living environment and establishing more balanced and healthy communities within the town.

It was reported to the Committee that, as a result, the Student Accommodation Advice Note of 2007 had been revised and updated to reflect the current planning policy provision and guidance and hence the and latest Council standards.

Resolved: To support the revised version of the Council's Student Accommodation Advice Note and recommend its adoption by the relevant Cabinet member for use by the Council's Development Management service in the determination of planning applications.

Background papers: None

6 PLANNING APPLICATION 14/0317 - ANCHORSHOLME ACADEMY, EAST PINES DRIVE

The Committee considered application 14/0317 for the erection of a single storey front and side extensions to existing pavilion and use of building as altered to accommodate the relocation and expansion of the existing nursery provision on site.

Mr Johnston advised Members that there had been a further representation made by a resident living at 36 East Pines Drive, in close proximity to the development, raising concerns regarding parking. However, the Committee was advised that the representations did not change the officer recommendation to grant permission.

The Committee considered that the design of the building was considered to be acceptable and there would be no significant impact on residential amenity. It was also considered that the expansion and relocation of the nursery would support the wider operation of the school.

Resolved: That the application be approved, subject to the conditions, and for the reasons, set out in the appendix to the minutes.

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

7 PLANNING APPLICATION - 14/0541 - 91 SQUIRES GATE LANE, BLACKPOOL

The Committee considered application 14/0541 for the use of the premises as a furniture retail showroom.

Mr Burgeen, the applicant, addressed the Committee and spoke in support of the application.

Councillor Cox, ward councillor for Squires Gate ward, addressed the Committee and spoke in support of the application.

Mr Shaw, Principal Planning Officer, advised the Committee that the continuation of use would not cause significant harm to the vitality of Blackpool town centre and that there were no sequentially preferable sites meeting the applicant's needs. However, it was considered that a

MINUTES OF PLANNING COMMITTEE MEETING - MONDAY, 6 OCTOBER 2014

comprehensive residential redevelopment of the site would be the most appropriate long-term land use solution and, as such, the recommendation was to grant permission for a temporary period of five years subject to conditions.

The Committee discussed the proposed conditions and considered that condition 4 should be amended to reflect that car parking would be allowed on the forecourt of the premises.

Resolved: That the application be approved, subject to the conditions, and for the reasons, set out in the appendix to the minutes.

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

8 PLANNING APPLICATION - 14/0514 - 343-347 PROMENADE, BLACKPOOL

The Committee considered application 14/0514 for the retention of a partially covered timber decking area to front elevation with glazed windbreaks and disabled access ramp and retention of first floor level balcony to front.

The Committee expressed concern that the applicant had made changes to the property without planning permission with regards to the decking area extending to the back of the Promenade pavement, which would potentially create highway safety issues through guests blocking the pavement with luggage upon their arrival. Members also expressed concern regarding the lack of forecourt parking and of the quality of the development. Members considered that the plans and details submitted relating to the windbreaks and handrails were not sufficient to enable the Committee to make an informed consideration on the future appearance of the development.

Members of the Committee suggested that the application be deferred until a future meeting and that the applicant be requested to provide more detailed plans of the windbreaks and handrails for the decking area.

Resolved: To defer the consideration of this application to a future meeting.

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

9 MOTION MOVED, SECONDED, VOTED UPON AND LOST

During consideration of the preceding item the following motion was moved, seconded, voted upon and lost:

That the application be refused for concerns regarding parking and obstruction to the pavement when visitors arrived by coach.

Chairman

(The meeting ended 5.40 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: 14/0317 Erection of single storey front and side extensions to existing pavilion and use of building as altered to accommodate the relocation and expansion of the existing nursery provision on site at Anchorsholme Academy, East Pines Drive.

Decision: Grant Permission

Conditions:

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

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

2. The development 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).

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

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

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

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

4. (a) The total number of children in attendance at the nursery at any one time shall not exceed 56.

(b) The number of children in attendance at the nursery at any one time aged between 0 years and 2 years shall not exceed 12.

(c) The number of children in attendance at the nursery at any one time aged between 2 and 3 years shall not exceed 12.

(d) The number of children in attendance at the nursery at any one time aged between 3 years and 5 years shall not exceed 32.

Reason: In order to ensure that adequate parking provision is available to meet staff and parent drop-off needs and in order to safeguard the residential amenities of the occupants of nearby properties in accordance with Policies BH3 and AS1 of the Blackpool Local Plan 2001-2016.

