

# Blackpool Council

11 November 2016

To: Councillors Humphreys, Hutton, Matthews, Maycock, O'Hara, Stansfield and L Williams

The above members are requested to attend the:

## **PLANNING COMMITTEE**

Tuesday, 22 November 2016 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 25 OCTOBER 2016** (Pages 1 - 6)

To agree the minutes of the last meeting held on 25 October 2016 as a true and correct record.

### **3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED** (Pages 7 - 14)

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

### **4 PLANNING ENFORCEMENT UPDATE REPORT** (Pages 15 - 18)

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

**5 PLANNING APPLICATION 16/0428 - 26-30 ABINGDON STREET (Pages 19 - 30)**

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

**6 PLANNING APPLICATION 16/0429 - 26-30 ABINGDON STREET (Pages 31 - 42)**

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

**7 PLANNING APPLICATION 16/0436 - LAYTON INSTITUTE, WESTCLIFFE DRIVE (Pages 43 - 60)**

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

**8 PLANNING APPLICATION 16/0467 - STANLEY HOUSE, CLIFTON ROAD (Pages 61 - 70)**

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

**9 PLANNING APPLICATION 16/0469 - 238 QUEENS PROMENADE (Pages 71 - 84)**

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

**10 PLANNING APPLICATION 16/0553 - LAND AT ADELAIDE STREET, ALFRED STREET AND LEOPOLD GROVE (Pages 85 - 102)**

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

**11 PLANNING APPLICATION 16/0567 - REAR OF 1 SHERBOURNE ROAD (Pages 103 - 112)**

The Committee is 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](mailto: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](http://www.blackpool.gov.uk).

### **Present:**

Councillor L Williams (in the Chair)

Councillors

I Coleman  
Critchley

Elmes  
Hutton

Maycock  
Stansfield

### **In Attendance:**

Mrs Bernadette Jarvis, Senior Democratic Governance Adviser  
Mr Gary Johnston, Head of Development Management  
Mrs Carmel White, Chief Corporate Solicitor  
Mr Latif Patel, Group Engineer, Traffic Management

### **1 DECLARATIONS OF INTEREST**

There were no declarations of interest on this occasion.

### **2 MINUTES OF THE MEETING HELD ON 27 SEPTEMBER 2016**

The Committee considered the minutes of the last meeting held on 27 September 2016.

**Resolved:** That the minutes of the meeting held on 27 September 2016 be approved and signed by the Chairman as a correct record.

### **3 PLANNING ENFORCEMENT UPDATE REPORT**

The Committee considered a report detailing the planning enforcement activity undertaken within Blackpool during September 2016. The report stated that 42 new cases had been registered for investigation, 10 cases had been resolved by negotiation without recourse to formal action and 25 cases had been closed due to no breach of planning control found, no action was appropriate or where it was not considered expedient to take action. Two enforcement notices had also been served during the same period.

The report also provided comparative information for the same period last year.

**Resolved:** To note the outcome of the cases set out in the report and to support the actions of the Service Manager, Public Protection Department, in authorising the notices.

### **4 PLANNING APPLICATION 16/0473 - 585-593 PROMENADE AND 1 WIMBOURNE PLACE**

The Committee considered an application for the erection of a part 5 /part 6 / part 7 storey block of 91 self-contained permanent flats with car parking for 84 vehicles, access and associated works following demolition of existing hotels.

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 25 OCTOBER 2016

Mr Johnston, Head of Development Management, gave a brief overview of the application and presented the site location and layout plans. Visual images were shown depicting the elevations of the proposed development, the distances in relation to neighbouring properties and the car parking provision. He also showed sketched drawings that provided an illustration of the proposed development. Mr Johnston advised Members that this was an amended planning application following the Committee's refusal of a previous application. He reported on the key changes that had been made to the proposed development since the refusal which included a reduction in the number of flats from 99 to 91, a reduction in the size of the penthouse and sixth floors and the removal of the majority of balconies to the rear elevation of the property.

Members were referred to the additional representations and associated photographs contained within the Update Note and Mr Johnston circulated A3 sized images of the site layout plan which had been annotated with information from an objector.

Mrs Harrison spoke in objection to the application and raised concerns relating to the scale and intensity of the development, car parking provision, public safety and impact on the amenities of the occupiers of neighbouring properties.

Mr Richardson, the applicant's agent, spoke in support of the application. He outlined the current problems at the development site and his view that there was a reduced need for the maximum level of recommended car parking spaces due to the sustainability of the location. He also reported on the changes made to the original application in terms of the scale and size of the development and highlighted similarities with the Hampton by Hilton Hotel development where planning permission had previously been granted.

Following invitation by the Chairman, Mr Johnston responded to the concerns raised by acknowledging the narrow width of the road network. However, he considered that this was mitigated by the various access and egress routes to and from the site. He accepted that there would be some impact on the Ocean Bay Hotel but in his view this was considered acceptable when weighed against the regeneration benefits of the proposed development. As regards the car parking provision, he reported on the sustainability of the location, its proximity to a Local and District Centre and the impact on the viability of the scheme if more parking spaces were provided. On balance, his view was that the regeneration benefits of the proposal outweighed the deficiency in car parking provision and the potential impact on the occupiers of neighbouring properties.

In response to concerns raised by the Committee regarding lack of disabled parking, Mr Johnston stated that the Government guidelines were normally enforced more rigidly in commercial developments. In relation to the loss of holiday accommodation, he reported on the material change in circumstances on the Crescent since 2011 and that this, along with the significant holiday accommodation investment from the Hampton by Hilton Hotel, would align with the Council's policy on achieving a balance of holiday accommodation and residential offer on the Promenade.

During consideration of the application the Committee raised concerns relating to insufficient parking provision and its potential impact upon on-street parking. Members



## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 25 OCTOBER 2016

were also concerned at the scale and intensity of the development and its impact on the amenity of the occupiers of neighbouring properties. Further concerns related to the loss of hotel accommodation in a main holiday accommodation area. Whilst the Committee acknowledged the need for development of the area and the lack of alternative development proposals, it considered on balance that the issues outlined above outweighed the potential regeneration benefits of the proposed development.

**Resolved:** That the application be refused for the reasons set out in the Appendix to the minutes.

### **NOTE: MOTION MOVED, SECONDED, VOTED UPON AND LOST**

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

‘That the application be approved, subject to the conditions outlined in the report.’

### **Background Papers:**

Applications, plans and replies to consultations on the application.

### **Chairman**

(The meeting ended 6.50pm)

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

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**Application Number 16/0476 – 585-593 Promenade and 1 Wimbourne Place, Blackpool –**  
Erection of part 5 / part 6 / part 7 storey block of 91 self-contained permanent flats with car parking for 84 vehicles, access and associated works following demolition of existing hotels.

**Decision:** Refuse

**Reasons:**

1. The proposed development would represent an over intensive use of the site by virtue of its scale, the number of flats proposed and its mass. As such it would be out of character with the area in which the site is located and it would be detrimental to the amenities of residents in Clifton Drive. The proposed development would therefore be contrary to paragraph 17 of the National Planning Policy Framework, Policy CS7 of the Blackpool Local Plan: Part 1 - Core Strategy 2012-2027 and Policy BH3 of the Blackpool Local Plan 2001- 2016.
2. The proposed development would represent an over intensive use of the site in that there would be insufficient car parking spaces (84) to serve the proposed flats (91). This is likely to lead to additional on street car parking to the detriment of highway and pedestrian safety. As such the proposed development would be contrary to paragraph 17 of the National Planning Policy Framework and Policy AS1 of the Blackpool Local Plan 2001-2016.
3. The proposed development would be contrary to the provisions of Policy CS23 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and the Council's Holiday Accommodation Supplementary Planning Document in that the hotels are within the Pleasure Beach Promenade frontage Main Holiday Accommodation Area which seek to retain the quantum of holiday accommodation within the defined Main Holiday Accommodation Promenade frontage. The proposal being a wholly residential development would dilute the holiday character of the area.
4. 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 - conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan 2001-2016, policies of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and the Council's Holiday Accommodation Supplementary Planning Document- which justify refusal.

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<b>Report to:</b>	<b>PLANNING COMMITTEE</b>
<b>Relevant Officer:</b>	Gary Johnston, Head of Development Management
<b>Date of Meeting:</b>	22 November 2016

## PLANNING/ENFORCEMENT APPEALS DETERMINED/ LODGED

### 1.0 Purpose of the report:

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

### 2.0 Recommendation(s):

2.1 To note the report.

### 3.0 Reasons for recommendation(s):

3.1 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:

3.4 None, the report is for information only.

### 4.0 Council Priority:

4.1 The relevant Council Priority is 'The Economy: maximising growth and opportunity across Blackpool'

## **5.0 Background Information**

### **5.1 Planning/Enforcement Appeals Determined**

#### **5.2 138 Stony Hill Avenue, Blackpool, FY4 1PW (15/0394)**

5.2.1 An appeal by Mr Danny Moore against the decision of the Council to refuse planning permission for the erection of eight two-storey semi-detached houses and one detached bungalow with associated access road, car parking, landscaping and boundary treatment following the demolition of the existing building. **Appeal Dismissed**

5.2.2 A copy of the Inspector's decision dated 1 November 2016 is attached at Appendix 3a.

5.2.3 The main issue is the impact of the proposal on the character and appearance of the area.

5.2.4 The Inspector concluded that, as a result of the over-intensive use of the site and the consequential introduction of inappropriate design and layout elements, the proposal would be harmful to the character and appearance of the area. As such it would be in conflict with the design and layout objectives of Policies LQ2 and HN7 of the Blackpool Local Plan 2001-2016, Policies CS7 and CS12 of the Blackpool Local Plan Part 1: Core Strategy (2012 – 2027) Adopted January 2016 and the National Planning Policy Framework.

### **5.3 Planning/Enforcement Appeals Lodged**

#### **5.3.1 CARANDAW FARM, SCHOOL ROAD, BLACKPOOL (15/8511)**

5.3.2 An appeal has been lodged by Mrs Julie Lawn against the issue of an Enforcement Notice regarding the use of the land for the siting of a mobile home / static caravan for residential purposes without planning permission.

5.4 Does the information submitted include any exempt information? No

### **5.5 List of Appendices:**

5.6 Appendix 3a – Planning Inspectorate Appeal Decision

## **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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## Appeal Decision

Site visit made on 11 October 2016

**by A A Phillips BA(Hons) DipTP MTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 1 November 2016**

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**Appeal Ref: APP/J2373/W/16/3152174**  
**138 Stony Hill Avenue, Blackpool FY4 1PW**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Moore against the decision of Blackpool Borough Council.
  - The application Ref 15/0394, dated 19 June 2015, was refused by notice dated 9 February 2016.
  - The development proposed is the erection of 8 two storey semi-detached dwelling houses and 1 detached bungalow with associated access road, car parking, landscaping and boundary treatment following demolition of the existing building.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. I note that the original proposal sought planning permission for the demolition of a house and the erection of ten dwelling houses. However, during the course of the application the proposal was revised and the description in the banner heading reflects the revised scheme and is taken from the appellant's appeal form.

### Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

### Reasons

4. The appeal relates to a large plot of land on Stony Hill Avenue, which is a residential street in Blackpool. It currently contains a large L-shaped two storey rendered building with associated car park area and ancillary space which was formerly used as a family centre. It is situated at the edge of a mainly residential area. The adjacent land and buildings off Squires Gate Lane has a tyre centre and car wash.
5. The proposal would be seen very much in the context of the established form of two storey gable fronted hipped roof semi-detached properties along Stony Hill Avenue. The attractive tree lined avenue has a uniform pattern of residential properties built mainly in red brick with painted stone sills, headers and mullions. Properties are separated from the street by a grass verge containing mature trees, a pavement, low boundary walls and landscaped

gardens and driveways. Properties generally have long back gardens. There is a regular and uniform spacing between the pairs of properties which provides a strong and attractive regular pattern of residential development along the street.

6. The existing building is a notable exception to this regular pattern of development towards the end of the street where it meets Squires Gate Lane.
7. The proposed residential development comprises three pairs of two storey semi-detached houses across the frontage of Stony Hill Avenue. The central pair has been designed to have a site access road running beneath the central section. To the rear of the three pairs of semi-detached houses is another pair of two storey semi-detached houses and a bungalow.
8. Planning permission has previously been granted for the development of six properties along the street frontage of the site. As such, the principle of residential development on this site has been accepted.
9. The properties would have small rear private amenity spaces and the rear plots would be situated close to the rear of the front pairs of houses. As a consequence, the overall form and layout of the development appears cramped and over-intensive in relation to the established pattern of development in the locality. Although the density of development complies with the range of between 30-50 dwellings per hectare as set out in Policy HN7 of the Blackpool Local Plan 2001-2016 Adopted June 2006 (the LP), the explanatory text to that policy goes on to acknowledge that there may be some instances where other factors such as design and site configuration constraints outweigh density considerations.
10. The intensive proposed development with three properties to the rear of the plots fronting onto Stony Hill Avenue is out of character with the area as it introduces a form and layout which is at odds with its surroundings and, in particular, the strong established form of residential development on Stony Hill Avenue.
11. Furthermore, as part of the proposed layout an arched undercroft entrance feature with access road to serve the rear properties are proposed. These are integral to facilitating the intensive use of the site and the backland development. As such, they are out of keeping with the design and appearance of residential development in the locality and harmful to its character.
12. I conclude that as a result of the over-intensive use of the site and the consequential introduction of inappropriate design and layout elements the proposal would be harmful to the character and appearance of the area. As such it is in conflict with the design and layout objectives of Policies LQ2 and HN7 of the LP, Policies CS7 and CS12 of the Blackpool Local Plan Part 1: Core Strategy (2012 – 2027) Adopted January 2016 and the National Planning Policy Framework.

