

Blackpool Council

23 October 2015

To: Councillors I Coleman, Critchley, Elmes, Hutton, Maycock, Stansfield and L Williams

The above members are requested to attend the:

PLANNING COMMITTEE

Tuesday, 3 November 2015 at 6.00 pm
in Committee Room A, Town Hall, Blackpool FY1 1GB

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 6 OCTOBER 2015 (Pages 1 - 12)

To agree the minutes of the last meeting held on 6 October 2015 as a true and correct record.

3 PLANNING APPEAL LODGED (Pages 13 - 14)

The Committee will be requested to note the planning appeal lodged.

4 PLANNING ENFORCEMENT UPDATE REPORT (Pages 15 - 18)

The Committee will be asked to note the outcomes of the cases and approve the actions of the Service Manager – Public Protection.

5 PLANNING APPLICATION 15/0362 - KINGS CHRISTIAN CENTRE, WARLEY ROAD (Pages 19 - 32)

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 15/0583 - LAND ADJACENT TO 39 SCHOOL ROAD (Pages 33 - 44)

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 Bernadette Jarvis, Senior Democratic Services Adviser, Tel: (01253) 477212, e-mail bernadette.jarvis@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 L Williams (in the Chair)

Councillors

I Coleman
Critchley

Elmes
Hutton

Robertson BEM
Stansfield

In Attendance:

Mrs Bernadette Jarvis, Senior Democratic Governance Adviser

Mr Gary Johnston, Head of Development Management

Mr Latif Patel, Group Engineer, Traffic Management

Mr Mark Shaw, Principal Planning Officer

Ms Carmel White, Chief Corporate Solicitor

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE MEETING HELD ON 8TH SEPTEMBER 2015

Resolved: That the minutes of the meeting held on 8th September be signed by the Chairman as a correct record.

3 PLANNING APPEALS LODGED

Resolved: To note the planning appeals lodged.

4 PLANNING ENFORCEMENT UPDATE REPORT

Resolved: To note the outcomes of the cases detailed in the report and to support the actions of the Service Manager, Public Protection department, in authorising the notices set out in the report.

PLANNING APPLICATION 14/0608 - UNITS 21-25 SQUIRES GATE INDUSTRIAL ESTATE, SQUIRES GATE LANE

Mr Johnston, Head of Development Management reminded the Committee that at its last meeting it had approved the application for the erection of a single storey retail food store (Use Class A1) with main pedestrian access from the Blackpool Retail Park, creation of vehicular access through from the Blackpool Retail Park to the Squires Gate Lane Industrial Estate, creation of 44 car parking spaces and associated servicing area and landscaping, following demolition of existing buildings, subject to the Committee agreeing proposed conditions to be attached to the permission at this meeting.

The Committee considered the proposed conditions outlined in the report and the

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subsequent amendments to these conditions as detailed in the Update Note. Mr Johnston reported on the reasons for the amendments which included the appropriateness of including a proposed timescale for a travel plan to be submitted and approved and the necessity of a restriction on the use of the unit for food retail purposes with ancillary non-food goods sales.

Resolved: To approve the conditions to be attached to the planning permission as set out in the appendix to the minutes.

6 PLANNING APPLICATION 11/0314- LAND AT WHYNDYKE FARM, PRESTON NEW ROAD

The Committee considered outline application 11/0314 for development of a maximum of 1,400 residential dwellings, 20 hectares of Class B2 general industrial/Class B8 storage and distribution, Class D1 primary school, two local neighbourhood centres (Classes A1/A2/A3) Class A4 drinking establishment, Class D1 health centre, Class D1 community building, vehicle access onto Preston New Road and Mythop Road with associated road infrastructure, car parking, public open space, sports pitches, allotments, the retention and improvement of natural habitats, watercourse, ponds, reed beds and hedgerows and landscape features.

Mr Shaw, Principal Planning Officer presented the Committee with a brief outline of the application and the site plan showing the proposed location of each of the facilities. Mr Shaw explained that the site was located predominately within Fylde Borough Council and that its Development Management Committee had approved planning permission for the development, subject to completion of a Section 106 agreement and conditions to be attached to the permission. Mr Shaw reported on the financial contributions that would be sought through a Section 106 Agreement which included the provision of affordable housing within both Blackpool and Fylde, with Fylde Borough Council's intention being that its proportion would be on-site and Blackpool Council's preference that its proportion would be targeted towards the inner Blackpool wards. Financial contributions would also be sought towards secondary education provision, a new bus service to serve the development and significant off-site highway works. Members were advised that it would be a phased development over a 10-15 year period with the sequencing of phases being controlled by appropriate conditions.

Mr Shaw concluded by advising Members of ongoing discussions between the two respective Local Authorities to agree appropriate conditions to be attached to the development, if approved. He referred them to the Update Note which summarised the main topics to be covered by conditions.

Mr Cassidy, the applicant's agent spoke in support of the application.

During consideration of the application, Members sought clarification regarding the controlled road junctions that would be in place to serve the proposed site. It was also clarified to Members that the proposed facilities within the site would be available to all members of the public irrespective of whether they resided within the proposed development area or not.

In response to a concern raised regarding the potential impact on Blackpool Victoria Hospital, Mr Shaw confirmed that he was unaware of any objections from the health

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authority following the consultation. A further concern was raised regarding accessibility of the primary school due to its proposed location within the development, however, it was noted that the school would be under the control of Lancashire County Council and that this was its preferred location for the school.

Resolved: That the application be approved in principle and deferred for delegation to the Head of Development Management subject to the completion of a Section 106 agreement and subject to appropriate conditions.

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

7 PLANNING APPLICATION 15/0494- FORMER YATES WINE LODGE 2-10 TALBOT ROAD

The Committee considered application 15/0494 for the erection of a six storey building to provide a public house/restaurant use and hotel reception at ground floor level, with hotel accommodation above comprising 150 en-suite bedrooms, with associated rooftop plant deck, ground level plant, yard and sub-station.