5. The pavilion shall not be brought into use as a nursery until a travel plan has been submitted to and approved in writing by the Local Planning Authority. The travel plan shall include the appointment of a travel co-ordinator and a format that consists of surveying, travel audits, a working group, action plans with timescales and target setting for the implementation of each element.

The pavilion shall not be brought into use as a nursery prior to the implementation of the Approved Travel Plan (or implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation). Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: In order to ensure appropriate provision exists for safe and convenient access by public transport, cycle, and on foot as well as by car, in accordance with Policy AS1 of the Blackpool Local Plan 2001 – 2016.

Application Number: 14/0541 Use of premises as a furniture retail showroom (Use Class A1) at 91 Squires Gate Lane.

Decision: Grant Permission

Conditions:

1. The occupancy of the building and use of the premises for retail sales within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) shall cease no later than five years from the date of this permission.

Reason: In order that the Local Planning Authority can retain control over the future development of the site so as not to undermine potential future investor confidence in the Council's commitment to safeguarding the viability and vitality of the established retail centres in the borough and so as not to prejudice the longer-term redevelopment potential of the site for more appropriate use in accordance with Policies BH1, BH11 and BH12 of the Blackpool Local Plan 2001-2016.

2. Notwithstanding condition 1 of this permission and the provisions of the Town and Country Planning (Use Classes) Order 1987, or any Order revoking or re-enacting that Order, the premises shall not be used for the sale of any goods other than those specified below, unless the prior written consent of the Local Planning Authority has been obtained:

- Carpets, linoleum, laminate and other floor coverings.
- Furniture and beds.
- Fitted kitchens, fitted bedrooms and bathrooms.

Reason: In order to limit the range of goods sold from the site to safeguard the vitality and viability of Blackpool Town Centre and the hierarchy of defined centres in accordance with the National Planning Policy Framework and Policies BH11 and BH12 of the Blackpool Local Plan 2001-2016.

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

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

4. The forecourt of the premises shall solely be used to provide off-street parking associated with the approved use and shall not at any time be used for any trade or business purposes.

Reason: In the interests of the appearance of the locality and to ensure that adequate off street car parking facilities are retained for the use in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

5. The external service areas to the front, side and rear of the building shall not be used for the storage of materials or waste.

Reason: To safeguard the appearance of the site in accordance with Policies BH3 and LQ1 of the Blackpool Local Plan 2001- 2016.

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MINUTES OF PLANNING COMMITTEE MEETING - MONDAY, 6 OCTOBER 2014

Present:

Councillor Owen (in the Chair)

Councillors

Brown
Elmes

Hutton
Mrs Jackson

Matthews
Smith

Stansfield

In Attendance:

Gary Johnston, Head of Development Management

Mark Shaw, Principal Planning Officer

Karen Galloway, Principal Engineer Transportation

Chris Kelly, Senior Democratic Services Advisor

Apologies:

Councillors

1 SITE VISITS

1. Anchorsholme Academy, East Pines Drive
2. 91 Squires Gate Lane
3. 343-347 Promenade

Chairman

(The meeting ended 3.40 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
Relevant Officer:	Tim Coglán (Head of Enforcement and Quality Standards)
Date of Meeting:	3 rd November 2014

PLANNING ENFORCEMENT UPDATE

1.0 Purpose of the report:

1.1 The Committee is requested to consider the summary of planning enforcement activity within Blackpool during September 2014.

2.0 Recommendation(s):

2.1 To note the outcomes of the cases set out below and to support the actions of the Head of Enforcement and Quality Standards.

3.0 Reasons for recommendation(s):

3.1 The Committee is provided with a summary of planning enforcement activity 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:

Not applicable. The report is for noting only.

4.0 Council Priority:

4.1 Not applicable

5.0 Background Information

5.1 Cases

New cases

In total, 57 new cases were registered for investigation, compared to 48 received in September 2013.

Resolved cases

In September 2014, nine cases were resolved by negotiation without recourse to formal action, compared with ten in September 2013.

Closed cases

In total, 29 cases were closed during the month (33 in September 2013). These cases include those where there was no breach of planning control found, no action was appropriate (e.g. due to more effective action by other agencies, such as the police) or where it was considered not expedient to take action, such as due to the insignificant nature of the breach.