### **Other matters**

13. I have noted that the appellant engaged in discussions with the local planning authority at pre-application stage and that the proposal has been amended to take account of concerns raised during the application process. However, pre-

application advice is not binding and I am required to assess the proposal in front of me. As such, I have determined this appeal on its own merits.

14. I am aware of the extensive objections to the scheme from local residents. As well as concerns relating to the design, layout and appearance of the proposal and its effect on the character and appearance of the area a number of other concerns have been raised. These include car parking and highways safety, privacy, overlooking, loss of trees, noise and disturbance, light and precedent. However, in considering the current appeal these matters have not been determinant.

**Conclusion**

15. For the reasons given above and taking account of all other matters I conclude that this appeal should be dismissed.

*Alastair Phillips*

INSPECTOR

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<b>Report to:</b>	<b>PLANNING COMMITTEE</b>
<b>Relevant Officer:</b>	Tim Coglan, Service Manager, Public Protection
<b>Date of Meeting</b>	22 November 2016

## 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 October 2016.

### 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 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 The relevant Council Priority is 'The Economy: maximising growth and opportunity across Blackpool.'

## **5.0 Background Information**

### **5.1 Cases**

#### **5.1.1 New cases**

In total, 85 new cases were registered for investigation, compared to 34 received in October 2015.

#### **5.1.2 Resolved cases**

In October 2016, 12 cases were resolved by negotiation without recourse to formal action, compared with nine in October 2015.

#### **5.1.3 Closed cases**

In total, 52 cases were closed during the month (19 in October 2015). 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.

#### **5.1.4 Formal enforcement notices / s215 notices / BCNs**

- Two enforcement notices authorised in October 2016 (three in October 2015);
- No s215 notices authorised in October 2016 (nine in October 2015);
- No Breach of Condition notices authorised in October 2016 (none in October 2015);
  
- No enforcement notice served in October 2016 (one in October 2015);
- No s215 notices served in October 2016 (one in October 2015);
- No Breach of Condition notices served in October 2016 (none in October 2015).

5.1.5 **Enforcement notices authorised in October 2016**

<b>Ref</b>	<b>Address</b>	<b>Case</b>	<b>Dates</b>
15/8615	52 Bangor Avenue	Unauthorised erection of a boundary treatment consisting of close boarded wooden fencing adjacent to highway, namely Bangor Avenue and Lentworth Avenue, exceeding one metre in height	Enforcement action authorised 11/10/2016
15/8675	253 Promenade	Unauthorised change of use from a hotel to two self-contained permanent flats	Enforcement action authorised 25/10/2016

Does the information submitted include any exempt information? No

5.2 **List of Appendices:**

5.2.1 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



**COMMITTEE DATE:** 22/11/2016

**Application Reference:** 16/0428

**WARD:** Talbot  
**DATE REGISTERED:** 25/07/16  
**LOCAL PLAN ALLOCATION:** Town Centre Boundary  
Retail Cafe Zone  
Defined Inner Area

**APPLICATION TYPE:** Full Planning Permission  
**APPLICANT:** Thompson Management Services

**PROPOSAL:** Internal and external alterations including erection of a "plaza" to first floor level within existing service yard area and use/conversion of buildings to provide leisure uses, retail uses, restaurants and cafes within Use Classes A1, A3, D2 and a 50 bed hotel, with associated administrative offices, car parking, landscaping, refuse storage, access, servicing, plant and demolition works.

**LOCATION:** 26-30 ABINGDON STREET, BLACKPOOL, FY1 1AA

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**Summary of Recommendation:** Grant Permission

## **CASE OFFICER**

Mr M Shaw

## **SUMMARY OF RECOMMENDATION**

The proposal is considered to be a good scheme and an appropriate re-use of the application site which, subject to appropriate conditions and details, is in accordance with the relevant national and local planning policy guidance contained within the National Planning Policy Framework, the Blackpool Local Plan Part 1: Core Strategy and Blackpool Local Plan relating to heritage, conservation, sustainable development and town centre uses.

## **SITE DESCRIPTION**

Grade II Listed former Post Office fronting Abingdon Street with associated sorting office to the rear which fronts onto Edward Street with a central service yard area also accessed from Edward Street. The former Post Office is within the Retail/ Cafe Zone (Policy SR6) and the sorting office is within the Mixed Use Zone (Policy SR7) as defined within the Blackpool Local Plan. Both properties are within the Town Centre Conservation Area. The former Post Office is a three storey Portland stone building with basement accommodation and the Sorting Office is four storey, brick built and has an industrial warehouse type appearance.

## **DETAILS OF PROPOSAL**

Planning application and listed building consent for a mixed use conversion and re-furbishment of the whole site comprising the conversion of the main part of the Sorting Office into a 50 bedroom hotel (stated to be 3-4\*) and the conversion and adaptation of the Post Office building and remaining sorting office into 10 x Class A1 retail uses, Class A3 restaurants/cafes and Class D2 assembly and leisure uses. There is flexibility between the uses, given at this stage there are no known end users. It is proposed to retain the central service yard area to provide 20 car parking spaces and to construct a glass first floor plaza to provide a wholly covered retail, dining and leisure facility. The hotel would be accessed from within the Plaza and vehicle and servicing access would be from Edward Street. Abingdon Street would provide pedestrian entrances into the complex. The box-like addition to the roof of the sorting office will be replaced with a similar but visually better box-like structure and screened plant will also be sited on the roof. An enclosed refuse storage area is shown accessed from Edward Street.

How the public counter area of the Post Office will be adapted, particularly the extent of alterations to the former counter, has been the subject of on-going discussions. Whilst the removal of a central section of the counter may ultimately be an option in order to open the rear of the complex from Abingdon Street, the removal of the whole/most of the counter from its existing position and its re-use elsewhere is not considered acceptable from an enhancement, heritage and conservation viewpoint. For the purposes of the current application however the counter is shown retained intact.

The application is accompanied by a Heritage Statement, Planning Statement (including Flood Risk Assessment and Transport Statement), Planning Appraisal, Design and Access Statement and a Drainage Report.

## **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- Principle
- Design of the Proposal and its impact on the Listed former Post Office building and the Town Centre Conservation Area
- Access, Parking and Servicing Arrangements
- Economy/ Employment
- Other Issues

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

## **CONSULTATIONS**

### **Physical security**

National Planning Policy Framework, Paragraph 58 - 'Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or

community cohesion'. Section 17 Crime and Disorder Act 1998 -(1)Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. The above recommendations should be incorporated into the design, prior to achieving planning permission, in order to reduce the risk of crime affecting the businesses, customers, visitors, staff and locality thereby promoting safer communities and reducing avoidable demand on policing resources.

**United Utilities Plc (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.

**Head of Highways and Traffic Management-** No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

### **PUBLICITY AND REPRESENTATIONS**

Press notice published: 4 August 2016  
4 x site notices displayed: 28 July 2016  
Neighbours notified: 27 July 2016

One letter of support has been received from **18 Kirkham Avenue, Blackpool - This** is a wonderful proposal for Blackpool town centre and a great use of a wasted unoccupied central landmark. I am a local business owner (Barcadia Media Limited) and we have just secured a building on Edward Street which we are about to renovate and introduce four new members of staff into our team of 13. To have access to something like this on our doorstep fills me and our team with excitement. There is a distinct lack of premium hotels in central Blackpool and, with most of our clients being from London and the south, we usually opt to put up our guests at the De Vere by Stanley Park. This would change all of that. It would also provide us with a great location outside of the office for networking and meeting local colleagues, which is something we struggle with at the moment, limited to pizza express and cafe dolce (if it's not full). Let's support this 100% and make our Central Business District exciting again.

### **NATIONAL PLANNING POLICY FRAMEWORK**

The National Planning Policy Framework (NPPF) was published on 27 March 2012. The NPPF states that the purpose of the planning system is to contribute towards sustainable development. There are three strands to sustainable development namely economic, social and environmental. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It contains 12 core planning principles including:-

1- 'building a strong, competitive economy'- .....ensure the planning system does everything it can to support sustainable economic growth

2-'ensuring the vitality of town centres'- .....recognise town centres as the heart of their communities and pursue policies to support their viability and vitality

7- 'requiring good design'.....good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making places better for people

12-'conserving and enhancing the historic environment'.....the desirability of new development making a positive contribution to local character and distinctiveness

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Where a proposed development will lead to substantial harm to, or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

**The National Planning Practice Guidance-** Development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, local man-made and natural heritage and culture, while not preventing or discouraging appropriate innovation. The successful integration of all forms of new development with their surrounding context is an important design objective, irrespective of whether a site lies on the urban fringe or at the heart of a town centre. Natural features and local heritage resources can help give shape to a development and integrate it into the wider area, reinforce and sustain local distinctiveness, reduce its impact on nature and contribute to a sense of place.

### **BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY**

The Blackpool Local Plan Part 1: Core Strategy has been adopted by the Council at its meeting on 20 January 2016. The document has been published on the Council's website in due course. In accordance with paragraph 216 of the National Planning Policy Framework significant weight can now be given to the policies of the Core Strategy. Certain policies in the Saved Blackpool Local Plan have now been superseded by policies in the Core Strategy (these are listed in the appendices to the document). Other policies in the Saved Blackpool Local Plan will remain in use until Part 2 of the new Local Plan is produced.

The policies in the Core Strategy that are most relevant to this application are -

CS1 - strategic location for development

CS5 - connectivity

CS7 - quality of design

CS8 - heritage

CS9 - water management

CS10 - sustainable design

CS17 - Blackpool town centre  
CS21- leisure and business tourism

None of these policies conflict with or outweigh the provisions of the saved Local Plan Policies listed below.

### **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:

SR6 Retail cafe zone  
SR7 Mixed use zone  
LQ1 Lifting the Quality of Design  
LQ2 Site Context  
LQ3 Layout of Streets and Spaces  
LQ4 Building Design  
LQ7 Strategic Views  
LQ9 Listed Buildings  
LQ10 Conservation Areas  
BH3 Residential and Visitor Amenity  
BH4 Public Health and Safety  
BH12 Retail development and Supporting Town Centre Uses  
AS1 General Development Requirements  
AS2 New Development With Significant Transport Implications

### **ASSESSMENT**

**Principle-** the applications are supported subject to a number of conditions relating to detailed matters including ventilation and replacement facing materials. The two interconnected buildings are important heritage features of the town centre and are currently vacant. The applications represent a good opportunity to adapt the buildings to ensure their long term future and beneficial re-use adding to the town centre offer of quality hotel accommodation, retail, restaurant/ cafes and leisure uses.

**Design of the Proposal and its impact on the Listed former Post Office building and the Town Centre Conservation Area** - the Grade II listed former post office building(s) comprises the three storey (with basement) ornate white Portland stone building fronting Abingdon Street with the eight listed red telephone boxes immediately outside. This building included the public counter area and was in use up until fairly recently before being transferred to the WH Smith branch on Bank Hey Street. Internally in this former public area behind the stained glass windows and heavy wooden doors sits the former counter hall which has its original counter still intact albeit altered with security glazing affixed to the top. The original proportions of the room appear to have been reduced but the ornate ceiling is also still largely intact.

To the rear of this former public counter area is the back of house former sorting, delivery and parcel collection offices with a central courtyard. This building is four storeys in height fronting Edward Street and has a more functional, though not unattractive, appearance being constructed of brick. The Edward Street boundary is formed with a low stone wall and ornate railing fence above.

The main issue is considered to be how the public area containing the original counter is adapted and altered as part of the proposal. The agent has now omitted any proposed alterations to the original post office counter from the applications as the proposal is at this stage speculative and to consider alterations to the counter at this stage would appear premature.

It is not considered that the glazed atrium will impact adversely on the character and setting of the application premises. The atrium will cover the central courtyard area at first floor level, which itself is not of special significance, and the proportions of the courtyard space will remain intact given that the atrium is glazed. It will however protect the development from the weather, make full use of the space available and provide an all year round facility. Glazed roof shopping precincts, often involving historic buildings, are a feature of many city centres.

Plans indicate the required re-location of a couple of the listed phone boxes on Abingdon Street although this does not form part of the heritage consideration here nor does it imply the acceptance of such works in future.

**Access, Parking and Servicing Arrangements-** the buildings have an existing service courtyard which will be retained and re-used to provide 20 car parking spaces whilst also continuing to provide service access. However, this town centre site is in a sustainable location and is readily accessible by train, coach, tram, bus, taxi and there are also numerous public car parks within walking distance. The access, parking and servicing of the development is therefore considered acceptable although some servicing details i.e. delivery times may need to be agreed by condition to safeguard residential amenity.

**Economy/ Employment-** the application property comprises over 9500 sqm and its re-use for the combination of proposed uses will be of considerable benefit of the town centre economy and improve Blackpool as a visitor destination providing an indoor shopping, eating and leisure experience. A significant number of jobs would also be provided in the hotels, shops, restaurants and leisure facilities although exact numbers will not be known until the end users are found.

**Other Issues-** the Police comments will be included as an informative for the applicant's attention. Crime prevention and security measures will be an integral feature of the conversion although until end users and exact layouts become clearer details cannot really be worked out at this stage.

Plant and ventilation details will be dealt with as a condition of any planning permission and listed building consent to ensure they are sensitively located and do not cause undue noise and odour issues.