Mr Shaw, Principal Planning Officer presented the Committee with a brief outline of the application and site layout plans. He circulated computerised images illustrating the proposed development relevant to other properties on Talbot Road, Clifton Street and Talbot Square. He reminded Members that the Committee had previously refused a similar application at its meeting on 13th April 2015 and outlined the reasons for refusal. He reported on the changes that had been made to the application to address the Committee's concerns which included a redesign of the building and a lowering of the height of the building. He confirmed that there was spare capacity within the town centre car parks to support the anticipated increase in demand for parking. Mr Shaw also confirmed that a Section 106 agreement relating to the use of the Clifton Street loading bay was nearing completion. Mr Shaw referred Members to the information in the Update Note which provided a summary of the amended conditions. He concluded by reminding Members that the site had been vacant for a number of years.

Mr Boniface, public objector spoke in objection to the application.

Ms Binns, the applicant's agent spoke in support of the application.

Concerns were raised by Members regarding the longevity of the materials to be used, particularly in light of the development's location and the need to prevent a potential deterioration in the building's appearance in the longer term. Mr Shaw presented a display board that had been provided by the applicant showing the materials that were intended to be used, although he confirmed no agreement had been reached as yet regarding the materials.

The Committee noted the applicant's intention that the development, if approved would commence in Spring 2016 with an 18 month development programme.

During consideration of the application, Members expressed views that, should the application be approved, an additional crossing facility on Talbot Road would be beneficial and Mr Patel, Group Management (Traffic Management) agreed to consider

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this suggestion in conjunction with the planning agents.

Members commented favourably on the benefits of the proposed development and considered that the amendments to the application had addressed the main concerns from the initial application.

Resolved: That the application be approved in principle and deferred for delegation to the Head of Development Management, subject to the completion of a Section 106 Agreement in relation to the use of the Clifton Street loading bay and subject to the amended 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 15/0302- 141-147 ABBEY ROAD

The Committee considered application 15/0302 for the internal and external works including the erection of a 1.8m high wall to Squires Gate Lane boundary and use of the premises as altered as children's day nursery for up to 70 children.

Mr Johnston provided a brief overview of the application and showed Members the proposed plans. He reported that a number of issues identified during the pre-application enquiry process had not been addressed as part of the application. The Committee was advised of the proposed number of children in each age group and numbers of staff who would be on site.

Mr Johnston confirmed that the principle of locating a nursery in the proposed location was acceptable. He reported on the reasons for the recommendation for refusal as the detrimental impact on the residential amenities of the neighbours from excessive noise levels and inadequate parking arrangements which would adversely impact highway and pedestrian safety. He referred Members to the Update Note which detailed an amendment to the reasons for refusal.

Mr Gaunt, applicant spoke in support of the application. Councillor Cox, Squires Gate Ward Councillor also spoke in support of the application.

During consideration of the application, Members, notwithstanding comments made regarding the lack of complaints received to date, were concerned at the potential impact that the development might have on nearby residents due to the number of children that could be accessing the facility. They were also concerned at the increase in traffic, and the location of the available car parking spaces, particularly at peak periods which would impact on highways and public safety. Member also expressed concerns at the height of the proposed fence along the Squires Gate Lane frontage of the site.

During a general discussion regarding potential reductions in the number of children accessing the facility, Mr Johnston confirmed that should the application be refused the applicant would have the opportunity to re-submit a new application to the Committee which could seek to address the reasons for refusal.

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

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minutes.

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

Chairman

(The meeting ended 7.20 pm)

Any queries regarding these minutes, please contact:
Bernadette Jarvis Senior Democratic Services Adviser
Tel: (01253) 477212
E-mail: bernadette.jarvis@blackpool.gov.uk

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Application Number: 14/0608 Erection of single storey retail food store (Use Class A1) with main pedestrian access from the Blackpool Retail Park, creation of vehicular access through from the Blackpool Retail Park to the Squires Gate Lane Industrial Estate, creation of 44 car parking spaces and associated servicing area and landscaping, following demolition of existing buildings.

Decision: Approve conditions to be attached to the planning 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 Details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ14 of the Blackpool Local Plan 2001-2016.

- 3 Details of the surfacing materials for the car parking and servicing areas shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development.

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

Application Number: 15/0494 Erection of a 6 storey building to provide a public house/restaurant use and hotel reception at ground floor level, with hotel accommodation above comprising 150 en-suite bedrooms, with associated rooftop plant deck, ground level plant, yard and sub-station.

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 Notwithstanding the submitted plans, details of materials to be used, including brick, stone, mortar, glazing and window/ door frames, metalwork and rain water pipes, on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of works above ground level.

Reason: In the interests of the appearance of the locality, in accordance with Policies LQ1, LQ2, LQ4 and LQ10 of the Blackpool Local Plan 2001-2016.

- 3 Notwithstanding the submitted plans, details of the surfacing materials to be used shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of works above ground level.

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

- 4 Treatment of the ground floor windows to the Clifton Street and Talbot Road elevations shall be in accordance with details to be submitted to and agreed in writing prior to the development hereby approved first being brought into use and shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the appearance of the locality, in accordance with Policies LQ1, LQ10 and LQ11 of the Blackpool Local Plan 2001-2016.

- 5 Prior to the development hereby approved being first brought into use the refuse storage provision shown on the approved plans shall be provided and shall thereafter be retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the appearance of the locality and the residential amenity of occupants and neighbours, in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

- 6 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 unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenities of surrounding occupiers and 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.

- 7 Details of the appearance, technical specification and siting of any external ventilation ducting and plant not shown on the approved plans shall be submitted to and agreed in writing by the Local Planning Authority before installation. The agreed ducting shall then be provided prior to first use and shall thereafter be retained unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the living conditions of the occupants of nearby residential premises

and the working conditions of the occupants of nearby business premises, in accordance with Policies BH3 and LQ14 of the Blackpool Local Plan 2001-2016.