Formal enforcement notices / s215 notices / BCNs

- No enforcement notices authorised in September 2014 (none in September 2013);
- No s215 notices authorised in September 2014 (one in September 2013);
- No Breach of Condition notices authorised in September 2014 (none in September 2013);

- No enforcement notices served in September 2014 (none in September 2013);
- No s215 notices served in September 2014 (none in September 2013);
- No Breach of Condition notices served in September 2014 (none in September 2013).

Does the information submitted include any exempt information?

No

List of Appendices:

None

6.0 Legal considerations:

6.1 None

7.0 Human Resources considerations:

7.1 None

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 None

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 None

13.0 Background papers:

13.1 None

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COMMITTEE DATE: [03/11/2014](#)

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: Grant Permission

CASE OFFICER

Gary Johnston

INTRODUCTION

This application was deferred at the last meeting of the Planning Committee for more information regarding the proposed windbreaks and balustrading for the walkway/stairs. A drawing showing the details has been received. In addition a sample of the support column to be used has been received and this will be made available for members to view on the day of the Committee meeting.

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 led 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. The scheme as built was considered by the Committee at its meeting on 6th October 2014. Members expressed a desire to see a sample of the handrails and windbreaks to be erected on site and so the application was deferred for reconsideration at a later date. These samples are now available to view on site and so the application is being brought back before Committee. The remainder of this report is unchanged from that put before Members in October.

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 timber decking area to the front elevation. The decking is 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, a canopy over the top terrace, 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.

The Committee will have visited the site on 3rd November 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: The current proposal does not deal with the loss of the car parking spaces to the front of the premises. I have set out my concerns on this for 14/0188. The concerns raised then are valid for this application. Also, I have met the owner of the site who has described to me how this hotel will operate in terms of visitors, pick-up/drop-off facilities in conjunction with other hotels that he operates in the Town but he has not submitted a comprehensive statement with the application justifying the loss of the car parking spaces at the front. During the meeting, I observed a mixture of passenger transport vehicles (coaches and minibuses) stopping outside the proposal site to drop-off and collect customers. There were periods when the footway was busy with people and luggage leaving no room for other pedestrians to get by - a concern highlighted previously. Having reviewed the latest submission, I wish to maintain my objection to this proposal.

I would also like to point out that the drawings submitted as part of 14/0188 and this submission show the structure to be on the area that was previously allocated for parking, off the public highway but in reality the decking and ramp has encroached onto the public highway, the encroachment is nominal but due to the upstand, it is possible that this could be a tripping hazard, leading to claims which is clearly a risk to the Council. I have sought legal advice and will be advising the owner to remove the structure, or part of it from the public highway. The alternative would be to formally stop-up the area as the boundary line for this property is set back in comparison with neighbouring properties. There is clear disagreement in terms of land ownership which I am trying to resolve.

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

An email of objection has been received from The Fame Hotel at no. 363 Promenade raising the following issues:

- visitors disembarking parked coaches with their luggage are blocking the pavement;
- the coaches will cause damage to the pavement;
- the decking is inappropriate and will set a precedent for similar development along the Promenade.

These issues will be discussed 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 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 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 area are less clearly linked to an improvement in the standard of visitor accommodation. It is understood that the hotel offers 40 bedrooms and that the applicant's business model is based on coach borne custom on a package holiday format. The 40 bedrooms can accommodate up to 80 guests. The applicant has developed the outdoor seating in order to ensure that all guests could sit outside in good weather. There is an internal hotel dining room which can also accommodate 80 diners. Overall, therefore, the hotel offers twice the number of covers than guests it can accommodate meaning that the dining facilities are excessive relative to the size of the hotel. On this basis, the scheme 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. However, it is understood from the information submitted that in 2013 the applicant's company brought 70,000 visitors into Blackpool equating to 200,000 overnight stays. A brochure has been provided which demonstrates that the company uses not only hotels within the applicant's ownership but other, major hotels in the town. As such, whilst the dining facilities at the Royal Carlton would be made available for use by members of the public, it is nevertheless anticipated that the facilities would predominantly be used hotel guests. In accordance with Policy RR7, the decking would provide an active frontage.

In light of the above and on balance, the works undertaken to date are considered to be acceptable in principle.

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 and a ramp along the southern edge of the decking. This ramp sits some 1.5m from the boundary with no. 349 Promenade. The space between has been left as existing. The covered walkway previously proposed between the hotel and the Promenade pavement has been omitted from this proposal as has the canopy over the top deck. Glazed windbreaks would be provided along the frontage of the top two sections of deck and along the sides of the decking and ramp. The windbreaks would be some 1.1m in height above the deck. Additional glazing would be provided above the existing north boundary wall in order to comply with Building Regulation requirements. 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. Handrails would be provided alongside the steps and access ramp.