### **LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION**

None

### **HUMAN RIGHTS ACT**

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

### **CRIME AND DISORDER ACT 1998**

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

### **BACKGROUND PAPERS**

Planning Application File(s) 16/0428 which can be accessed via the link below:

<http://idoxpa.blackpool.gov.uk/online-applications/search.do?action=simple>

**Recommended Decision:** Grant Permission

### **Conditions and Reasons**

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

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

2. Notwithstanding the submitted plans, details of materials to be used on the all elevations, including proposed doors, windows, any proposed rendering 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 this listed building and the town centre conservation area in accordance with Policies LQ14, LQ9, LQ10 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

3. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority on 11 July 2016 including the following plans:

Location Plan stamped as received by the Council on 11 July 2016

Drawings numbered 015-023 (68) 01 Rev A , 015-023 (68) 02 Rev A, 015-023 (01) 111 Rev F, 015-023 (01) 102 Rev E, 015-023 (01) 111 Rev F , 015-023 (02) 03 Rev A, 015-023 (02) 02 Rev A, 015-023 (02)01 Rev A, 015-023 (01) 114 Rev E, 015-023 (01)113 Rev E, 015-023 (01)112 Rev E, 015-023 (01)110 Rev F, 015-023 (01)103 Rev E, 015-023 (68)103 Rev A, 015-023 (68)04 Rev A, 015-023 (68)05 Rev A, 015-023 (01)101 Rev E.

Reason: For the avoidance of doubt and so the Local Planning Authority can be satisfied as to the details of the permission.

4. 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 routeing 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 Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.



5. The building/uses hereby approved shall not be occupied/first commenced until the servicing provisions, including manoeuvring areas, have been provided in accordance with details to be submitted to and agreed in writing with the Local Planning Authority; such areas shall not be used thereafter for any purpose other than that indicated on the approved plan and all servicing within the site including loading and unloading shall take place from within the servicing area shown.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ4 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

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

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

7. Prior to the development hereby approved being first brought into use secure cycle storage provision shall be provided in accordance with details to be submitted and agreed in writing with the Local Planning Authority and shall thereafter be retained.

Reason: To enable access to and from the property by sustainable transport mode, in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016 and Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. The development shall not be occupied until a travel plan has been submitted to and approved in writing by the Local Planning Authority. Such 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.

No part of the development shall be occupied 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 and Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

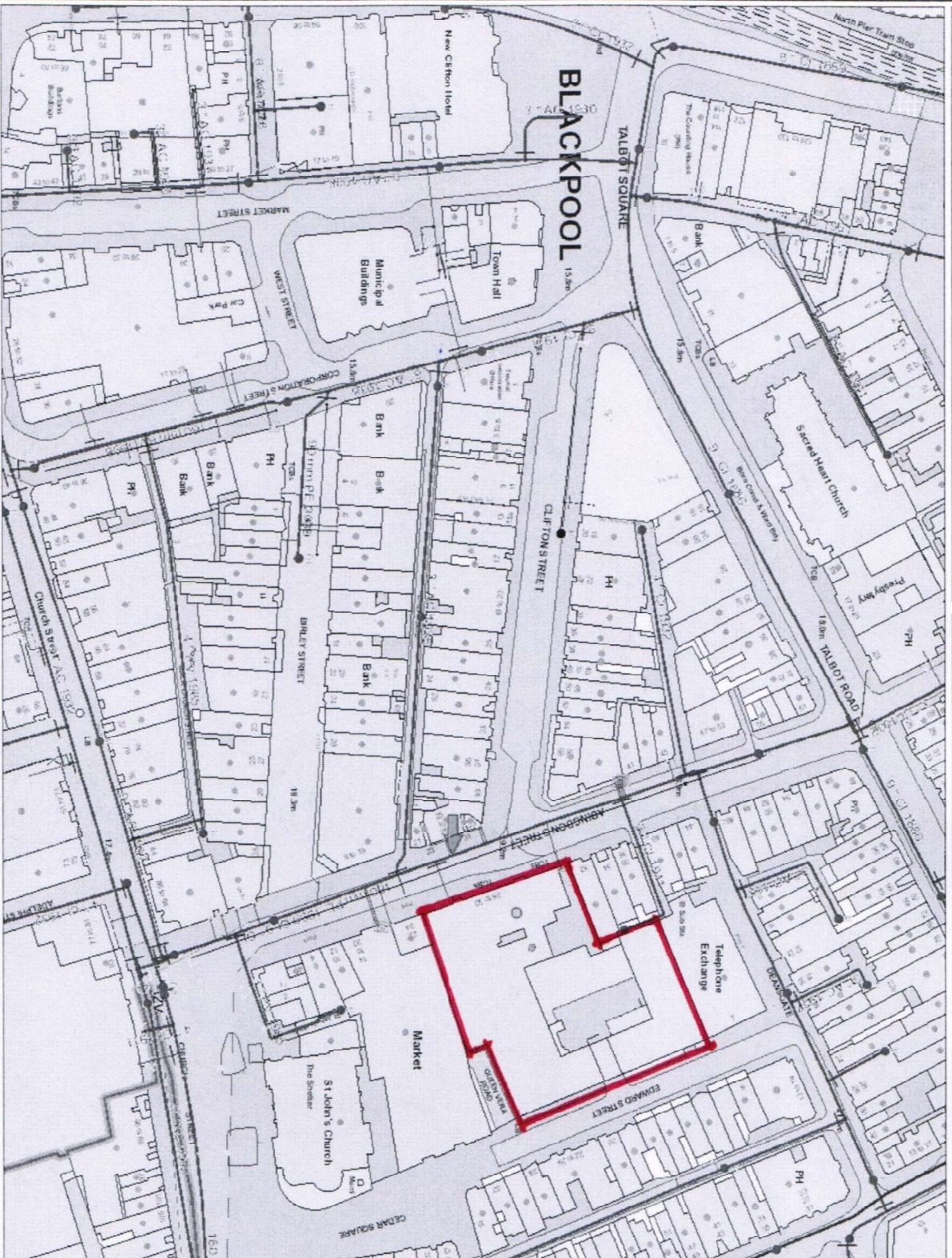
9. Details of the appearance, technical specification (including noise levels) and siting of any external ventilation ducting and external plant shall be submitted to and agreed in writing by the Local Planning Authority before development commences. The agreed ducting and plant shall then be provided prior to first use and shall thereafter be retained.

Reason: To safeguard the integrity of this listed building and living conditions of the occupants of nearby residential premises, in accordance with Policies BH3, LQ9 and LQ10 and LQ14 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

#### **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.
2. The applicant/ developer is recommended to incorporate the attached advice of the Police Architectural Liaison Officer re: crime prevention and security.

Appendix 5a



Centre : X : 330845 Y : 436330

Date : 05/07/2016 07:22:49

Scale App

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COMMITTEE DATE: [22/11/2016](#)

**Application Reference:** 16/0429

WARD: Talbot  
DATE REGISTERED: 25/07/16  
LOCAL PLAN ALLOCATION: Town Centre Boundary  
Retail Cafe Zone  
Defined Inner Area

APPLICATION TYPE: Listed Building Consent  
APPLICANT: Thompson Management Services

**PROPOSAL:** Internal and external alterations including erection of a "plaza" to first floor level within existing service yard area and use/ conversion of buildings to provide leisure uses, retail uses, restaurants and cafes within Use Classes A1, A3, D2 and a 50 bed hotel, with associated administrative offices, car parking, landscaping, refuse storage, access, servicing, plant and demolition works.

**LOCATION:** 26-30 ABINGDON STREET, BLACKPOOL, FY1 1AA

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**Summary of Recommendation:** Grant Permission

## **CASE OFFICER**

Mr M Shaw

## **SUMMARY OF RECOMMENDATION**

The proposal is considered to be a good scheme and an appropriate re-use of the application site which, subject to appropriate conditions and details, is in accordance with the relevant national and local planning policy guidance contained within the National Planning Policy Framework, the Blackpool Local Plan Part 1: Core Strategy and Blackpool Local Plan relating to heritage, conservation, sustainable development and town centre uses.

## **SITE DESCRIPTION**

Grade II Listed former Post Office fronting Abingdon Street with associated sorting office to the rear which fronts onto Edward Street with a central service yard area also accessed from Edward Street. The former Post Office is within the Retail/ Cafe Zone (Policy SR6) and the sorting office is within the Mixed Use Zone (Policy SR7) as defined within the Blackpool Local Plan. Both properties are within the Town Centre Conservation Area. The former Post Office is a three storey Portland stone building with basement accommodation and the Sorting Office is four storey, brick built and has an industrial warehouse type appearance.

## **DETAILS OF PROPOSAL**

Planning application and listed building consent for a mixed use conversion and re-furbishment of the whole site comprising the conversion of the main part of the Sorting Office into a 50 bedroom hotel (stated to be 3-4\*) and the conversion and adaptation of the Post Office building and remaining sorting office into 10 x Class A1 retail uses, Class A3 restaurants/ cafes and Class D2 assembly and leisure uses. There is flexibility between the uses, given at this stage there are no known end users. It is proposed to retain the central service yard area to provide 20 car parking spaces and to construct a glass first floor plaza to provide a wholly covered retail, dining and leisure facility. The hotel would be accessed from within the Plaza and vehicle and servicing access would be from Edward Street. Abingdon Street would provide pedestrian entrances into the complex. The box-like addition to the roof of the sorting office will be replaced with a similar but visually better box-like structure and screened plant will also be sited on the roof. An enclosed refuse storage area is shown accessed from Edward Street.

How the public counter area of the Post Office will be adapted, particularly the extent of alterations to the former counter, has been the subject of on-going discussions. Whilst the removal of a central section of the counter may ultimately be an option in order to open the rear of the complex from Abingdon Street the removal of the whole/most of the counter from its existing position and its re-use elsewhere is not considered acceptable from an enhancement, heritage and conservation viewpoint. For the purposes of the current applications however the counter is shown retained intact.

The application is accompanied by a Heritage Statement, Planning Statement (including Flood Risk Assessment and Transport Statement), Planning Appraisal, Design and Access Statement and a Drainage Report.

## **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- Principle
- Design of the Proposal and its impact on the Listed former Post Office building and the Town Centre Conservation Area
- Access, Parking and Servicing Arrangements
- Economy/ Employment
- Other Issues

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

## **CONSULTATIONS**

### **Physical security**

National Planning Policy Framework, Paragraph 58 - 'Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion'. Section 17 Crime and Disorder Act 1998 -(1)Without prejudice



to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. The above recommendations should be incorporated into the design, prior to achieving planning permission, in order to reduce the risk of crime affecting the businesses, customers, visitors, staff and locality thereby promoting safer communities and reducing avoidable demand on policing resources.

**United Utilities Plc (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.

**Head of Highways and Traffic Management**- No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

### **PUBLICITY AND REPRESENTATIONS**

Press notice published: 4 August 2016

4 x site notices displayed: 28 July 2016

Neighbours notified: 27 July 2016

One letter of support has been received from **18 Kirkham Avenue, Blackpool** - This is a wonderful proposal for Blackpool town centre and a great use of a wasted unoccupied central landmark. I am a local business owner (Barcadia Media Limited) and we have just secured a building on Edward Street which we are about to renovate and introduce four new members of staff into our team of 13. To have access to something like this on our doorstep fills me and our team with excitement. There is a distinct lack of premium hotels in central Blackpool and, with most of our clients being from London and the south, we usually opt to put up our guests at the De Vere by Stanley Park. This would change all of that. It would also provide us with a great location outside of the office for networking and meeting local colleagues, which is something we struggle with at the moment, limited to pizza express and cafe dolce (if it's not full). Let's support this 100% and make our Central Business District exciting again.

### **NATIONAL PLANNING POLICY FRAMEWORK**

The National Planning Policy Framework (NPPF) was published on 27 March 2012. The NPPF states that the purpose of the planning system is to contribute towards sustainable development. There are three strands to sustainable development namely economic, social and environmental. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It contains 12 core planning principles including:-

1- 'building a strong, competitive economy'- .....ensure the planning system does everything it can to support sustainable economic growth

- 2-'ensuring the vitality of town centres'- .....recognise town centres as the heart of their communities and pursue policies to support their viability and vitality
- 7- 'requiring good design'.....good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making places better for people
- 12-'conserving and enhancing the historic environment'.....the desirability of new development making a positive contribution to local character and distinctiveness

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

**The National Planning Practice Guidance-** Development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, local man-made and natural heritage and culture, while not preventing or discouraging appropriate innovation. The successful integration of all forms of new development with their surrounding context is an important design objective, irrespective of whether a site lies on the urban fringe or at the heart of a town centre. Natural features and local heritage resources can help give shape to a development and integrate it into the wider area, reinforce and sustain local distinctiveness, reduce its impact on nature and contribute to a sense of place.

**BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY**

The Blackpool Local Plan Part 1: Core Strategy has been adopted by the Council at its meeting on 20 January 2016. The document has been published on the Council's website in due course. In accordance with paragraph 216 of the National Planning Policy Framework significant weight can now be given to the policies of the Core Strategy. Certain policies in the Saved Blackpool Local Plan have now been superseded by policies in the Core Strategy (these are listed in the appendices to the document). Other policies in the Saved Blackpool Local Plan will remain in use until Part 2 of the new Local Plan is produced.

The policies in the Core Strategy that are most relevant to this application are -

- CS1 - strategic location for development
- CS5 - connectivity
- CS7 - quality of design
- CS8 - heritage
- CS9 - water management
- CS10 - sustainable design
- CS17 - Blackpool town centre



CS21- leisure and business tourism

None of these policies conflict with or outweigh the provisions of the saved Local Plan Policies listed below.