- 8 Within 6 month of the development first being occupied a detailed travel plan shall be submitted to the Local Planning Authority for written approval. 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 Approved Travel Plan shall subsequently 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.

- 9 Notwithstanding the information shown on the approved plans 1:50 scale sections showing the elevational detailing of the building on each of the three main elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of works above ground level, and the development shall subsequently be constructed in accordance with these agreed details.

Reason: In the interests of the appearance of the premises and locality in accordance with Policies LQ1, LQ4 and LQ10 of the Blackpool Local Plan 2001-2016.

- 10 Details of an external lighting scheme to the building to be incorporated into the development shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of works above ground level and such scheme shall be implemented prior to the first occupation of the development hereby approved and retained thereafter.

Reason: In the interests of the appearance of the development in accordance with Policies LQ1, LQ4 and LQ10 of the Blackpool Local Plan 2001-2016.

- 11 All windows and doors on the development hereby approved shall be recessed 50mm from the face of the building unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the building and the locality, in accordance with Policies LQ1, LQ2, LQ4 and LQ10 of the Blackpool Local Plan 2001-2016.

- 12 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 onsite 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.

- 13 Prior to the commencement of any development, details of the foul drainage scheme to serve the development shall be submitted to and approved in writing by the Local Planning Authority. Foul shall be drained on a separate system. The building shall not be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details. This development shall be completed maintained and managed in accordance with the approved details.

Reason: To secure proper drainage and to reduce the risk of flooding and pollution and to improve bathing water quality standards on the Fylde Coast in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016.

- 14 Prior to the commencement of any development details of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed prior to the first occupation of the building and maintained and managed in accordance with the approved details thereafter.

Reason: To secure proper drainage and to reduce the risk of flooding & pollution and to improve bathing water quality standards on the Fylde Coast in accordance with Policy NE10 of the Blackpool Local Plan 2001-2016.

- 15 The development hereby permitted relates to the following approved plans:-

Site location plan	4271(P) 101 A;
Proposed site plan	4271(P) 102 D
Proposed ground floor plan	4271(P) 103 F
Proposed first floor plan	4271(P) 103-01 E
Proposed second floor plan	4271(P) 103-02 D
Proposed third floor plan	4271(P) 103-03 B
Proposed fourth floor plan	4271(P) 103-04 B
Proposed fifth floor plan	4271(P) 103-05 B
Proposed roof plan	4271(P) 103-06 E
Talbot Road elevation	4271(P) 203 G
Clifton Street elevation	4271(P) 203-01 H
Talbot Square elevation	4271(P) 203-02 G
Deansgate elevation	4271(P) 203-03 C
Clifton Street section	4271(P) 301 B
Talbot Road section	4271(P) 302 A
Talbot Square section	4271(P) 303
Typical ground floor window	4271(P) 801 A
Typical entrance	4271(P) 802 B
Goods in door	4271(P) 804 A
Sub-station door	4271(P) 805 A
Juliet balcony	4271(P) 806 A
Roof plant	4271(P) 807 A
Plant	354-01-M15

Reason: To ensure that the development is carried out in accordance with the approved plans with regards to Policies LQ1, RR2, LQ2, LQ3, LQ4, LQ10, LQ11, SR6, BH3 and BH4 of the

Blackpool Local Plan 2001- 2016.

Application Number: 15/0302 Internal and external works including the erection of 1.8m high wall to Squires Gate Lane boundary and use of premises as altered as children's day nursery for up to 70 children.

Decision: Refuse

Reasons:

- 1 The proposed use as a day nursery for up to 70 children would have a significantly detrimental impact on the residential amenities of the neighbours, particularly at 139/137/135 Abbey Road and at 185/187/189 Squires Gate Lane, by reason of excessive noise levels generated in the outdoor play area in close proximity to their private rear gardens. In addition, the inadequate parking arrangements would result in on-street congestion where there is already significant competition for on-street facilities due to the lack of off street parking at a number of nearby dwellings. As such the proposal would be contrary to Policies BH3 and BH4 of the Blackpool Local Plan 2001-2016, paragraphs 14, 17, 53 and 123 of the National Planning Policy Framework and Policy CS7 of the Blackpool Local Plan: Part 1 – Core Strategy (Proposed Submission).
- 2 The parking facilities would be significantly detrimental to highway and pedestrian safety by virtue of the inadequate number of spaces, their forecourt location, and peak periods of use, and would therefore be contrary to Policy AS1 of the Blackpool Local Plan 2001 - 2016 and paragraph 35 of the National Planning Policy Framework.
- 3 ARTICLE 35 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK paragraph 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: the impact on the amenities of nearby residents, highway safety, conflict with the National Planning Policy Framework, policies of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan: Part 1 – Core Strategy (Proposed Submission) which justify refusal.

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Report to:	Planning Committee
Relevant Officer:	Gary Johnston, Head of Development Management
Date of Meeting	3 November 2015

PLANNING APPEAL LODGED

1.0 Purpose of the report:

1.1 The Committee is requested to note the planning appeal lodged.

2.0 Recommendation(s):

2.1 To note the report.

3.0 Reasons for recommendation(s):

3.1 To provide the Committee with a summary of planning appeals for 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, the report is for information only.

4.0 Council Priority:

4.1 Not applicable

5.0 Background Information

5.1 Planning Appeal lodged

5.2 182 Dickson Road , Blackpool (15/0514)

An appeal has been submitted by Mr Neil Goodier against the Council's non-determination of Certificate of Lawful Use Existing for the use of premises as two self-

contained permanent maisonettes.

5.3 Does the information submitted include any exempt information? No

5.4 **List of Appendices:**

5.5 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

Report to:	Planning Committee
Relevant Officer:	Tim Coglan, Service Manager, Public Protection
Date of Meeting	3 November 2015

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 2015.