It is accepted that the decking and the windbreaks to the front of the site together present a large and dominating feature within the streetscene. There are no similar developments in the area which would set a precedent and it is possible that the works carried out at this address could lead to similar proposals elsewhere. Both individually and cumulatively, this would have a significant impact on the appearance and character of the Promenade. It is recognised that the Resort Core is Blackpool's "shop window" and that all development in this area must be of a high standard of design. When viewed in situ, it is clear that the decks are of solid construction and have been treated appropriately to withstand the climatic challenges of a seafront location. It is clear that substantial investment has been made into the refurbishment and upgrade of the hotel. The details relating to the windbreaks and handrails are considered to be acceptable as are 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. Overall, the works undertaken and proposed are considered to be acceptable in appearance.

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.

The use of the decking as an outdoor dining and seating area may increase the amount of activity and therefore noise and disturbance at the front of the hotel. However, it is recognised that background noise levels on this stretch of the Promenade are higher than average with greater vehicular and pedestrian activity later into the evening. On this basis, it is not considered that the proposal could reasonably be resisted on amenity grounds.

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 stated that his business operates entirely on coach-borne custom with no requirement for visitor parking. 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 Head of Transportation has been unwilling to support the proposal on highway safety grounds. However, the applicant has stated that no furniture would be set out on the bottom deck on customer arrival and departure days to enable visitors to move off the public pavement quickly and easily. It is also noted that other large hotels in Blackpool operate successfully without off-street parking. On this basis, it is not considered that the scheme could reasonably be refused on parking or highway safety grounds.

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. The investment into the hotel is welcomed. On balance and taking all material considerations into account, the works that have been carried out to create a first floor balcony and the three levels of decking with associated windbreaks are considered to be acceptable. It is not felt that the scheme has a detrimental impact on the character or function of this stretch of the Promenade. Whilst the loss of the forecourt for car parking weighs against the scheme, it is not considered sufficient to justify refusal. As such, the Committee is respectfully recommended to grant planning permission for the proposal 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. Notwithstanding the information provided on the approved plans, details of the windbreaks and handrails to be installed on the decking shall be submitted to and agreed in writing by the Council as Local Planning Authority prior to their installation. These agreed windbreaks and handrails shall then be provided within three months of the date of this permission.

Reason: In the interests of the appearance of the site and locality in accordance with Policies RR7 and LQ1 of the Blackpool Local Plan 2001-2016.

2. Notwithstanding the provision of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no means of enclosure shall be erected along the Promenade frontage of the site.

Reason: In order to ensure that visitors to the hotel disembarking from a parked coach can clear the public highway quickly and easily in the interests of highway safety and pedestrian safety in accordance with Policy AS1 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: [03/11/2014](#)

Application Reference: **09/1263**

WARD: Talbot
DATE REGISTERED: 29/09/09
LOCAL PLAN ALLOCATION: Resort Core
 Central Promenade and Seafront
 Town Centre Boundary
 Leisure Zone / Resort Core

APPLICATION TYPE: Outline Planning Permission
APPLICANT: Mr E Wallace

PROPOSAL: Erection of a six-storey building comprising 66-bedroom hotel, ground floor bar and fifth floor restaurant/bar with associated roof terrace.

LOCATION: 94-98 PROMENADE AND 2-8 WEST STREET, BLACKPOOL, FY1 1HB

Summary of Recommendation: Grant Permission

CASE OFFICER

Gary Johnston

BACKGROUND

This application was first brought before the Council's Planning Committee (Development Control Committee as was) in January 2010. The recommendation at that time was that outline planning permission be granted subject to the applicant entering into a Section 106 agreement to secure a financial contribution towards the provision of off-site car parking facilities within the town centre and as such the application was deferred and delegated to the Head of Development Management to approve subject to the completion of the Section 106 Agreement and subject to conditions.

Based on the standards set out in Appendix B to the Blackpool Local Plan 2001-2016, it was calculated at that time that the scheme proposed would generate a requirement for 43 car parking spaces. However, no on site car parking provision was proposed as part of the development. Policy PO1 of the Local Plan states that development will only be permitted where existing infrastructure, services and amenities meet the needs of the proposal, or where the developer is willing to enter into a legal undertaking or agreement to enable these needs to be fulfilled. It was on the basis of this policy that the legal agreement referred to above was sought.