### **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:

SR6	Retail cafe zone
SR7	Mixed use zone
LQ1	Lifting the Quality of Design
LQ2	Site Context
LQ3	Layout of Streets and Spaces
LQ4	Building Design
LQ7	Strategic Views
LQ9	Listed Buildings
LQ10	Conservation Areas
BH3	Residential and Visitor Amenity
BH4	Public Health and Safety
BH12	Retail development and Supporting Town Centre Uses
AS1	General Development Requirements
AS2	New Development With Significant Transport Implications

### **ASSESSMENT**

**Principle-** the applications are supported subject to a number of conditions relating to detailed matters including ventilation and replacement facing materials. The two interconnected buildings are important heritage features of the town centre and are currently vacant. The applications represent a good opportunity to adapt the buildings to ensure their long term future and beneficial re-use adding to the town centre offer of quality hotel accommodation, retail, restaurant/ cafes and leisure uses.

**Design of the Proposal and its impact on the Listed former Post Office building and the Town Centre Conservation Area** - the Grade II listed former post office building(s) comprises the three storey (with basement) ornate white Portland stone building fronting Abingdon Street with the eight listed red telephone boxes immediately outside. This building included the public counter area and was in use up until fairly recently before being transferred to the WH Smith branch on Bank Hey Street. Internally in this former public area behind the stained glass windows and heavy wooden doors sits the former counter hall which has its original counter still intact albeit altered with security glazing affixed to the top. The original proportions of the room appear to have been reduced but the ornate ceiling is also still largely intact.

To the rear of this former public counter area is the back of house former sorting, delivery and parcel collection offices with a central courtyard. This building is four storeys in height

fronting Edward Street and has a more functional, though not unattractive appearance being constructed of brick. The Edward Street boundary is formed with a low stone wall and ornate railing fence above.

The main issue is considered to be how the public area containing the original counter is adapted and altered as part of the proposal. The agent has now omitted any proposed alterations to the original post office counter from the applications as the proposal is at this stage speculative and to consider alterations to the counter at this stage would appear premature.

It is not considered that the glazed atrium will impact adversely on the character and setting of the application premises. The atrium will cover the central courtyard area at first floor level, which itself is not of special significance, and the proportions of the courtyard space will remain intact given that the atrium is glazed. It will however protect the development from the weather, make full use of the space available and provide an all year round facility. Glazed roof shopping precincts, often involving historic buildings, are a feature of many city centres.

Plans indicate the required re-location of a couple of the listed phone boxes on Abingdon Street although this does not form of the heritage consideration here nor does it imply the acceptance of such works in future.

**Access, Parking and Servicing Arrangements-** the buildings have an existing service courtyard which will be retained and re-used to provide 20 car parking spaces whilst also continuing to provide service access. However, this town centre site is in a sustainable location and is readily accessible by train, coach, tram, bus, taxi and there are also numerous public car parks within walking distance. The access, parking and servicing of the development is therefore considered acceptable although some servicing details i.e. delivery times may need to be agreed by condition to safeguard residential amenity.

**Economy/ Employment-** the application property comprises over 9500 sqm and its re-use for the combination of proposed uses will be of considerable benefit of the town centre economy and improve Blackpool as a visitor destination providing an indoor shopping, eating and leisure experience. A significant number of jobs would also be provided in the hotels, shops, restaurants and leisure facilities although exact numbers will not be known until the end users are found.

**Other Issues-** the Police comments will be included as an informative for the applicant's attention. Crime prevention and security measures will be an integral feature of the conversion although until end users and exact layouts become clearer details cannot really be worked out at this stage.

Plant and ventilation details will be dealt with as a condition of any planning permission and listed building consent to ensure they are sensitively located and do not cause undue noise and odour issues.

## **LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION**

None

## **HUMAN RIGHTS ACT**

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

## **CRIME AND DISORDER ACT 1998**

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

## **BACKGROUND PAPERS**

Planning Application File(s) 16/0429 which can be accessed via the link below:

<http://idoxpa.blackpool.gov.uk/online-applications/search.do?action=simple>

**Recommended Decision:** Grant Permission

## **Conditions and Reasons**

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

Reason: Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2. Notwithstanding the submitted plans details of materials to be used on the all elevations, including proposed doors, windows, any proposed rendering 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 this listed building and the town centre conservation area in accordance with Policies LQ14, LQ9, LQ10 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

3. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority on 11 July 2016 including the following plans:

Location Plan stamped as received by the Council on 11 July 2016

Drawings numbered 015-023 (68) 01 Rev A , 015-023 (68) 02 Rev A, 015-023 (01) 111 Rev F, 015-023 (01) 102 Rev E, 015-023 (01) 111 Rev F , 015-023 (02) 03 Rev A, 015-023 (02) 02 Rev A, 015-023 (02)01 Rev A, 015-023 (01) 114 Rev E, 015-023 (01)113 Rev E, 015-023 (01)112 Rev E, 015-023 (01)110 Rev F, 015-023 (01)103 Rev E, 015-023 (68)103 Rev A, 015-023 (68)04 Rev A, 015-023 (68)05 Rev A, 015-023 (01)101 Rev E,

Reason: For the avoidance of doubt and so the Local Planning Authority can be satisfied as to the details of the permission.

4. 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 Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. The building/uses hereby approved shall not be occupied/first commenced until the servicing provisions, including manoeuvring areas, have been provided in accordance with details to be submitted to and agreed in writing with the Local Planning Authority; such areas shall not be used thereafter for any purpose other

than that indicated on the approved plan and all servicing within the site including loading and unloading shall take place from within the servicing area shown.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ4 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

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

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

7. Prior to the development hereby approved being first brought into use secure cycle storage provision shall be provided in accordance with details to be submitted and agreed in writing with the Local Planning Authority and shall thereafter be retained.

Reason: To enable access to and from the property by sustainable transport mode, in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016 and Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. The development shall not be occupied until a travel plan has been submitted to and approved in writing by the Local Planning Authority. Such 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.

No part of the development shall be occupied 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 and Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

9. Details of the appearance, technical specification (including noise levels) and siting of any external ventilation ducting and external plant shall be submitted to and agreed in writing by the Local Planning Authority before development commences. The agreed ducting and plant shall then be provided prior to first use and shall thereafter be retained.

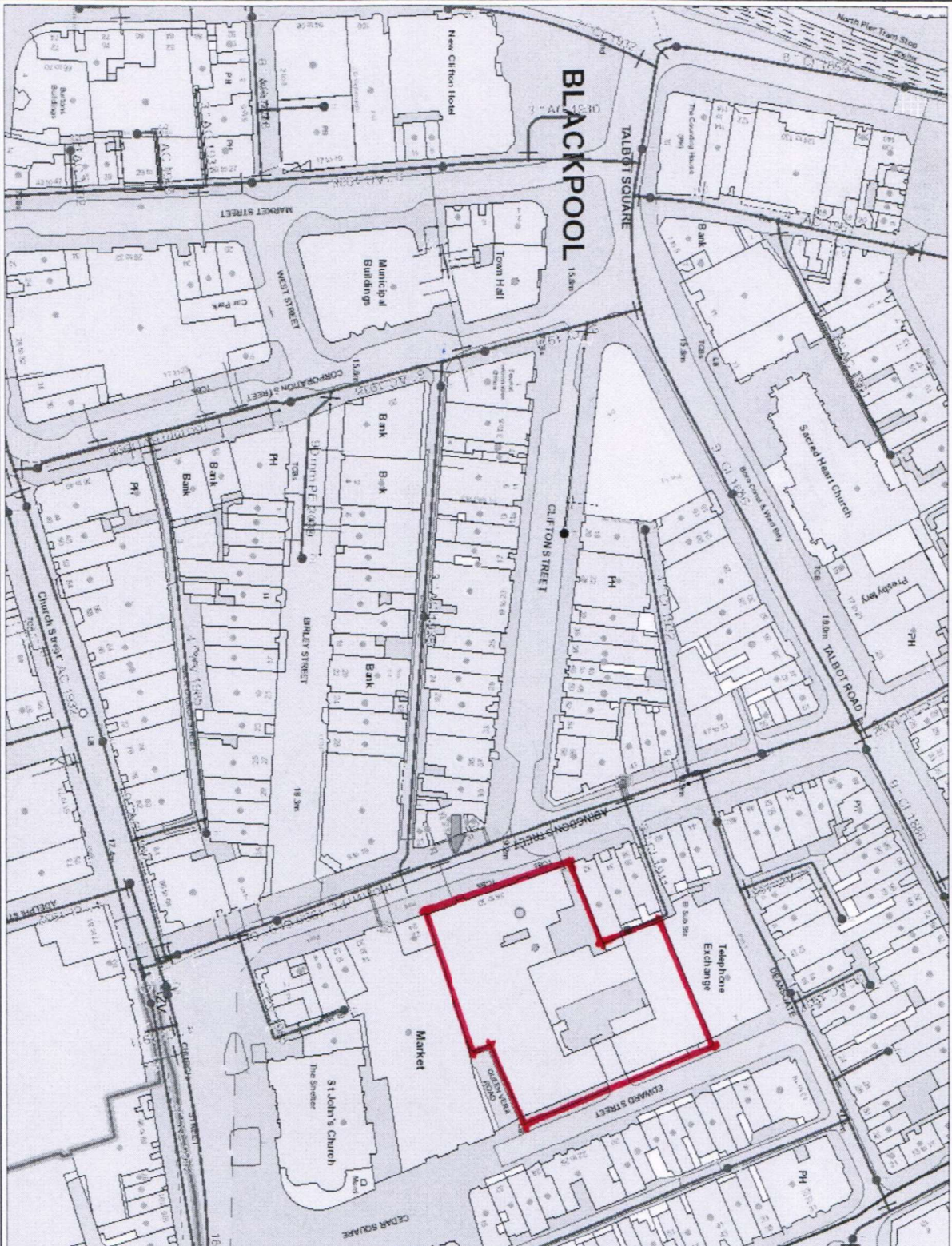
Reason: To safeguard the integrity of this listed building and living conditions of the occupants of nearby residential premises, in accordance with Policies BH3, LQ9 and LQ10 and LQ14 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

**Advice Notes to Developer**

Not applicable



Appendix 6a



Centre : X : 330845 Y : 436330

Date : 05/07/2016 07:22:49

Scale App

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**COMMITTEE DATE:** [22/11/2016](#)

**Application Reference:** 16/0436

**WARD:** Layton

**DATE REGISTERED:** 18/08/16

**LOCAL PLAN ALLOCATION:** Open land meeting community and recreational needs

**APPLICATION TYPE:** Full Planning Permission

**APPLICANT:** Z Bar Ltd

**PROPOSAL:** External alterations and use of ground floor of premises as retail shop with associated car and cycle parking and refuse storage.

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

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**Summary of Recommendation:** Refuse

## **CASE OFFICER**

Ms C Johnson

## **SUMMARY OF RECOMMENDATION**

The principle of a retail use at ground floor level is acceptable. However, given the constraints of the building described below, the Layton Institute does not lend itself physically for a retail use at ground floor level.

The proposal would cause harm in terms of highway safety and as a result of the reduction of the size of the existing community facility and by the loss of some of the bowling green/open space and the effect of this on the significance of the locally listed building.

Therefore, the officer recommendation is to refuse the application.

## **INTRODUCTION**

This is the fourth application in recent years for development and/or change of use of the Layton Institute building and bowling green. The previous applications were:

12/0162 - Erection of seven two-storey dwelling houses with associated car parking, garages, landscaping and access from Granby Avenue. Refused by the Committee on 10 April 2012.

14/0465 - External alterations include two new doors to rear and provision of eight car parking spaces to rear and use of ground floor as altered as retail unit (Use Class A1). Refused by the Committee on 11 August 2014 and an appeal was dismissed on 9 June 2015.

14/0467 - Erection of five two-storey dwelling houses with associated car parking and access from Granby Avenue. Refused by the Committee on 15 July 2014.

An appeal was submitted against the decision to refuse planning application 14/0465 and whilst the Inspector concluded that the principle of retail in this location was acceptable and found there to be no harm to residential amenity as a result of the proposal, the appeal was dismissed for the following reasons:

- the reduction in the size of the existing community facility;
- the impact on highway safety;
- loss of the bowling green/open space and the impact this would have on the character and setting of the locally listed building.

This application seeks to address the reasons for the dismissal of the appeal on the previous application.

### **SITE DESCRIPTION**

The Layton Institute is a red brick building with white terracotta dressed bays and decorations and was built in 1925-6 by Mercer and Duckworth of Fleetwood. It has a bowling green and club house to the rear and within the same curtilage. The Layton Institute sits on the south corner of the Westcliffe Drive and Granby Avenue junction and has approximately 1116 square metres of floorspace over two floors. The bowling area has a frontage of 34 metres to Granby Avenue and a depth of 49 metres.

There are two separate bar areas on the ground floor level serving a lounge and a large snooker hall area. At first floor level there is a bar and a stage serving a concert /events hall (Use Class D2 - Social Club).

The area around Granby Avenue to the north and west is predominantly residential in character, comprising two-storey semi-detached houses with small front gardens areas and/or driveways. To the east and south is the busy Layton District Centre (although the application site is located close to this centre, it is not included within it) which is characterised by ground floor retail units fronting Westcliffe Drive, which is a major transport route connecting the Town Centre with Bispham and Poulton.

There is a cemetery and established trees and bushes along the full length of the southern boundary of the Layton Institute and bowling green.