2.0 Recommendation(s):

2.1 To note the outcomes of the cases set out below and to support the actions of the Service Manager, Public Protection Department, in authorising the notices set out below.

3.0 Reasons for recommendation(s):

3.1 The Committee is provided with a summary of planning enforcement activity for 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, 54 new cases were registered for investigation, compared to 57 received in September 2014.

Resolved cases

In September 2015, 16 cases were resolved by negotiation without recourse to formal action, compared with nine in September 2014.

Closed cases

In total, 42 cases were closed during the month (29 in September 2014). 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 2015 (none in September 2014);
- Three s215 notices authorised in September 2015 (none in September 2014);
- No Breach of Condition notices authorised in September 2015 (none in September 2014);

relating to those cases set out in the table below.

- No enforcement notices served in September 2015 (none in September 2014);
- No s215 notices served in September 2015 (none in September 2014);
- No Breach of Condition notices served in September 2015 (none in September 2014).

Enforcement notices / S215 notices authorised in September 2015

Ref	Address	Case	Dates
15/8534	17 Bryan Road	Poor condition of property	Section 215 Notice authorised 15/09/2015
15/8212	53a Albert Road	Poor condition of property	Section 215 Notice authorised 17/09/2015
15/8301	6 Central Drive	Poor condition of property	Section 215 Notice authorised 17/09/2015

Does the information submitted include any exempt information?

No

5.2 List of Appendices:

5.3 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: [03/11/2015](#)

Application Reference: 15/0362

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

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

PROPOSAL: Erection of three storey building comprising 15 x two bedroom self-contained permanent flats with vehicle access to rear from Gynn Avenue and associated car parking facilities for 13 vehicles, and refuse store to rear.

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

Summary of Recommendation: Grant Permission

CASE OFFICER

Mark Shaw

SUMMARY OF RECOMMENDATION

The site is unallocated in the Local Plan but is in a sustainable location for development, close to the Dickson Road Local Centre and the Promenade for bus and tram services. The site contains a disused locally listed building which has had approval to be demolished. The principle of residential development is consistent with Policy HN4 of the Local Plan and CS1 of the Blackpool Local Plan - Part 1: Core Strategy. The scale and layout of the development is considered appropriate in this location and the design would reflect the character of the area. As such the proposal is considered to be consistent with Policies LQ1, LQ2 and LQ4 of the Local Plan and CS7 of the Blackpool Local Plan - Part 1: Core Strategy. Whilst the loss of the locally listed building is regrettable there is no alternative use on the table and hence the proposal is not considered to conflict with Policy CS8 of the Blackpool Local Plan - Part 1: Core Strategy. Whilst 13 car parking spaces is slightly below the ratio of one car parking space per flat it is an increase of five spaces from the scheme presented to the Planning Committee at its meeting on 8th September 2015 (previously eight spaces) and is considered to be an acceptable provision given the location of the site close to local services and the Promenade (for buses and trams).

INTRODUCTION

This application was deferred from the Planning Committee meeting on 8th September 2015 due to the late receipt of a consultation response which did not allow due consideration by all relevant parties. The 114 year old stone built Kings Christian Centre (former Claremont Congregational Church) is a locally listed building and has been vacant for several years and is in a poor state of repair. An outline planning application reference 14/0575 involving the erection of a four storey building to form 20 x two bedroom self-contained flats with 10 car parking spaces was withdrawn on 1st December

2014. One of the issues in assessing this application was the viability of potentially retaining and converting the vacant church and church hall building into flats. This withdrawn application was followed up with a Prior Approval submission for the demolition of the building reference 14/0846 granted on 23rd December 2014. It should be noted that the only issues for consideration under a Prior Approval application is the method of demolition and the site remediation, therefore the architectural merit of the building could not be considered.

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

SITE DESCRIPTION

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

DETAILS OF PROPOSAL

This is an outline planning application seeking approval for access, appearance, layout and scale for a three storey block of 15 x two bed flats with an L shaped footprint and fronting onto both Warley Road and Gynn Avenue with only landscaping reserved for subsequent approval. The access road immediately to the rear of the site connects Gynn Avenue and Dickson Road and would provide access to the car parking area which is now shown, following the receipt of amended plans, to provide 11 spaces. This rear area also provides for refuse storage. A further two parking spaces are shown to the front of the building for visitors. The site layout presented to the Planning Committee on 8th September showed six spaces to the rear, therefore the amended scheme provides an additional five spaces to address the concerns of the Head of Transportation.

Amended plans have been received further revising the design of the building introducing some rendering to the predominantly brick elevations and revising the window and door detailing. The design of the proposal now incorporates full height bay windows with front gables and a feature corner turret to act as a focal point for the building. The window proportions incorporating stone effect cills and headers add to the appearance of a building to give a building design which incorporates a number of traditional features included on buildings nearby.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

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

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

CONSULTATIONS

Built Heritage Manager: The design is an improvement on the original proposal, particularly the corner feature and bay windows. The church was locally listed for its architectural merit, however, and I would prefer the roof covering of the flats to be slate rather than black concrete tiles.

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

Head of Transportation: original comments - Warley Road and the surrounding area suffers from on-street parking demand along sections which are unrestricted. There are peaks and troughs throughout the year with a higher demand for parking during the main holiday period. The problem continues out of season, not to the same extent but a problem nevertheless. The proposal site is accessible by other modes of transport, however there will be a greater reliance on the use of a private car. Six spaces for 15 flats and two visitor spaces will not meet demand and this is likely to increase the parking problems in the area. An existing problem made worse and a nuisance to existing residents.

I am at a loss why a new build such as this cannot provide adequate parking to meet future demand. A less intensive development with appropriate parking measures would have been supported, all connected to the design process. Reliance on on-street parking availability for future occupiers is not considered acceptable from a highways and traffic point of view and on this basis I wish to object to this proposal and recommend refusal from a highway point of view. The bin drag distance also exceeds 25m.