In the three and a half years since the Council's Development Control Committee resolved to defer the application for approval under delegated powers subject to the signing of a Section 106 legal agreement, no firm progress towards the completion of this agreement has been made. The initial draft Section 106 agreement was issued in November 2010. As no response was received, a second copy was sent out in June 2012. This was returned with some suggested amendments in September 2012 but no further contact has been made by the applicant. In March 2014 a final draft was supplied to the applicant and was followed up in September 2014 by a request for a response. Given the time that has elapsed since the last substantive contact in 2012, it is considered reasonable to

assume that the applicant is now unwilling or unable to enter into the Section 106 agreement required pursuant to the Committee resolution in 2010.

The Government expects Local Planning Authorities to be proactive in driving sustainable development to meet local needs and support economic growth. The failure of authorities to determine planning applications in a timely manner does not support this objective. As such, and on the understanding that a signed Section 106 agreement is now unlikely to be forthcoming, it is felt that this application needs to be reassessed and redetermined without any contribution to town centre car parking being made.

The earlier requirement for a financial contribution towards the provision of off-site car parking facilities within the town centre must now be reconsidered in the context of the prevailing planning policy framework and more recent, relevant planning decisions made in and around the town centre (see below).

The National Planning Policy Framework was adopted in March 2012 and sets out a strong presumption in favour of sustainable development. Local Planning Authorities are expected to approve, without delay, development proposals that accord with the Development Plan. Where a Development Plan is silent or out-of-date, permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The earlier requirement for the financial contribution toward off-site parking provision was rooted in the expectation, set out under Policy PO1, that developers must ensure that appropriate infrastructure exists or is provided to support the development proposed. However, the Council does not have a formally adopted strategy for the improvement or provision of town centre car parking, or any supplementary planning documents detailing the way in which financial contributions would be justified, calculated or secured. The application proposes the demolition of the existing building which is tired and out-dated, and the redevelopment of the site to provide modern hotel, restaurant and bar facilities. This section of Blackpool Promenade is considered to be the Resort's 'shop front' and proposals for high-quality, new developments are to be welcomed. When judged against the provisions of the National Planning Policy Framework, and in the absence of a formally adopted car parking strategy to fully support the application of Policy PO1 of the Local Plan in this instance, the scheme as proposed without any on site car parking is considered to be acceptable without any financial contribution being made.

Since this application was last brought before Committee, a number of permissions have been granted either for new, independent car parks or for hotel accommodation with little or no on-site car parking provision. These permissions include the provision of a new multi-storey car park above the Sainsbury's food store, the upgrade of the Banks Street surface level car park and Talbot Road multi-storey car park, and the proposed demolition of the former Syndicate night club and the use of the land as a temporary car park. Further, temporary car parking has been approved on Leopold Grove and on Tower Street. New hotel accommodation with minimal on-site parking provision has been approved on the land on the southern corner of the junction of Chapel Street and the Promenade. Pre-application discussions had also been progressing regarding the provision of hotel accommodation on the former Yates site and members will be aware of the hotel proposal at Talbot Gateway. As such, the level of car parking provision available for visitor use has changed significantly since the application was first considered, and some precedent for the approval of large hotel schemes without dedicated on-site parking has been set.

It is acknowledged that a financial contribution towards off-site car parking provision secured via a Section 106 agreement has also been agreed for a more recent hotel proposal on Leopold Grove (the site of the temporary car park). However, the situation outlined above remains relevant for this site

and it is understood that no progress has been made to date toward the payment of the necessary monies or the development of the scheme. Indeed the application has now expired (09/0999 refers).

Since the Committee originally considered the application the Regional Spatial Strategy has been revoked and the Committee is respectfully advised that the revocation of the North West Regional Strategy in 2013 is not considered to have a material bearing on the consideration of this case.

The Core Strategy has also progressed since the Committee originally considered the application and the emerging Blackpool Local Plan - Part 1: Core Strategy - Proposed Submission sets out the Council's approach to the future development of the borough and Blackpool Town Centre. Draft Policies CS17 and CS21 support the regeneration and enhancement of Blackpool as a sub-regional hub with Policy CS21 advocating the development of new visitor accommodation within the Defined Town Centre. Whilst the draft policies of the emerging Core Strategy do not outweigh those of the adopted Local Plan, the application proposal is considered to comply with the aims and objectives of this document.