To the rear of the Layton Institute at ground floor level, adjacent to the bowling green there is an outdoor seating area with retractable canopies to accommodate smokers which is accessed through the lounge. At first floor level there are two large picture windows which give a view over the bowling green and two smaller windows. The main pedestrian access to the building is from Westcliffe Drive.

The building was identified as having strong local, architectural and social significance in Layton's Historic Townscape Characterisation Assessment which was completed by the

Architectural History Practice in August 2009. Subsequently, the Planning Committee agreed to include the Layton Institute on the Local List on 16 December 2013 and the list was formally adopted by the Cabinet Member for Tourism and Culture on 2 April 2014. The building is on the Local List in recognition of its strong architectural presence, its group value along with the bowling green to the rear and its social historical significance.

The application site is shown as unallocated on the Proposals Map to the Blackpool Local Plan 2001-2016.

### **DETAILS OF PROPOSAL**

The proposal is for full planning permission for external alterations including the insertion of a new shop front on the rear elevation to provide access into a new ground floor retail unit (526 square metres of floorspace within Use Class A1) and provision of 10 extra parking spaces on part of the bowling green at the rear, accessed off Granby Avenue and cycle storage.

The current application was originally submitted showing external alterations to the front elevation of the building to provide a shop entrance and extended windows and the provision of one extra parking space to the side. In response to concerns raised by officers regarding the extent of alterations to the front elevation of the building and lack of car parking, amended plans have been submitted showing the entrance to the retail unit on the rear elevation and car parking on part of the bowling green.

The application is accompanied by various financial details and viability information and a Design and Access Statement.

### **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- Principle of retail development
- Reduction in the size of the community asset
- Impact on the appearance and significance of the heritage asset (locally listed building)
- Highway Safety

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

### **CONSULTATIONS**

#### **Built Heritage Manager (comments on original proposal):**

I refer to the application relating to The Layton, Westcliffe Drive. The Layton is a locally listed building. The new modern door openings and windows on the main elevation would undermine the historic character of the building and have a serious impact on its heritage value. We could only support the change of use of the ground floor if no alterations were made to the front of the building, and if any changes to the rear did not impact on the bowling green.

**Blackpool Civic Trust (comments on original proposal):**

The Blackpool Civic Trust are pleased to see a scheme to save this iconic community building which retains some continued community use. We have no objection to the retail use of the ground floor.

We do wish to see retention of the bowling facilities at the rear. We do however object to the proposals for alteration to the frontage of this fine building. We hope that an alternative can be found which retains the pattern of symmetry to the windows and doorways.

**Head of Highways and Traffic Management:**

14/0465 – The parking requirement for this was calculated to be 15 car parking spaces based on parking standards and floor area, eight spaces actually proposed – a shortfall of seven.

16/0436 – The parking requirement for this is calculated to be 22 spaces (due to increase in floor space compared to 14/0465), 10 spaces proposed with a shortfall of 12.

Whilst I appreciate the proposal site is adjacent the local centre, parking provision is underprovided and this could lead to further inconsiderate parking on Granby Avenue and the surrounding streets. Granby Avenue experiences high levels of parking demand due to the proximity of the district centre and restricted parking bays on Westcliffe Drive.

The additional 10 spaces proposed on Granby Avenue, if implemented, would result in the loss of on-street parking spaces resulting in vehicles that would utilise these spaces transferring further along the same street or others nearby, resulting in a nuisance to residents.

Servicing both the club and the retail unit from the front may result in congestion on Westcliffe Drive if deliveries turn up at the same time so this is not ideal.

I do not feel the current proposal addresses the issues with parking and servicing. The proposal (if supported) could lead to highway safety issues, and on this basis I am not prepared to support this proposal.

**Environmental Protection (comments on original proposal):**

No comments from a contaminated land perspective as no ground works are being carried out.

**PUBLICITY AND REPRESENTATIONS**

Site notice displayed: 29 August 2016

Neighbours notified: 25 August 2016

Representations have been received from 5 Alder Grove, 17 Cockerham Walk, 30 Dingle Avenue, 51 Tynedale Road, 51 Westcliffe Drive, 6 and 8 Granby Avenue and 49 Bardsway Avenue.

The comments are summarised below:

- The Layton is a great community asset and has over 100 years of history and is locally listed. One of the criteria used when drawing up the above list is outlined below as Social Value which defines perfectly the role and place of the Layton (ex Layton Institute) in the local environment.
- You can play snooker, watch live bands which are on every Friday and Saturday night and various events take place upstairs from parties, music, art displays and charity events etc.
- The green is a social area used for family fun days and charity events.
- We don't need more shops in Layton.
- You took Christ The King club away from the community, we lost The Windmill to Tesco's, The Dinmore is closed. What more do you want to take from this community? Why on Earth do we need more shops? Why would anyone want to take that away from a community that already has lost so much?
- Another big store would have a big impact on the smaller shops in Layton, leading to their demise.
- I am objecting as there will be no social areas for people to meet and keep up with friends and family.
- The financial details outlined in the supporting documentation are 12 months out of date, and so no current financial statement is available for comment to support continued viability of the business.
- Since August 2015 there have been 65 Private Functions, 16 Charity Events and a weekly Charity Fundraiser. Eight bookings have already been taken for the next couple of months along with two charity events. In October the well-known entertainer Toyah Wilcox is in concert supported by the great Skaface Band. And a date in January 2017 is booked for the acclaimed charity Feetfirstworldwide featuring London band Simmertone with an expected audience of some 350 persons.
- This is in addition to the regular bingo sessions, and raffles, live music every Friday and Saturday nights with Karaoke every Sunday, and of course the numerous snooker and pool teams contributing considerably to the overall finances.
- If the plan to move the club facilities to the first floor materialises it will create other, perhaps insurmountable problems that the plans do not cater for. Namely, if the snooker tables are relocated then you could not have these in use in tandem with artists or bingo etc. unless there was some form of partition/soundproofing, which I don't see in the plans. So there would be a loss of either entertainment support or sports support people as the two don't mix in a single room environment. Plus there will be the inability to close off the room for private function or events such as those shown above unless regular use is denied.
- During fine weather the green area is used as a Beer Garden by families and children can play in a safe environment. In fact there is nowhere else locally where this is permitted.
- To enable the continued use of the green for the various activities and use as a Beer Garden area there is a requirement for the availability of drinks, alcohol or otherwise. Currently no drinks are allowed to be carried up or down stairs as a Health and Safety issue. With an external staircase giving access from the first floor (a metal fire escape in a very poor state of disrepair) there is the added risk of slips and falls due to wet/damp surfaces. This would appear totally unsuitable for the use by families. Otherwise the

only access from the first floor to cater for drinks etc. is via the front entrance where the risk of injury caused by breaking glasses, bottles etc. and upset to pedestrians and shoppers need be considered.

- There is also the question of toilet facilities for people who are using the bowling green. Again these are inside the building on both floors and access can only be gained either via the rear stairs or front club access point. This represent another health and safety issue and is unsuitable for families especially those with young children.
- It's unclear what would happen to the bowling club house or 'hut' as this is in very poor condition.
- Seven car parking spaces is unrealistic as they are already almost always taken up either by club users or others. And where will staff park? In addition, the front on road parking area is restricted by a Taxi Rank not available for normal users between the hours of 8pm-7am. The remainder of the time, 7am-8pm is restricted to loading only.
- Given the dual purpose of the new proposal the traffic congestion could at times be quite substantial along supporting residential streets along with the associated risks and inconvenience to residents, notwithstanding the school with its parents and young children in very close proximity to the premises.
- The proposed new store entrances and prominent Heron food sign which will detract greatly from the existing appearance. The large glazed entrance points and windows will severely detract from the ambiance of the building which has been a focal point for the community for over a hundred years.
- The Layton area is already well served with convenience stores and the like with Tesco, Coop, McColl's, P&G and other smaller outlets all on the main street. Within a short distance there are also Farm Foods and Lidl stores. Currently there are at least six retail outlets already closed within the main Layton high street area and two more being put up for sale. In September 2016 the Yorkshire Bank will close leaving the Layton area without any banking facilities except at the small Post Office within the McColl's store. As a result the reduced footfall in the area will place further pressure on the existing retailers which will only be exacerbated by the arrival of a large new food store.
- The club is an iconic building and does deserve, proper management, consistent use so I'm for the proposal based on wanting to save this building.

## **NATIONAL PLANNING POLICY FRAMEWORK**

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

The core planning principles in the NPPF include:

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

- Local authorities should deliver sufficient community and cultural facilities and services to meet local needs.

Paragraphs 7, 9, 10, 11, 14, 17, 23, 24, 26, 56, 64, 69, 70, 129, 131, 132 and 135 are considered to be most relevant to this application.

### **BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY**

The Blackpool Local Plan: Part 1 - Core Strategy was adopted by the Council in January 2016. The policies in the Core Strategy that are most relevant to this application are:

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

### **SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016**

The Blackpool Local Plan was adopted in June 2006. A number of policies in the Blackpool Local Plan (2006) have now been superseded by policies in the Core Strategy (these are listed in Appendix B of the Core Strategy). Other policies in the Blackpool Local Plan are saved until the Local Part 2: Site Allocations and Development Management Policies is produced.

The following policies are most relevant to this application:

- LQ1 Lifting the Quality of Development
- LQ2 Site Context
- LQ14 Extensions and Alterations
- BH3 Residential and Neighbour Amenity
- BH4 Public Health and Safety
- BH12 Retail Development and Supporting Town Centre Uses
- BH13 District Centres
- BH16 Proposed Shopping Development Outside Existing Frontages
- BH21 Protection of Community Facilities
- AS1 General Development Requirements

### **ASSESSMENT**

#### **Principle of retail development**

In the appeal decision notice, the Inspector who determined the appeal against the refusal of planning permission reference 14/0465 stated that Layton District Centre appears to be performing well and there were no vacant units within the district centre suitable to accommodate a convenience retail unit of the type and size proposed. This remains to be the case.

The type and scale of the proposed retail element of this proposal would be commensurate with the existing District Centre of Layton which, as indicated in the Local Plan, plays a vital role in providing convenience shopping facilities for a sizeable catchment, together with a range of other services and facilities.

The District Centre extends along both sides of Westcliffe Drive. The site lies on the western side of Westcliffe Drive and although not contiguous with the existing retail frontages on this side of the road, there being a cemetery between, it is immediately opposite the existing retail frontages on the eastern side. Therefore it would not be unreasonable to conclude that it is contiguous to the existing shopping frontage as required by saved Policy BH13 of the Local Plan. In any event, the need to be contiguous is not a requirement of the National Planning Policy Framework (NPPF). The site constitutes an edge of centre site as defined in the NPPF (page 52) and is well connected to it. Therefore the retail element of the proposal would meet the sequential test (paragraph 24).

The Inspector went on to say that the Council has referred to policy BH16 of the Local Plan in its reason for refusal which relates to the development of new local shopping facilities outside existing shopping frontages. However the necessity for there to be a demonstrated need for the development with no convenient existing local shopping provision is not consistent with the NPPF and accordingly, in line with advice at paragraph 215 of the NPPF, she have given little weight to this policy in consideration of the appeal.

Paragraph 26 of the NPPF confirms that an impact assessment is not required for retail, leisure and office developments which are below 2,500 square metres if, as is the case here, there is no proportionate locally set floorspace threshold. As such the application is not required therefore to assess the impact of the retail element of the proposal on the vitality and viability of Layton District Centre.

There is nothing to suggest that the retail element of the proposal would have a negative impact on the existing range of uses in the centre or undermine its existing retail role. Moreover, it would enable linked shopping opportunities and would to some extent diversify the retail offer in Layton and provide greater consumer choice.

Taking all of the above into account, the Inspector was satisfied that the application site would be a suitable site for the retail element of the proposal having regard to policies which seek to support the vitality and viability of Layton District Centre and nearby local centres. Accordingly, it would not undermine Policy CS4 of the Blackpool Local Plan, Part 1 - Core Strategy or conflict with saved Policies BH12 and BH13 of the Local Plan.

There has been no material change in circumstances since the appeal decision to take a different view.

### **Reduction in the size of the community asset**

The surrounding area has recently lost community assets such as the Windmill (A4 public house), The Dinmore (A4 public house), the Christ the King community centre and the Boys



and Girls Club which was located at Laycock Gate. The Layton Institute is one of the few remaining social/community buildings left in and around Layton.

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

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

Policy BH21 is consistent with the NPPF which indicates, at paragraph 70, that planning policies and decisions should plan positively for the provision of community facilities and guard against their unnecessary loss.

A document submitted with the application titled "Economic Argument for Change" explains the recent background of the club, including details of how the Minotaur Group saved the club from liquidation in 2012 and that declining membership has resulted in the need to down-size the club. The document however only explores the proposal to move the club to the first floor with retail on the ground floor. No consideration to retaining the club on the ground floor and finding an alternative community use or other use for the first floor is apparent in this document.

This document also states that the retail use would subsidise the first floor club use. However, no legal mechanism is in place to ensure that the retail use would cross subsidise the club in the long term, especially if the two floors were to be in separate ownership in the future.

The property is currently being marketed for sale as a whole building with no option to lease or purchase part of the building (see marketing information in Appendix 7a).

The optimum viable use of the property is to retain it as a community asset. Whilst there is no dispute that the club may not be performing as well as it once did, the viability appraisal does not adequately assess alternative uses. As the building is only currently being marketed for sale as a single entity, rather than on a variety of bases and terms, it has not been demonstrated that retail on the ground floor and moving the club to the first floor is the only viable option. The first floor, with a stage and ancillary facilities would lend itself to various community uses such as a youth club, dance school, for amateur dramatics or for hire as a private events space etc. Even if it could be demonstrated that an alternative community use could not be found for the first floor, it would still be preferable to use the first floor as offices or even residential rather than dilute the club's ground floor street presence.