Access to the parking spaces is via a gated back street, most likely to reduce crime and unsociable behaviour. Frequent movements by vehicles may result in the gates being left open for long periods which defeats the object of the gates.

In response to the amended plans - The width of the vehicle openings on Warley Road scale to be 3000mm, whilst this would normally be considered acceptable I would recommend widening to 3500mm to allow easier access for larger vehicles. The existing width may result in the spaces not being utilised if access is difficult, in particular with the on-street parking in the area. The width of the vehicle crossing may need adjusting to suit. A H marking to be provided for protection from obstruction.

Consider widening the pedestrian access points into the site to 1500mm and increase the number. Road markings to be introduced within the rear car park advising users to turn left out of the car park towards Gynn Avenue. Additional signage on alleygates re: the regular use and opening and closing of gates. An Accessibility Questionnaire to be requested.

The latest amended plans incorporate the above changes.

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

Waste: No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the Update Note.

Police Architectural Liaison Officer: I have conducted a crime and incident search of this policing incident location and during the period 12/06/2014 to 12/06/2015 there have been reported crimes and incidents including burglary. A burglary occurred close to this location whereby the offenders entered a property converted into flats by removing the barrel from the lock of the communal UPVC front door. Based on crime and incident levels in this location, I recommend that this scheme is developed to Secured By Design security standards. In order to reduce the opportunity for crime and disorder at the scheme such as burglary I make the additional following security recommendations:-

- the dwellings should be built to Secured By Design security standards to protect them from criminal activity such as burglary. In particular, I would recommend that the requirements of Part 2 of Secured By Design, physical security are conditions of planning permission.
- The communal entrance doorsets should be doors of enhanced security tested and certificated to PAS 24/2012 security standards. These communal entrance doorsets into the building should be fitted with an access control system to restrict unauthorised entry, for example keyfob/keypad or similar. Should an offender gain access into the building it compromises the security of all 15 flats.
- Each individual flat entrance doorset should be tested and certificated to enhanced security standards PAS 24/2012. All glazing in doors and windows should be laminated. In order to target harden the flats against forced entry, it is recommended that laminated glazing is fitted at ground floor level windows and all windows should be PAS 24/2012.
- Consideration should be given to the main communal entrance areas into the block of flats being covered by a CCTV camera. The presence of formal surveillance contributes towards modifying a potential offender's behaviour. Should a CCTV camera be fitted at the scheme it should be positioned inside the main communal entrances so that it captures a clear head and shoulders image of all persons entering the building.
- Three car parking spaces and cycle storage area should be illuminated with British Standard 5489 lighting columns and the main communal doorsets and emergency exits should be fitted with dusk until dawn PIR security lights.

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

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

PUBLICITY AND REPRESENTATIONS

Press notice published: 25 June 2015

Site notice displayed: 1 July 2015

Neighbours notified: 11 Jun 2015 and 25 August 2015

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

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

Neighbours have been re-notified on the amended plans and 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) states that the purpose of the planning system is to contribute towards sustainable development. There are three strands to sustainable development namely economic, social and environmental. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

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

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

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

Housing applications should be considered in the context of the presumption in favour of sustainable development. It is acknowledged that proposals for housing development should be looked upon favourably if a Local Planning Authority is unable to demonstrate a five year supply of housing land. Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

Part 7 - Requiring good design.

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

Part 11 - Conserving and enhancing the natural environment.

Part 12 - Conserving and enhancing the historic environment.

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

- the desirability of new development making a positive contribution to local character and distinctiveness.

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

SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016

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

LQ1 - Lifting the Quality of Design
LQ2 - Site Context
LQ3 - Layout of Streets and Spaces
LQ4 - Building Design
LQ6 - Landscape Design and Biodiversity
LQ8 - Energy and Resource Conservation
HN4 - Windfall Sites (housing development)
HN6 - Housing Mix
HN7 - Housing Density
BH3 - Residential and Visitor Amenity
BH10 - Open Space in New Housing Developments
AS1 - General Development Requirements (Access and Parking)

SPG 11 - Open space requirements

EMERGING PLANNING POLICY

The Core Strategy Proposed Submission was submitted to the Planning Inspectorate in December 2014 and an Inspector conducted an examination of the Core Strategy in May 2015. Consultation has taken place on modifications to the Core Strategy arising from the examination and the results of this consultation will be forwarded to the Inspector for him to consider. He will then publish his final report on the Core Strategy and the document will be adopted early in 2016.

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

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

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

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

ASSESSMENT

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

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

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

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

Impact on Residential Amenity - it is not considered that the proposal raises any particular amenity issues for the area other than adding to the use of the access road running to the rear of the site. This is, however, considered preferable to creating an additional demand for on-street car parking as the number of available on-street parking spaces is already at a premium.

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

In terms of the residential amenity of future residents of the flats, the latest amendments to the proposal have resulted in the loss of the proposed private amenity space due to the provision of extra car parking. Residents could however choose to use the area to the front of the building fronting Warley Road which is south facing and also affords sea views. The proposed flats are a good size and meet the standards set out in the Council's 'New Homes from Old Places' Supplementary Planning

Document. These standards relate to conversions rather than new build development but are nevertheless a good indicator of the flats being a good size.

Highway Safety/ Access/ Parking -the proposal makes provision for 13 off street parking spaces for the 15 flats. The former church and church hall buildings would have generated on-street parking and there are at present no off-street parking facilities at the application site. Other Class D1 uses which could occupy the building without planning permission include a health centre, a day nursery and education and training uses, all of which have significant traffic generation and on-street parking implications. The application site is also in a sustainable location and well situated to access public transport, shops, eating and drinking establishments, medical facilities, public open space, schools and the town centre all within easy walking distance whereby future residents would not necessarily have to rely on car ownership. The increase in on-site car parking provision from 8 to 13 spaces is considered acceptable and now has the support of the Head of Transportation.