In light of the above and on the understanding that the applicant is no longer prepared or able to make a financial contribution toward the provision of off-site car parking, it is considered that the overall benefits of the scheme to the regeneration of the Promenade and Town Centre are sufficient to justify the approval of the application in the absence of any on site car parking provision. As such, the Committee is respectfully recommended to grant planning permission subject to the conditions listed below.

The remainder of this report remains as put before Committee in January 2010, although it is proposed that the Committee will visit the site on 3 November 2014

SITE DESCRIPTION

The application relates to the site at the northern corner of the Promenade and West Street, immediately south of Feldman's Arcade building, currently containing two-storey and three-storey buildings variously in use as a bar and hot food takeaways on the ground floor with a lapdancing club on the upper floors.

The adjoining land to the east, at the corner of Market Street and West Street, is a cleared site for which planning permission was originally granted in 2006 and again in 2010 for the erection of a two-storey bar/restaurant, (application 10/0532 refers) (*now the Wetherspoons Layton Rakes*).

The application site, and the immediately surrounding area, is designated as part of the Resort Core and Leisure Zone in the Local Plan and the northern boundary of the site is the southerly extent of the Talbot Square Conservation Area (*now the Town Centre Conservation Area*).

DETAILS OF PROPOSAL

The proposal is to clear the site and erect a six-storey building comprising a bar to the ground floor Promenade frontage with service areas and hotel reception area, accessed from West Street, to the rear of the ground floor. First, second, third and fourth floors are to comprise hotel bedrooms (66 in total) and the fifth floor is shown as a restaurant/bar with a roof top terrace.

The proposal has been the subject of pre-application discussions which have proved useful in setting the parameters for the scheme. The application is for outline planning permission with access, layout and scale applied for at this stage. Appearance and landscaping are reserved matters to be the subject of later application(s).

The submission is accompanied by the requisite Design and Access Statement together with a Transport Statement and a Framework Travel Plan.

MAIN PLANNING ISSUES

The main planning considerations relate to:

- the principle of redevelopment and proposed uses,
- the scale and relationship in the streetscene,
- impact upon adjacent properties,
- car parking, servicing and access.

CONSULTATIONS

Environmental Protection - "no objections or observations to make".

Head of Transportation - has no objection to this proposal and based upon previous, (pre-application) discussions, the following has been agreed:

- Repaving of West Street from Promenade to West Street, further discussions will be required with the Highway Authority to determine and agree the specification of the works and to agree how these works will be completed.
- Servicing of the site will have to be restricted to between 6.00pm and 10.30am as per the current arrangements. This situation applies to the remainder of the Town Centre area and there are no proposals to amend the current Traffic Order. As a result, operating procedures will have to be put in place with suppliers to the new site to make this work.
- With reference to the previous point, gates will be provided on West Street as part of the development to prevent unauthorised access and act as a physical barrier to the proposed development and adjacent sites. There are wider highway proposals for the surrounding streets which are currently being developed. Timescales for implementation of any future scheme are not yet available, therefore at this stage we would prefer this element of works to be retained and incorporated within the off-site highway works associated with this development. Commuted sum payment will be required for maintenance and operation.
- Coach access and drop-off has been discussed, some visitors will arrive by chartered coach and currently no arrangements are in place within the area to allow for coaches to drop-off, therefore there will be a need to amend the existing Traffic Order to allow coaches to drop-off only in the existing bus stop outside the west side of Municipal Buildings. Contact to be made with the Head of Transportation to enable the changes to be made.
- Due to the location of the site, there is currently no parking allocated for the proposed site. If contract parking and secure overnight parking is to be considered it is suggested the applicant contact the Assistant Head of Streetscene and Property to determine the feasibility of this. Should this be favoured then it will require a significant financial contribution from the developer. If this option is rejected then any potential occupier of the site is to develop a Hotel Parking Strategy as stated in the letter from PSA Design dated 11th August 2009.

Waste - the bin requirement for this development is 3 x 1280 litre Euro Bins for residual waste and 1 x 1280 litre Euro Bin for recycling purposes, all bins to have storage facilities within the confines of the site and not stored on the public highway.

Police Crime Prevention Officer - makes several recommendations regarding security, safety and measures for reducing the likelihood of crime to be incorporated into the final detailed design for the development, which have been forwarded to the applicant.