Notwithstanding that the bowling green/open space at the rear of the building is not public open space, its partial development as a result of the proposal would be contrary to paragraph 74 of the NPPF. This indicates that existing open space, sport and recreational buildings and land should not be built on, unless an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements or, the

loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

The people of Layton and across the wider town have a significant local association with the Layton Institute. Reducing its size, relegating its community use and value to the first floor and physically separating the use from the bowling green at the rear and reducing the size of the bowling green, leaving the bowling green at significant risk of becoming redundant as a community asset would reduce the social significance of the building as a heritage asset and reduce its community and amenity value.

### **Impact on the appearance and significance of the heritage asset (locally listed building)**

Paragraph 135 of the NPPF states that in weighing applications that affect directly or indirectly non-designated heritage assets (which includes locally listed buildings), a balanced judgement will be required having regard to the scale of any harm or loss of significance of the heritage asset.

In the applicant's appeal statement for the previously refused scheme (14/0465), paragraph 11.4, it confirms that the property is a purpose built structure with a window pattern that is only suitable for a limited number of uses. This is agreed and having a retail unit at ground floor would reduce significantly the legibility of the building and its historic and social context as a community club, reducing the long term sustainability of the club.

In terms of external alterations, there are no specific concerns with installing a shopfront on the rear of the building, although passing the bin store to access the shop is not ideal nor is the fact that that it does not relate well to other retail units in the District Centre which are accessed from Westcliffe Drive.

Paragraph 73 of the NPPF indicates that high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. The National Planning Practice Guidance (NPPG) states that open space, which includes all open space of public value, can take many forms. It also indicates that it can provide health and recreation benefits to people living and working nearby, have ecological value and contribute to green infrastructure, as well as being an important part of the landscape and setting built development and an important component in the achievement of sustainable development.

The building and the bowling green are locally listed together and one of the reasons is for their group value. Although the bowling green has not been used for bowling purposes in recent years, the green is still well maintained and is used as social amenity space for the club. Given the built up nature of Blackpool, open space such as this bowling green has important recreational, sport and visual amenity benefits as well as being highly valued by the local community. The amended proposal involves providing 10 parking spaces on the northern part of the bowling green along the Granby Avenue boundary, resulting in the partial loss of the green space and removing its presence from the streetscene and detaching it visually from the main building. The bowling green makes an important contribution to the character and appearance of the Layton Institute and loss of part of the

bowling green would cause harm to the significance of the heritage asset. (This is a point that was made by the Inspector in considering the appeal to the previous proposal).

The current internally illuminated signs on the building are unauthorised and are poorly designed and scaled and obscure some decorative window detailing. Other poor quality advertising banners are also regularly displayed on the front elevation, advertising different events, sports coverage, drinks promotions etc. Introducing a retail use at the ground floor level and moving the club upstairs would create increased demand for advertising for the two separate uses and could lead to future applications to install an ATM machine, air conditioning and refrigeration equipment, perhaps roller shutters over doorways, freestanding signage and window vinyls etc., making the front elevation even more cluttered by advertisements and other features commonly associated with a convenience retail store, to the detriment of the appearance and character of the locally listed building.

There are no identified public benefits which would weigh in favour of the retail use at ground floor and the proposed alterations, given the level of harm to the heritage asset that has been identified, should the application succeed.

### **Highway safety**

The previously refused application (reference 16/0465) proposed approximately 350 square metres of retail floorspace on the ground floor which required 15 car parking spaces. That application and dismissed appeal, would have provided eight parking spaces dedicated to the ground floor retail use and the six existing spaces would have been retained for the club use (14 spaces in total).

This application proposes approximately 420 square metres of retail floorspace and would provide 10 spaces for the retail and the existing six spaces would be for the club use. Given the proposed increase in retail floorspace compared to the previously refused application, car parking standards indicate that 22 parking spaces would be required for the retail use alone, and there is a shortfall of 12 spaces. This shortfall is significant given how congested Granby Avenue and surrounding streets are, especially at peak times.

Previously, the Inspector confirmed that eight dedicated parking spaces for the retail unit would be significantly less than the 15 spaces required by the Council's parking standards and accordingly, it would be likely to increase the demand for on-street parking within the area, particularly on the south side of Granby Avenue. Parking on the south side of Granby Avenue is currently unrestricted and is already over-subscribed, given its proximity to the District Centre and the restricted parking on Westcliffe Drive. It is not considered that an additional two spaces would override this concern, especially given the proposed increase in retail floorspace compared to the previously refused application.

Similarly, the Inspector confirmed that the existing on-street parking on Granby Avenue would restrict the forward visibility of vehicles exiting a proposed car park at the rear and that this would be likely to lead to increased opportunities for conflict between vehicles as well as between vehicles and pedestrians in what is already a somewhat congested residential street. Placing parking restrictions on the southern side of Granby Avenue would

resolve this but would further reduce on-street parking capacity and would be likely to lead to congestion within the proposed car park given its limited capacity.

The issue of parking and highway safety has not been addressed and there is no obvious solution to this problem. As such, the proposal would be contrary to policy AS1 of the Local Plan which requires new development to provide appropriate levels of car parking and safe and appropriate access to the road network.

### **CONCLUSION**

The principle of a retail use at ground floor level is acceptable. However, given the constraints of the building described above, the Layton Institute does not lend itself physically for a retail use at ground floor level.

The proposal would cause harm in terms of highway safety and as a result of the reduction in the size of the existing community facility and the loss of the bowling green/open space and the effect of this on the appearance and significance of the heritage asset.

Paragraph 7 of the NPPF states that sustainable development must have an economic, social and environmental role. It is considered that the proposal does not satisfy the social role to provide accessible local services that reflect the community's social and cultural well-being needs or the environmental benefits in contributing to protecting and enhancing our built and historic environment.

Therefore, the recommendation is to refuse the application.

### **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 PAPERS**

Planning Application File(s) 16/0436 which can be accessed via the link below:

<http://idoxpa.blackpool.gov.uk/online-applications/search.do?action=simple>

**Recommended Decision:** Refuse

### **Conditions and Reasons**

1. The proposed development would result in the reduction and loss of a community facility and the applicant has failed to demonstrate that there is no longer a need for the facility or that the Layton Institute building and bowling green could not be adapted to provide an alternative community facility or that replacement facilities would be provided elsewhere. Whilst it may be accepted that the continued use of the club on both floors may not be viable, the applicant has failed to demonstrate why the club use cannot remain on the ground floor, retaining its street presence and direct access to the bowling green. In addition, the applicant has not demonstrated which alternative uses of the first floor have been considered and that the first floor has been marketed on this basis. As such, the proposal is considered to be contrary to Policy BH21 of the Blackpool Local Plan 2001-2016 and Part 8 of the National Planning Policy Framework.
  
2. The proposed development would have a detrimental impact on the appearance and group value of the non-designated heritage asset and in the streetscene given the bowling green would be detached physically and visually from the main building. In addition, the reduction in the size of the bowling green and the parking of cars along the northern part of the bowling green fronting Granby Avenue would be detrimental to visual amenity and the significance of the non-designated heritage asset. As such, the proposal is contrary to Policies CS7 and CS8 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027, Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and paragraphs 56 and 135 of the National Planning Policy Framework and should be refused in accordance with paragraph 64 of the National Planning Policy Framework.
  
3. The means of access to the proposed development would be significantly detrimental to highway safety by virtue of the inadequate width of the junction of Westcliffe Drive with Granby Avenue (which would lead to vehicle conflict and congestion) and inadequate visibility (sightlines) due to vehicles being parked on-street. Therefore the proposal would be contrary to Policy AS1 of the Blackpool Local Plan 2001 - 2016.

4. **ARTICLE 35 STATEMENT (NATIONAL PLANNING POLICY FRAMEWORK para 187)**

The Local Planning Authority has sought to secure a sustainable development that would improve the economic, social and environmental conditions of Blackpool but in this case there are considered factors which conflict with the National Planning Policy Framework and policies of the Blackpool Local Plan: Part 1 - Core Strategy and Blackpool Local Plan 2001-2016 which justify refusal.

**Advice Notes to Developer**

Not applicable

# Morgan Martin

01772 556666



For Sale £350,000.00 subject to contract - Investment

🏠 9000 sq ft

**FOR SALE**  
**Layton Institute**  
**Westcliffe Drive**  
**Layton**  
**BLACKPOOL**  
**FY3 7HG**

## **LOCATION**

The property is situated within the busy suburban shopping area of Layton, equidistant from Blackpool town centre and Poulton le Fylde. Westcliffe Road is one of the main vehicular routes out of Blackpool town centre to the east and as a result the property occupies an extremely prominent and busy location.

There is a good mix of local and national occupiers including Co-Operative Convenience Store, William Hill, Sayers, RBS and Tesco as well as a variety of local traders including restaurants and take-aways.

## **DESCRIPTION**



The premises comprise a substantial detached property of brick and slate construction arranged over two floors which presently operates as a private members' club. To the rear of the property is a bowling green. The premises currently provide bar areas/function rooms on ground and first floor and provide the following gross internal floor areas:

Ground Floor:	418.05 sq m	(4,500 sq ft)
First Floor:	418.05 sq m	(4,500 sq ft)
<b>Total:</b>	<b>836.10 sq m</b>	<b>(9,000 sq ft)</b>

Please note these areas have been provided by the clients.

**VACANT POSSESSION/TENANCY**

The buildings can be acquired with vacant possession or alternatively the existing Club operator would remain in occupation of part/whole of the premises on a long/short term lease arrangement at a rent to be agreed.

**PRICE**

We are instructed to quote a price of £350,000.00 subject to contract.



Map data ©2016 Google  
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**Property Brochure**

BLACKPOOL-Layton-Institute-Layton





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- Notes**
1. Do not scale drawing. If in doubt contact SDA
  2. All dimensions are in millimeters unless noted otherwise
  3. Not for construction unless otherwise shown
  4. When appropriate, this drawing to be read in conjunction with project specific Designers Risk Assessments, produced in accordance with requirements of the Construction (Design and Management) Regulations 2015 (and prior).
  5. The design shown on this drawing is the property of SDA and is not to be used or the drawing copied, communicated or disclosed, in whole or in part, except in accordance with a contract, licence or agreement in writing with SDA

REV.	DATE	DESCRIPTION	DRN.	CKD.
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**SDA**  
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 LEEDS LONDON CALIFORNIA

PROJECT  
 Proposed Heron Food store  
 and first floor club,  
 Westcliffe Drive, Blackpool

TITLE  
 Proposed site plan

STAGE  
 Scheme

JOB No. AP0043	DWG No. SK3	REV.
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SCALE 1:500 @ A1	DATE November 2016
DRAWN J. Heston	CHECKED

BSI REGISTERED FS 56715 UKAS QUALITY MANAGEMENT



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**COMMITTEE DATE:** [22/11/2016](#)

**Application Reference:** 16/0467

**WARD:** Clifton

**DATE REGISTERED:** 22/07/16

**LOCAL PLAN ALLOCATION:** Main Industrial / Business Area

**APPLICATION TYPE:** Full Planning Permission

**APPLICANT:** Gilberts (Blackpool) Ltd

**PROPOSAL:** Erection of extension to create additional storage space for existing factory building, amendment to previously approved application 15/0141.

**LOCATION:** STANLEY HOUSE, CLIFTON ROAD, BLACKPOOL, FY4 4QF

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**Summary of Recommendation:** Grant Permission

## **CASE OFFICER**

Ms P Greenway

## **SUMMARY OF RECOMMENDATION**

This is a resubmission of planning permission 15/0141 for the erection of an extension to create additional storage space for an existing factory building. The proposal was approved last year by the Head of Development Management under delegated powers. The resubmission has arisen as a result of a proposed change to the shape of the roof. It is considered that the change in the roof has minimal impact on the amenities of surrounding residents.

## **SITE DESCRIPTION**

The 0.82 hectare application site is within the Clifton Road Main Industrial / Business Area. The site is bounded by residential properties to the side and rear, and commercial properties adjoining the other side boundary and across Clifton Road. The premises comprise 3,350sq m of floorspace and are split into two separate units. The building broadly forms the shape of an elongated L with part of the front section of the building, amounting to 320sq m, in use by Speedy Hire Centre. The remaining space is occupied by Gilberts. There are substantial servicing areas to the front and side of the building and an informal parking area to the front adjacent to the access from Clifton Road. Gilbert's main offices are across Clifton Road on another site.

## **DETAILS OF PROPOSAL**

Erection of an extension to create additional storage space for an existing factory building. The extension would be 14.2 metres wide by 47 metres long and would cover most of the rear external storage yard from the existing roller shutter door, rearwards. The extension is in the course of construction.

As originally approved last year, the extension had a monopitch roof between 5.4 metres and 7.6 metres high, the highest point being closest to the residential neighbours on Congleton Close and Tarnside Community Centre. The current proposal would be on the same footprint as approved last year, but with a traditional pitched roof with eaves at 5.4 metres and ridge at 9.8 metres.

## **MAIN PLANNING ISSUES**

The main planning issue is considered to be:

- The impact on residential amenity of the change in roof shape.

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

## **CONSULTATIONS**

Head of Environmental Protection: A construction management plan to be submitted together with proposed hours of work.