Other Issues- refuse is shown to the rear and has been re-positioned closer to Gynn Avenue for collection to take account of the Head of Transportation's comments. The proposal involves the retention of the existing low stone boundary wall to Warley Road and Gynn Avenue and there is ample opportunity for a good quality landscaping scheme to be carried out. Landscaping will be submitted as a reserved matter.

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

CONCLUSION

The proposal is considered to be an acceptable re-development of the site subject to the adequate recording of the existing building being undertaken prior to demolition and subject to suitable facing materials and landscaping details being agreed prior to development commencing. Amended plans have now been received following the deferral of the application and the comments of the Head of Transportation, and off- street parking has increased from eight spaces to 13 spaces making around a 90% provision. It should be noted that whilst the Council car parking standards require a maximum of 150% car parking, this site is in a highly accessible location, the potential traffic generation from the current Class D1 uses could itself be significant and the existing building has no off-street car parking. In addition, it is considered that to require an off-site parking requirement of 150% (22/23 spaces) is not justified in this location and would render any re-development of the site unviable. On this basis the proposal is considered acceptable.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

See condition 9 of this report which requires payment of the appropriate contribution towards public open space provision and maintenance as set out in Policy BH10 of the Blackpool Local Plan and Supplementary Planning Guidance note 11.

HUMAN RIGHTS ACT

Under Article eight and Article one of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her

property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. It is not considered that the application raises any human rights issues.

CRIME AND DISORDER ACT 1998

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

ADDITIONAL DOCUMENTS

- **Location Plan**

Recommended Decision: Grant Permission

Conditions and Reasons

1. i. Approval of the following details (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority:

Landscaping

ii. Applications for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason i and ii: This is an outline planning permission and these conditions are required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Details of materials to be used on the external elevations shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced.

Reason: In the interests of the appearance of the locality, in accordance with Policy LQ1, LQ4, BH3 of the Blackpool Local Plan 2001-2016 and because such details are not included in the application.

3. a) No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include any proposed changes to existing ground levels, means of enclosure and boundary treatment, areas of soft landscaping, hard surfaced areas and materials, planting plans specifications and schedules (including plant size, species and number/ densities), existing landscaping to be retained, and shall show how account has been taken of any underground services.

b) The landscaping works shall be carried out in accordance with the approved details within the first planting season following completion of the development hereby approved or in accordance with a programme agreed in writing by the Local Planning Authority (whichever is sooner.)

c) Any trees or shrubs planted in accordance with this condition which are removed, uprooted, destroyed, die, or become severely damaged or seriously diseased within five years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its written consent to any variation.

Reason. To ensure the site is satisfactorily landscaped in the interests of visual amenity and to ensure there are adequate areas of soft landscaping to act as a soakaway during times of heavy rainfall with regards to Policy LQ6 of the Blackpool Local Plan 2001-2016 and because such details are not included in the application.

4. Details of the appearance of the bin and cycle storage areas indicated on the approved plan(s) shall be submitted to and agreed in writing by the Local Planning Authority prior to the development being commenced.

Reason: In the interests of the appearance of the site and locality, in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and because such details are not included in the application.

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

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

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

Reason: In the interests of the amenities of surrounding residents and to safeguard the character and appearance of the area in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and because such details are not included in the application.

6. Prior to the development hereby approved being first brought into use the car parking provision shown on the approved plan shall be provided and shall thereafter be retained.

Reason: In the interests of the appearance of the locality and highway safety, in

accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

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

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

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

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

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

Reason: To ensure sufficient provision of or to provide sufficient improvements to open space to serve the dwellings in accordance with Policy BH10 of the Blackpool Local Plan 2011-2016 and Supplementary Planning Guidance Note 11 "Open Space Provision for New Residential Development"(SPG11).

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

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

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

11. No demolition of the existing buildings shall take place on the site until the applicant or their agent, has secured the implementation of a programme of building recording analysis. This must be carried out prior to any demolition, in accordance with a written

scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of historical importance associated with the site, in accordance with Policy LQ2 of the Blackpool Local Plan 2001-2016.

Advice Notes to Developer

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.



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COMMITTEE DATE: [03/11/2015](#)

Application Reference: 15/0583

WARD: Stanley
DATE REGISTERED: 25/08/15
LOCAL PLAN ALLOCATION: Countryside Area

APPLICATION TYPE: Full Planning Permission
APPLICANT: Mr B Jenkins

PROPOSAL: Retention of a temporary amenity building for a period of two years.

LOCATION: LAND ADJACENT TO 39 SCHOOL ROAD, BLACKPOOL, FY4 5DS

Summary of Recommendation: Grant Permission

CASE OFFICER

Gary Johnston

SUMMARY OF RECOMMENDATION

This cabin was previously located on a site further to the east on School Road where it received planning permission in 2008 (08/0705 refers). It was moved to this site in July of this year and permission is sought to retain it on a temporary basis. It is longer than the approved amenity building for the site but having a flat roof it is lower. It is set at right angles to the road and is approximately 6.5 metres back from the back of the pavement in School Road and approximately 21 metres from the front and rear garden of 39 School Road. As there is a hedge/fence along the eastern boundary of the site the cabin is not readily visible when travelling from the east until you are almost at the site. It is partially screened by the fence/gates on the site frontage but as it is 3 metres high it projects 1.3 metres above the fence/gates. It is painted dark brown.

It was not considered to be contrary to Policies LQ2, LQ4 and NE2 of the Blackpool Local Plan in 2008 when it was approved on another site in School Road. As the Moss once comprised a number of small holdings it is not unusual to see buildings of different styles/colours. In the past there have been temporary buildings at the school next door. It is felt that a temporary permission of 18 months would be the best way forward to allow for the construction of the permanent amenity block in the Spring of 2017.