ReBlackpool - raise no objection to the proposed development, subject to satisfactory details at design stage and a rational solution for servicing and customer drop off/collection arrangements.

Lancashire County Archaeology Service - recommend the imposition of a condition to record and inspect any matters of archaeological or historical importance.

United Utilities - no objections, advice regarding provision of water supply forwarded to the applicant.

PUBLICITY AND REPRESENTATIONS

Neighbours Notified 02 October 2009 and 06 October 2009.

Gazette Notice published 07 October 2009.

Site Notices displayed 15 October 2009.

No responses to public notification have been received

NEARBY APPEALS

None relevant.

REGIONAL SPATIAL STRATEGY TO 2021

None relevant.

BLACKPOOL LOCAL PLAN 2001-2016

RR2 - Visitor Accommodation

RR7 - Promenade Frontages within the Resort Core

SR8 - Leisure Zone

LQ1 - Lifting the Quality of Design

LQ2 - Site Context

LQ4 - Building Design

BH3 - Residential and Visitor Amenity

AS1 - General Development Requirements

AS2 - New Development with Significant Transport Implications

PO1 - Planning Obligations

ASSESSMENT

The Principle of Redevelopment and Proposed Uses

Policy RR2 fully supports proposals providing contemporary visitor accommodation in the form of redevelopment schemes within the town centre. Specifically, this site is within the main Leisure Zone of the town centre on the Promenade frontage where visitor attractions/tourism development specifically will be permitted. This area is also promoted by the policy, and by Policy SR8, as the main location for bars and restaurants.

Similarly, Policy RR7 encourages new developments in the area provided they comprise high quality buildings of an appropriate scale, provide an 'active' frontage to the Promenade and enhance the amenity, character and appearance of the area.

The redevelopment of the site is acceptable in principle for the uses proposed and, subject to the recording measures requested by the County Archaeology Service, is to be welcomed.

The Scale and Relationship in the Streetscene

Policies LQ1, LQ2 and LQ4 are aimed at raising the quality of the built environment and ensuring that new development is appropriate to its surroundings, not only in design terms but also in scale and setting.

Policy LQ4 states that the scale, massing and height of new buildings should be appropriate for their use and location. Tall buildings which rise above the predominant height of surrounding buildings will be acceptable in appropriate locations, and particularly to the Promenade frontage within the Resort Core. Indeed Policy LQ4 requires buildings to be a minimum of four storeys in height in the Town Centre

The application is accompanied by the required Design and Access Statement, which demonstrates that the applicant has considered scale and siting of the proposed building and that quality materials will be specified at the detailed design stage.

The scheme was the subject of pre-application discussions regarding the general design considerations and the overall height, originally proposed at seven storeys, has been reduced in order that the scale of the development better relates to the adjoining buildings within the block. Further revisions have been negotiated, and incorporated into the plans, since submission of the application.

Impact Upon Adjacent Properties

Policy BH3 seeks to resist development which would have an adverse effect upon the amenities and living conditions of those occupying residential and visitor accommodation by reason of its scale, design and siting and its effects on privacy, outlook, and levels of sunlight and daylight.

In this case the development would be at least three storeys higher than Roberts Oyster Rooms and The Mitre PH (in the next block on the south side of West Street), and both premises have north-facing windows at upper floor levels. These windows, inevitably, will be overshadowed by the proposed development.

Whilst it is not apparent that the windows in question are to habitable rooms, the owners/occupiers have not made any representations regarding the application, and in any event the close proximity of neighbouring windows is often a typical situation in town centre redevelopment schemes and should not be seen as an overriding factor against the redevelopment of this site. The submitted elevations, whilst still subject to possible change at detailed stage, show how the bedroom windows could be installed obliquely to maximise the potential for sea views and avoid directly facing south across West Street.

Car Parking, Servicing and Access

Policy AS1 states that new development will be expected to provide convenient and safe access and appropriate off-street parking in accordance with the Council's adopted standards. However, in this case the site is within the town centre where application of the car parking standards and provision on-site would be impractical. It would be for the developer to decide whether to seek contract parking arrangements within the area as suggested by the Head of Transportation.

Policy AS2 relates to developments with significant transport implications and in this respect the applicant has commissioned a Framework Travel Plan with the intention that the eventual developer of the site or the hotel operator would implement a full working Travel Plan. This provision can be required by appropriate condition.