## **PUBLICITY AND REPRESENTATIONS**

Site notice displayed: 11 August 2016

Neighbours notified: 9 August 2016

### **Objection received from 6 Lindbeck Avenue:**

We wish to again formally object to the above proposal.

The above proposal has only been lodged because we had complained about the steel framework of a nearly 10 metre high building with Apex roof being erected in direct contravention of the planning permission obtained for a 7.6 metre high building with sloping roof towards the existing building roof.

When the steel work for this building first went up we immediately contacted the construction manager, Mr John Smith, and we were told the extra height etc. was for our benefit. What possible benefit could there be to us, the home owners of the already de-valued house, of a 9.8 metre building virtually outside our back door? I feel pretty confident when I say that I'm sure Mr John Smith does not live in the surrounding area for the building to be 'of benefit' to him.

There was a large objection to the very first application which quoted working hours of 6am- 10pm Mon-Fri and 6am -12pm on Saturday, and that there would be no noise and no disturbance to residents but this has not been the case. We have a large amount of noise beginning at 6am through to 10pm every day from the already existing building, with this noise continuing way past the 12pm cut off on Saturdays. Obviously our concerns and objections even from the beginning do not seem to matter to the Council and definitely not to Gilberts!! Indeed Gilberts aren't even respecting the planning permissions already in place, therefore why should we be expected to believe that they will behave honourably throughout this latest process.

We are objecting to the latest proposal on all the grounds mentioned in all the previous written and verbal correspondence with Councillor Adrian Hutton, who has been involved from the outset. We would just like to mention that some people that have lived in properties adjacent to these buildings have sold up at a loss which according to your letter is of no consequence. Also people have left due to ill health caused by the stress of noise at all hours coming from the established industrial unit. How can loss of view not be taken into account, this must be because it's not in your back yard. Many of the residents that are left here feel that it is a pointless exercise to once again object as the framework for the building is already in place and as our views did not appear to be even considered for any previous planning applications which were granted.

We don't believe that any of this will matter to you sitting in your new Council building with nice views, plenty of light, and the ability to leave any stressful situation you may find yourself in none of which we can do as we live in the devalued home in the shadow of the now soon to be 9.8 metre high building with accompanying increased noise levels. Even though building and planning permissions have been changed at Governmental level, how is it that companies/people can build whatever they want whenever they want, ignoring legislation that is in place even after the changes.

We also have concern that should this application be granted, at some point in the near future this new building will also be used as an 'industrial unit' given the breaches already made by Gilberts and the Council. Oddly, since this new application has been made, noise levels from the existing factory have dropped. This would suggest that either they can operate without the usual large amount of disturbance all the time or something else is amiss.

Obviously you think that because we live on a Council estate that we do not have the brains to work out, even with pictures, the difference in two buildings that have differing height and aspect and also a difference in noise level while the application by this Company is being considered. We find it strange that according to your letter, the mixture of comments taken into account and not taken into account are a contradiction. For instance, the scale, appearance and design of the proposal can be taken into account, but loss of property value and loss of view not! This is just more of 'well it's not in my back yard'.

You can assume that we have a very strong objection to this the most recent planning permission and have had from the outset. It may be of some benefit for the planning and permissions officers and our elected Councillors to actually come and take a look at the

already erected framework that contravenes approved planning permission. We shall await the foregone conclusion to our objection.

### **NATIONAL PLANNING POLICY FRAMEWORK**

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

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

Paragraph 17 sets out the 12 core land-use planning principles which should underpin both plan-making and decision-taking which include to proactively drive sustainable development and secure a high standard of design and a good standard of amenity.

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

### **BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY**

The Blackpool Local Plan Part 1: Core Strategy was adopted by the Council in January 2016.

The policy in the Core Strategy that is most relevant to this application is:

#### **Policy CS7: Quality of Design**

1. New development in Blackpool is required to be well designed and enhance the character and appearance of the local area and should:
  - b) Ensure that amenities of nearby residents and potential occupiers are not adversely affected.

To deliver the Core Strategy vision the overarching spatial focus for Blackpool is regeneration and supporting growth.

### **SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016**

The Blackpool Local Plan was adopted in June 2006. A number of policies in the Blackpool Local Plan (2006) have now been superseded by policies in the Core Strategy (these are

listed in Appendix B of the Core Strategy). Other policies in the Blackpool Local Plan are saved until the Local Part 2: Site Allocations and Development Management Policies is produced. The following policies are most relevant to this application:

LQ14 Extensions and alterations  
BH3 Residential and visitor amenity

## **ASSESSMENT**

### **Principle**

The principle of the development is not at issue here, permission having been granted for the extension last year.

### **Amenity**

The 2015 approved extension is 14.2 metres wide by 47 metres long, with a monopitch roof between 5.4 metres and 7.6 metres high, the highest point being closest to the residential neighbours on Congleton Close and Tarnside Community Centre. With regard to the current proposal, the extension is the same footprint, except that the roof is now proposed as a ridged roof, so that the increased highest point of 9.8 metres is now no longer closest to the neighbours but forms the ridge in the middle of the roof. It should improve the situation for residential neighbours, as they will be looking at a lower eaves level of 5.4 metres rather than 7.6 metres approved. In terms of the impact on neighbours, and particularly 6 Lindbeck Gardens, the extension is approximately 30 metres distant from the boundary with their rear garden and whilst visible, the increased ridge height would have minimal impact in terms of light loss or privacy.

### **Other**

The Head of Environmental Protection has requested that a Construction Management Plan be submitted. One has already been submitted and agreed/discharged with respect to planning permission reference 15/0141. Whilst we do not condone applicant's deviating from approved plans it is not an offence to do so and whilst the application is retrospective in that work has commenced we have to consider the revised roof profile on its merits and in terms of its relationship to neighbouring residential properties. Officers consider the proposal to be acceptable in terms of its design and impact on neighbouring residents.

## **LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION**

N/A

## **FINANCIAL BENEFITS**

N/A

## **HUMAN RIGHTS ACT**

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

enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. 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 PAPERS**

Planning Application File(s)16/0467, 15/0141 which can be accessed via the link below:

<http://idoxpa.blackpool.gov.uk/online-applications/search.do?action=simple>

**Recommended Decision:** Grant Permission

### **Conditions and Reasons**

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

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

2. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority on 22nd July 2016 including the following plans:

Location Plan stamped as received by the Council on 22nd July 2016

Drawings showing floor layouts and elevations stamped as received by the Council on 22 July 2016 (4 drawings)

Reason: For the avoidance of doubt and so the Local Planning Authority can be satisfied as to the details of the permission.

3. No goods or waste shall be stored other than within the building and refuse store shown on the approved plan.

Reason: In the interests of the appearance of the locality and the amenities of the occupants of nearby residential premises, in accordance with Policies BH3 and LQ1



4. Noise generated by activities at the site, when measured one metre from the access gates off Clifton Road, on any day, shall not exceed a one hour LAeq of:- a) 62dB(A) between 07.30 and 19.30 hours; b) 50dB(A) between 19.30 and midnight; c) 45dB(A) at any other time; and, when measured one metre from the boundary fence positioned along the northwest boundary of the site, on any day, shall not exceed a one hour LAeq of:- a) 55dB(A) between 07.30 and 19.30 hours, b) 50dB(A) between 19.30 and midnight; c) 45dB(A) at any other time.

Reason: To safeguard the living conditions of the occupants of nearby residential premises, in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027.

5. The servicing areas shall not be used outside of the hours of 8am-6pm Mondays-Fridays and 8am-12 noon on Saturdays.

Reason: To safeguard the living conditions of the occupants of nearby residential premises, in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027.

6. The premises shall not be used outside of the hours of 6am-10pm Mondays-Fridays and 6am-12 noon on Saturdays.

Reason: To safeguard the living conditions of the occupants of nearby residential premises, in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027.

7. The external doors to the building hereby approved must be kept closed at all times when not in use for access to or egress from the building.

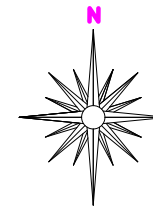
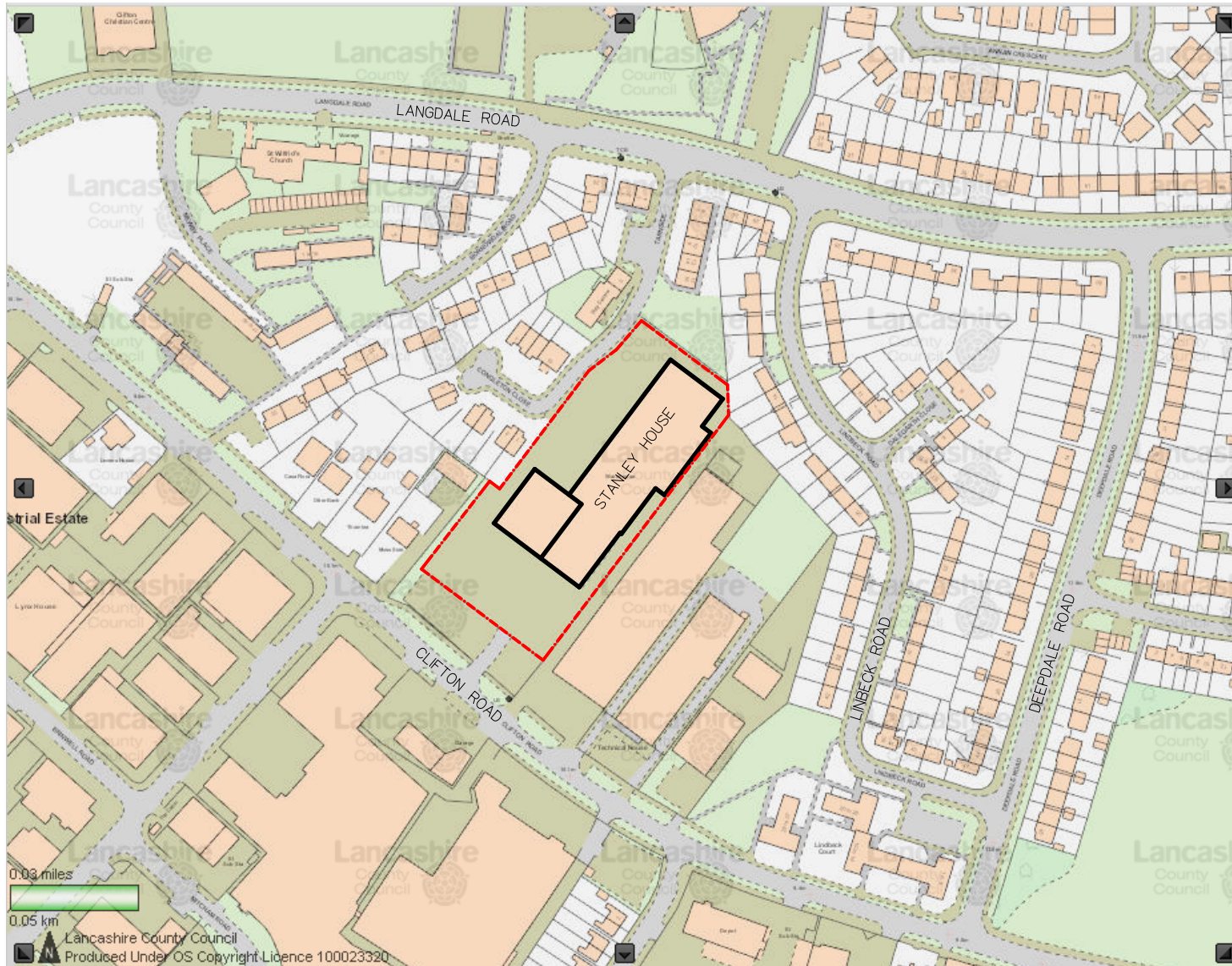
Reason: To limit noise levels outside of the building to safeguard the living conditions of the occupants of nearby residential premises in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1 : Core Strategy 2012-2027.

8. The extension hereby approved, shall only be used as warehousing/storage, ancillary to use of the main premises within Use Class B2.

Reason: To limit noise levels outside of the building and safeguard the living conditions of the occupants of nearby residential premises, in accordance with

**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.



Appendix 8a

# SITE LOCATION PLAN

SCALE:  
1:2500

DWG No:  
D\_001

GILBERTS (BLACKPOOL) LTD,  
CLIFTON ROAD, BLACKPOOL, LANCASHIRE FY4 4QT

DATE:  
13/04/2015

REV:  
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COMMITTEE DATE: [22/11/2016](#)

**Application Reference:** 16/0469

WARD: Bispham  
DATE REGISTERED: 08/08/16  
LOCAL PLAN ALLOCATION: No Specific Allocation

APPLICATION TYPE: Full Planning Permission  
APPLICANT: Famille Holiday Group

**PROPOSAL:** Use of part ground floor and part basement level of premises as a Cafe/Restaurant within Use Class A3.

**LOCATION:** 238 QUEENS PROMENADE, BLACKPOOL, FY2 9HA

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**Summary of Recommendation:** Grant Permission

## **CASE OFFICER**

Mr M Shaw

## **SUMMARY OF RECOMMENDATION**

As proposed, the additional use of existing hotel dining facilities on the basement and ground floor by non-resident guests, which is usually the way most of the medium and larger hotels already operate in Blackpool and elsewhere, is considered acceptable and will not generate the amenity problems or level of activity and disturbance anticipated by some of the objectors to the proposal that cannot be adequately controlled by conditions.