INTRODUCTION

Members will recall that planning permission was granted for the use of this site as a gypsy caravan site for up to 3 caravans and one amenity building on 9 March 2015 subject to various conditions (14/0892 refers). The applicant and his family are on the site and some works have been done to comply with the conditions - boundary fence with the rear garden of 39 School Road, fencing and gates to the site frontage and a eurobin has been purchased and positioned on the site. In addition, there is now an electricity supply to the site and the applicant is in the process of securing a water supply. An application to discharge a number of the conditions has been received and is being considered at the present time. In July the applicant purchased the cabin from Carandaw Farm - a

site on School Road further to the east of the application site- and the applicant is seeking temporary permission to retain it on the site for use as an amenity building until he can build the approved brick built amenity building.

SITE DESCRIPTION

The application site is on the northern side of School Road, immediately to the east of a terrace of four houses. There is an access to the eastern side which serves a nursery and football club and provides pedestrian access to St Nicholas' Primary School. This access is also a public footpath which links to Ecclesgate Road to the north. The site is roughly square and has a frontage of 32 metres to School Road and a depth of some 40 metres. There is a 1.7 metres high fence set back from the frontage to School Road and a pair of gates (these have been provided in accordance with planning permission reference 14/0892). There is a line of trees/hedgerow along the eastern boundary of the site with a fence on the application site side and a 1.8 metre fence along the boundary with the rear garden of 39 School Road. The site has been cleared of the majority of the vegetation that once covered the site and has been covered in road plantings.

St Nicholas' Primary School is to the east, a football pitch to the north and on the opposite side of School Road is open land with housing to the east and west. The site is within the Marton Moss Countryside Area as defined in the Blackpool Local Plan 2001-2016

DETAILS OF PROPOSAL

This application relates to the retention of a dark brown painted cabin on the site for use as a temporary amenity building. The cabin was previously at Carandaw Farm on the southern side of School Road approximately 400 metres to the east of this site, where planning permission was granted in 2008. It measures 9.8 metres by 3.8 metres by 3 metres high and projects approximately 1.3 metres above the front boundary fence and gates. It is set some 6.5 metres back from the back of the pavement to School Road and some 21 metres from the back garden /front garden of 39 School Road. It sits partially on the footprint of the approved amenity building for the site but is longer (9.8 metres compared to 6.75 metres). It comprises a sitting area, kitchen area, toilet and shower. Foul drainage would connect to a sewer at the rear of the site and surface water from the roof would be collected in a 200 litre water butt.

The applicant is seeking permission to retain it on site for two years.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- principle of the development
- need for the development
- impact on the character and appearance of the Marton Moss Countryside area
- impact on residential amenity
- impact on highway and pedestrian safety

CONSULTATIONS

No consultations have been undertaken on this application

PUBLICITY AND REPRESENTATIONS

Site notice displayed: 3 September 2015

Neighbours notified: 28 August 2015

Letters of **support** have been received from -

20 Church Lane, Backford , Cheshire

4 Harrington Avenue

New Hall Avenue

11 Kingsmede

84 Harrowside

Secretary, Squires Gate Football Club, School Road

7 School Road

386, 388, 390 Vicarage Road

6 Common Edge Road

8 Newlands Avenue

The letters of support refer to the cabin having been located on another site in School Road.

Letters of **objection** have been received from

35 and 39 School Road

16 Pear Tree Close, Wesham

18 Parkfield Crescent, Lea, Preston

Hazelford House, Milton Road, Shipton under Wychwood, Oxfordshire

Feldgate, Red Lane, Bardsea, Ulverston, Cumbria

45 Lytham Road, Freckleton (x 2)

71 Boston Road, St Annes

168 Lytham Road, Freckleton

Ings Farm House, Main Street, York

Harver House, Newton with Scales, Preston

31 Hampton Road

The reasons for objection are -

- the cabin is contrary to Policies LQ2, LQ4 and NE2 of the Blackpool Local Plan
- the cabin is visible above the front boundary fence
- the cabin is visible from nearby gardens
- the cabin detracts from the character and appearance of Marton Moss
- the cabin obscures views of Marton Moss
- the cabin being flat roofed is out of character with the Moss
- the cabin is bigger than the approved amenity building

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

NATIONAL PLANNING POLICY FRAMEWORK

Paragraph 14 states - at the heart of the National Planning Policy Framework (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 whole; or
 - specific policies in this Framework indicate development should be restricted.

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

- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;

Paragraphs 56 - 65 deal with design and seek to achieve a good standard of design.

Annex 1 of the National Planning Policy Framework deals with Implementation

Paragraph 216 - From the day of publication, decision-takers may also give weight to relevant policies in emerging plans (ie. **Blackpool Local Plan - Part 1 : Core Strategy**) according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

PLANNING POLICY FOR TRAVELLER SITES (PPTS)

This document sets out the Government's planning policy for traveller sites and it should be read in conjunction with the National Planning Policy Framework.

The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.

To help achieve this, Government's aims in respect of traveller sites are:

- that local planning authorities should make their own assessment of need for the purposes of planning
- to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites

- to encourage local planning authorities to plan for sites over a reasonable timescale
- that plan-making and decision-taking should protect Green Belt from inappropriate development
- to promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites
- that plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective or local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies
- to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply
- to reduce tensions between settled and traveller communities in planmaking and planning decisions
- to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure
- for local planning authorities to have due regard to the protection of local amenity and local environment

Applications for new sites should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the National Planning Policy Framework and this planning policy for traveller sites.

Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) the existing level of local provision and need for sites
- b) the availability (or lack) of alternative accommodation for the applicants
- c) other personal circumstances of the applicant
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- e) that they **should determine applications for sites from any travellers and not just those with local connections**

Local planning authorities should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure.