Whilst the proposed bar and restaurant uses would not be expected to generate additional car-borne customers visiting the site, the hotel use is likely to lead to additional demand for car parking space within the town centre.

Policy PO1 states that in appropriate cases, where existing infrastructure or services do not fully meet the needs generated by the development and the costs of upgrading such infrastructure would fall on the community, in this case the provision of additional car parking facilities, developers will be asked to compensate for the consequential costs by way of appropriate Agreement.

In this case, on the information available at this stage, the adopted parking standards would require the provision of 43 car parking spaces. It is considered that a developer contribution to off-site parking provision is appropriate (*although it was recognised at the time that there is no policy basis or methodology to require it*) and, whilst discussions continue on the amount, the developer has agreed in principle to make such a contribution.

The Head of Transportation has not identified any highway safety concerns arising from the development proposals. His comments set out the issues tabled in the pre-application discussions with the agents and addressed in the Transport Statement, and confirm that there are no proposals to vary the current Traffic Order which precludes servicing between 10.30 am and 6.00 pm.

Servicing of the site would take place from the adjoining highway, as is the present situation. The application indicates a service access to the rear of the premises, from West Street, via an existing right of way over the adjoining land to the east. There are no off-site highway works necessitated by or arising from the application proposal, but if the developer ultimately decides to seek variation of the Traffic Order(s), to vary servicing times or to provide for setting-down facilities for coaches, there will likely be a proportional cost.

It is indicated that there are proposals to upgrade the pedestrian scheme in West Street and wider proposals for the surrounding streets, including the Promenade, but these are for the most part at an early stage and the proposal is not prejudicial to their ultimate implementation. The proposal

does not give rise to a need for any off-site works (*the works to West Street and the Promenade have now been undertaken*).

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

In light of the requirements of Policy PO1 and the applicant's offer of a commuted sum in lieu of on-site parking, it is recommended that the applicant be invited to enter into Section 106 Agreement to secure an agreed financial contribution towards the provision of off-site car parking facilities.

CONCLUSION

Notwithstanding that the applicant originally offered to enter into a Section 106 agreement it is considered that, in light of the absence of the agreement and the other changes in circumstances since the application was originally considered by Committee, that the application should be approved as it accords with the principles of the National Planning Policy Framework and the aim of regenerating the Town Centre and these factors outweigh the lack of on-site car parking.

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. The proposal does not give rise to 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. 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. Notwithstanding the application submission, details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced. The agreed materials shall then be used in the development

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

3. No development shall take place on the site until the developer, or their successor 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 building, in accordance with Policy LQ9 of the Blackpool Local Plan 2001-2016 and the National Planning Policy Framework.

4. Notwithstanding the application submission, detailed plans of the proposed refuse storage facilities and details for the servicing of the building shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development. (These details may be submitted as part of the Reserved Matters). Refuse storage facilities shall subsequently be provided in accordance with the approved details prior to the first occupation of the development and retained thereafter, and the servicing of the building shall take place in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate and satisfactory refuse storage facilities and servicing arrangements are provided and in place in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

5. Notwithstanding the provisions of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended), the bar and the restaurant/bar premises hereby approved shall not be used for any purpose within Classes A1 or A2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: The uses precluded by this condition would not be appropriate in this location and would detract from the character of the Leisure Zone which is promoted as the location for public houses, bars, nightclubs, restaurants and cafes in accordance with the aims of Policy SR8 of the Blackpool Local Plan 2001-2016.

6. No part of the development shall be occupied prior to:
 - the appointment of a Travel Plan co-ordinator who shall agree a format for the Travel Plan with the Local Planning Authority and the Travel Plan shall that consist of surveying, travel audits, a working group, action plans with timescales and target setting for the implementation of each element; and
 - the implementation of the Approved Travel Plan (or implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation). Those parts of the Approved Travel Plan that are identified therein as

being capable of implementation after occupation shall be implemented in accordance with the timetable therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: In order to ensure appropriate provision exists for safe and convenient access by public transport, cycle, and on foot as well as by car, in accordance with Policy AS2 of the Blackpool Local Plan 2001-2016.

7. 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 construction work for the development
- contractors' compounds and other storage arrangements
- provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the 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 occupiers and to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 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 where otherwise specified by condition) 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.
2. Please note that any address changes or new addresses needed as a result of this development must be agreed by the Council. Please contact Council's Streetscene and Property Department, Layton Depot, Depot Road, Blackpool, FY3 7HW (Tel 01253 477477).