Subject to the implementation arrangements, **if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration** in any subsequent planning decision when considering applications for the grant of temporary planning permission

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
LQ4 - building design
HN9 - gypsies and travelling showmen
BH3 - residential and visitor amenity
BH7- playing fields and sports grounds
BH4 - public health and safety
NE2 - countryside area (2.1 land at Marton Moss)
NE10 - flood risk
AS1 - general development requirements (transport)

EMERGING PLANNING POLICY

The Core Strategy Proposed Submission was submitted to the Planning Inspectorate in December 2014 and an Inspector conducted an examination of the Core Strategy in May 2015. Consultation has taken place on modifications to the Core Strategy arising from the examination and the results of this consultation will be forwarded to the Inspector for him to consider. He will then publish his final report on the Core Strategy and the document will be adopted early in 2016.

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

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

CS5 - connectivity
CS7 - quality of design
CS9 - water management
CS16 - traveller sites
CS26 - Marton Moss
CS27 - south Blackpool connectivity and transport

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

ASSESSMENT

Principle of the development - Members will be aware that the Committee has approved a planning application involving the erection of a purpose built amenity block for the site in the same location (albeit a slightly smaller footprint than the cabin) on the site. Therefore, the principle of siting an amenity building to serve the site in this location has been approved by the Committee.

Need for the development - The applicant is suggesting that he needs to retain the temporary cabin to enable him to raise funds to construct the permanent amenity building. He has submitted an

application to discharge various conditions attached to planning permission 14/0892 which once resolved will incur costs - landscaping/levels/drainage/site access. In addition there is no plumbed in toilet or shower facility on the site for Mr Jenkins and his family. Whilst personal circumstances are not a material planning consideration, the provision of toilet and washing facilities on the site is a matter of public concern.

Impact on the character and appearance of the Marton Moss Countryside area - The Marton Moss Characterisation Study that forms part of the evidence base to the Core Strategy acknowledges that Common Edge Road and School Road have a more urban feel to them because of the width of the roads, the existence of pavements and the extent of built form which contrasts strongly with the narrower lanes without pavements within Marton Moss. Whilst the presence of gaps between the built form on School Road helps to make development appear a bit more sporadic and not conventional ribbon development, the application site does not afford views into the open countryside because it has a football ground with attendant buildings to the north and has a 1.7 metres high splayed fence/gates along the site frontage. The cabin is visible above the fence line (by some 1.3 metres) but is set back from School Road (some 6.5 metres) and views of the site from the east are shielded by the hedgerow and fence on the eastern boundary. In the lifetime of the current Local Plan the cabin was deemed appropriate on another site on School Road and hence it is considered that on a temporary basis it would not detract from the character and appearance of Marton Moss in this location.

School Road comprises a mixture of house types and materials and hence there is not a prevailing design character. The cabin is lower than the terrace to the west and the School Buildings to the east and does not stand proud of the building line to School Road. The principle of the development of the site as a gypsy caravan site has been approved by the Committee and the need for sites and the suitability of this site were part of that approval. Given these factors it is not considered that the retention of the cabin on a temporary basis would conflict with Policies LQ2, LQ4 or NE2 of the Local Plan.

Impact on residential amenity - Whilst it is longer than the approved amenity building it is in a similar location on the eastern side of the site. It is some 21 metres from the front and rear garden of 39 School Road and whilst the floor level is slightly elevated it is not considered at this distance that it would have an adverse impact on the amenities of the occupiers of 33 -39 School Road.

Impact on highway and pedestrian safety - Its siting has no adverse impact on highway or pedestrian safety.

CONCLUSION

Approval was given for the use of this site as a gypsy caravan site in March of this year. The applicant is working towards complying with various conditions of that planning permission. He is seeking to retain the cabin on site for a period of two years. Officers consider that a period of 18 months would be more appropriate to allow for the removal of the cabin in the Spring of 2017 and the construction of the purpose built amenity building. Officers also consider that a number of conditions are required to control the use and appearance of the cabin.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

None needed.

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.

BACKGROUND DOCUMENTS

- **Location Plan**

Recommended Decision: Grant Permission

Conditions and Reasons

1. The cabin shown on drawing no.s PC1 Rev A and 07.0800BJ shall be removed from the site after 18 months from the date of this permission.

Reason: The cabin is not considered acceptable as a long term amenity building on the site in accordance with Policies LQ1, LQ2, LQ4, HN9 and NE2 of the Blackpool Local Plan 2001-2016.

2. Within one month of the date of this permission the cabin shall be painted with another coat of matt dark brown paint.

Reason: To improve the weathered appearance of the cabin in accordance with Policies LQ1, LQ2, LQ4, HN9 and NE2 of the Blackpool Local Plan 2001-2016.

3. The cabin shall only be used for the purposes shown on drawing no.s PC1 Rev A and for no other purpose and shall not be used as a self-contained unit of residential accommodation.

Reason: Permission has been granted for one static caravan and two touring caravans on the site with ancillary facilities. The cabin would temporarily provide those ancillary facilities. Any increase in occupancy on the site would require further consideration by the Local Planning Authority in accordance with Policy NE2 of the Blackpool Local Plan 2001-2016.

4. There shall be no external alterations or additions to the cabin without the prior permission of the Local Planning Authority.

Reason: To ensure that the Local Planning Authority has control over the appearance of the cabin in accordance with Policy NE2 of the Blackpool Local Plan 2001-2016

5. Within one month of the date of this permission the water butt shown on drawing no.s PC1 Rev A shall be provided and connected to collect surface water run off from the roof of the cabin.

Reason: To collect surface water run off from the roof of the cabin in accordance with Policy NE10 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.

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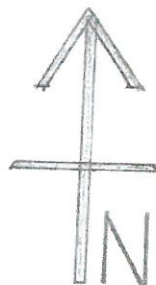
LOCATION PLAN

BLACKPOOL COUNCIL
PLANNING DIVISION
RECEIVED 25 AUG 2015
PLANNING APPLICATION REF:
15/0583



Site Referred

SCALE- 1: 1250



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