## **SITE DESCRIPTION**

The application property is a four storey, end terraced hotel within a terrace of five properties, all of which are in use as holiday flats or hotels. Adjoining to the south is a detached two storey house and several other houses. The hotel has 16 rooms of varying size with a capacity for approximately 55 guests. The open forecourt to the front of the hotel can accommodate approximately six vehicles. There is also a ramped access into the building on the front elevation and at the time of my site visit three picnic tables were placed on the forecourt to be used by guests for sitting out and as a smoking area. To the rear of the hotel are staff parking facilities for approximately three vehicles.

The site has no allocation on the Proposals Map to the Local Plan although the property forms part of a Main Holiday Accommodation Promenade Frontage as part of the Holiday Accommodation Supplementary Planning Document. The application property is located 60 metres north of the Red Bank Road District Centre.

## **DETAILS OF PROPOSAL**

Use of residents dining facilities on the ground floor and basement which has a combined total floorspace of 115 sqm as a public restaurant ie: opening the existing restaurant and dining facilities up to non-resident guests between suggested hours of 0800 hours and 2300 hours Sundays to Thursdays and 0800 hours and 2330 hours Fridays and Saturdays. The existing ground floor of the hotel has dining capacity for over 40 people. The basement was not in use during my site visit due to the on-going re-furbishment works but measures over 40 sqm.

The application is accompanied by a Supporting Planning Statement.

## **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- Principle
- Residential and Visual Amenity
- Highway Safety, Parking and Servicing Arrangements
- Other Issues

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

## **CONSULTATIONS**

**Head of Highways and Traffic Management:** 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.

**Service Manager Public Protection:** no objections

**Waste Services Manager:** No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

## **PUBLICITY AND REPRESENTATIONS**

Site notice displayed: 18 August 2016

Neighbours notified: 17 August 2016. 6 letters of objection have been received on the following grounds.

**250 Queens Promenade** - I am really not happy with the proposal. Every time you walk by cars are over the path as there is no parking. There will be lots of rubbish everywhere and lots of noise for all my neighbours. It is not the right place for something like this. The rear looks like a tip and needs sorting out and has been like this for months. The property is fine as a hotel but not as a cafe and restaurant.

**236 Queens Promenade** - have submitted three letters in opposition to the proposal.

I have raised a formal objection to the application, as the introduction of a café/restaurant next door to my residential home will significantly impact my home amenity in terms of loss of privacy, noise, smells and general increase to disturbance. If successful the planning application will have a significant impact on myself and family. The specific reasons and issues are outlined below along with a number of observations on the current application that I believe to be factually inaccurate or omissions pertinent to informing a decision.

**Impact on Residential Amenity-** The proposed establishment of a café/restaurant next to my property will significantly reduce the rightful enjoyment of the amenities of my home and specifically will significantly increase noise levels, loss of privacy and overlooking, levels of food preparation, odours and general disturbance caused by increased numbers of people walking along my property boundary line and eating and drinking in full view of my garden, outside sitting area and front room of my home.

**Significant Loss of Privacy, Noise and Disturbance-** My family have lived at our current home for over 13 years and in that time we have lived in harmony with the adjacent hotel business. The hotel is of modest size and its utilisation rate provided an acceptable level of disturbance. The main access door to the hotel is immediately adjacent to my boundary line and is in close proximity to my front door and lounge bay window. If the application was to be granted, the number of people entering and leaving the hotel premises is likely to increase significantly and could easily reach several hundred per day. In fact, it would be a business driver to encourage the use of the café/restaurant including the sale of ice creams and high turnover consumables to passing trade, who are likely to consume off-site or in the hotel car park area adjacent to my property. This would have significant implications for loss of privacy to my home with overlooking rates reaching unreasonably high levels for a residential property, substantial increase in noise and disturbance including groups of non-residents smoking next to my garden and additional littering.

**Loss of Privacy, Garden Amenity, Overlooking of Whole Property frontage including my Living Room and the proximity of my front door to the to the proposed Café/Restaurant entrance-** If this application was granted, it would have a devastating impact to the quality of life of my family and a significant loss of pleasure from our use of the garden and home amenity where we spend many hours sitting and relaxing and enjoying our outside space.

**Increased Disturbance-** The introduction of non-residents by necessity would require the front door of the property to remain open most of the time to encourage and allow access. This would result in any internal noise in the property including loud music, party noise etc. to travel unchecked over my boundary line and impact the normal residential amenity for reasonable peace and quiet. Increased numbers of people arriving by taxi, people slamming doors, cars trying to park in limited spaces provided, normal merriment after a night of drinking, near constant movement of people eating, drinking and smoking close to my home throughout the day and at night up to 23:30 hours, which will absolutely increase the degree of disturbance that my family shall be required to endure. The claim in the application that 'any non-resident patrons would be difficult to distinguish in terms of their use of the property' by way of mitigation for the likely increase in disturbance and noise to local residents is disputed. The volume and frequency of people will significantly increase

and patrons leaving premises after an evening of merriment is a well understood problem and is materially different from a limited number of hotel guests returning to a family hotel after an evening out where they naturally show more consideration to their other hotel patrons (including children) who may have retired early. A number of residential properties are in close proximity to the Hotel and it is noteworthy that the proposed Café/Restaurant would be within approximately 50 metres of a Residential Home for the Elderly, so any increased disturbance is likely to impact this elderly community.

Contrary to Policy BH17- This application is contrary to Policy BH17 of the adopted Blackpool Local Plan (2001-2016) that states that 'new restaurants will be directed to existing shopping frontages and will not be permitted where they would have adverse effects on the amenities of neighbouring premises or residents'. This application seeks to circumvent this policy by claiming that 'This is not a wholly new restaurant use. The proposal seeks to a dual use of existing facilities'. Policy BH17 should rightly apply to this proposal in full. The position that this is not a wholly new restaurant is incorrect and misleading and the claim is a clear attempt to circumvent planning policy.

This is a significant change of business use to allow an unspecified number of non-hotel guests to enter the hotel to wine and dine, to use its increased bar facilities, to consume alcohol, fast foods in the café and other beverages all of which could be consumed at the front of the hotel. There is a clear distinction between providing meals to hotel guests in a dining room with defined numbers and meal times and allowing unrestricted access to the general public to consume food and drink for the vast majority of the day and up to 23:30 hours seven days per week. Accordingly, if this application was granted it would significantly change the character and nature of the business next to my residential property and would severely impact on my home. Although within the current external boundary of the property the internal structure of the property has already been significantly altered to accommodate a new business venture that deliberately targets non-hotel residents to enter the property and use newly installed facilities for the consumption of food, alcoholic drinks and snacks starting from 8:00 hours and up to 23:30 hours seven days per week. Following discussions with the applicants it is also their stated intention to use the external frontage of the property as an outside eating, drinking and smoking space open to the general public. Consequently, I suggest that the claim that the application is simply an extension of the hotel's current capability is mis-leading.

Traffic concerns- There are approximately six dedicated parking spaces outside the front of the hotel. This car park facility is an essential facility if additional car park congestion of cars on local roads including the promenade frontage is to be avoided. The applicants have already placed seating and tables in the car park to support the café operation, forcing residents to encroach on to the pavement when parking and other cars have been parked outside the front of my property despite being a designated double yellow line area. This illegal parking is likely to increase with the proposal. This will present unnecessary hazards to pedestrians and road users given the close proximity of the hotel to the Promenade/ Red Bank Road traffic lights which already suffers from back up congestion. Access to my driveway is already often obscured by irresponsible parking by hotel residents on the pavement and designated double yellow line road along the length of the street. The introduction of the café/restaurant will further compound this problem. The intended



removal/restriction of the hotel car parking facility to enable café outside eating and drinking will increase the probability of illegal parking, bag drop-off whilst parked on the road, increased rates of taxi drop-off and deliveries to the hotel and, thus, amplifying hazards for road and pedestrians in the local area.

Further to my detailed objection I wish to respond to the comments made by the agent in respect of my objection. For the avoidance of any doubt, I dispute his over simplification of my objection to concern over the potential use of the forecourt. If this application was to be approved it would have a significant impact to my residential amenity. I suggest that notwithstanding the suggested amendment, the application would remain contrary to the current planning policy. The statement that the chairs and benches have been removed from the forecourt and have been disposed of as intended is disputed. The table and chairs have been stored to the rear of the hotel that is to the side of my property. The benches have been positioned as close as possible to my boundary line and in direct view of my front door, living room window and front garden. The positioning of these benches has effectively halved the hotel's car park facility for residents.

**97 Ingleway, Blackpool** - I wish to object to the planning application at 238 Queens Promenade. I am a regular user of the number 1 bus and I have noticed considerable traffic congestion and illegally parked vehicles outside the hotel in question which is being caused by the introduction of seating to support their intended cafe. These vehicles make it difficult for me to cross the road after leaving the bus because I have a restricted view and other vehicles are forced to overtake these parked vehicles, which is made worse as my bus often remains parked at the stop. If this application was allowed it would increase the number of vehicles parked illegally outside the hotel and make this situation worse. Accordingly, I believe this application should not be allowed, but if it is the bus stop should be relocated away from this problem area.

**234 Queens Promenade** - I would like to object to the above application at 238 Queens Promenade for use as a café/restaurant and bar. I don't mind if it is for hotel guests only but not for the general public. My main concern is the disturbance caused by the outside use of the forecourt. This would definitely cause me problems as it was full of tables and chairs. Most of the time it is half full and only three cars can use it. The rest of the cars have to park in the next street and many visitors have to pull on to the pavement to unload their cases causing a hazard and damage to the pavement.

There will be a lot of noise, overlooking and disturbance if the café uses the forecourt and there is a children's park opposite and I believe there will be a lot of swearing and disturbance. There are umpteen cafes on Red Bank Road and two public houses nearby but located away from the residential properties, so I believe there is no need for one more. My balcony overlooks their forecourt and it looks a right mess with mismatched tables and chairs and it should be a lot better if it was just used as a car park as it was intended.

**Cllr Colin Maycock (Objects)** I drive past this hotel on a regular basis and have seen the inconvenience this operation causes. I am happy to support this objection.

## **NATIONAL PLANNING POLICY FRAMEWORK**

Para 7: There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

Para 11: Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Para 17: Planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Para 56: The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

## **BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY**

The Blackpool Local Plan: Part 1 - Core Strategy was adopted by the Council in January 2016. The policies in the Core Strategy that are most relevant to this application are -

- CS3- Economic Development and Employment
- CS4- Retail and Other Town Centre Uses
- CS7- Quality of Design

## **SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016**

The Blackpool Local Plan was adopted in June 2006. A number of policies in the Blackpool Local Plan (2006) have now been superseded by policies in the Core Strategy (these are listed in Appendix B of the Core Strategy). Other policies in the Blackpool Local Plan are

saved until the Local Part 2: Site Allocations and Development Management Policies is produced.

The following policies are most relevant to this application:

- LQ1 Lifting the Quality of Design
- BH3 Residential and Visitor Amenity
- BH4 Public Health and Safety
- BH15 Change of Use of Premise Outside the Defined Centres
- BH17 Restaurants, Cafes, Public Houses, Hot Food Take Aways
- AS1 General Development Requirements

Supplementary Planning Document 'Holiday Accommodation'.

### **ASSESSMENT**

**Principle of Use** - The applicants have been running the hotel since March this year and are currently renovating the hotel. The use of dining, bar and even leisure facilities by non-resident guests of hotels is a common occurrence in Blackpool and elsewhere and it is usually considered to be ancillary i.e. secondary, to the main function of the facilities for the use of the hotel guests and therefore does not need planning permission in its own right. The applicant is aware of this matter but nevertheless is seeking a formal approval of this intended additional use of the hotel facilities for non-resident guests. The principle of making additional use of the existing dining facilities is therefore considered acceptable in principle subject to conditions and subject to the impact on 236 Queens Promenade in particular being considered as acceptable. It should be noted that a similar proposal nearby at the former Belgrave Madison Hotel at 272-274 Queens Promenade (now the Stone Grill) was recently granted planning permission for use as a public restaurant under reference 16/0258.

#### **The vitality and viability of existing shopping frontages**

Core Strategy Policy CS4 permits town centre uses such as restaurants where it can be demonstrated that the proposal would not cause significant adverse impact on existing centres, it would not undermine the Council's strategies for regenerating its centres and the site is accessible by public transport and other sustainable transport modes.

Local Plan Policy BH17 directs restaurants to existing shopping frontages and indicates that they would not be permitted where they would have adverse effects on the amenities of neighbouring residents in the surrounding vicinity. However, Policy BH15 states that appropriate uses will be permitted outside defined centres where they are compatible with nearby uses and would have no adverse impact on residential amenities. This area has a mixed character with both hotels and residential uses in the immediate area and the more commercial character of Red Bank Road District Centre close by to the south. The property is currently under renovation and although the property is immediately adjoined to one side by residential uses, the property is a long established hotel within a long established hotel block. Given that the site will remain in hotel use and that the non-resident use will be

ancillary to the main hotel use, the principle of using the ground floor and basement as a restaurant is considered acceptable subject to neighbour amenity and highway safety considerations. It is not considered that this essentially ancillary facility will impact to any significant extent on the nearby district centre.

**Residential and Visual Amenity** The restaurant would be accessed off the Promenade for guests and a condition restricting the car parking area at the rear for use by staff only, should limit the number of comings and goings at the rear and keep impacts on neighbour amenity at their existing level. Therefore the neighbours' enjoyment of their rear garden should not be affected by the proposal. A no smoking area is shown on the plans but it is known that patrons smoke at the front of the building. The planning system does control loud music and noise, this would be controlled by licensing and if loud music becomes a problem by Environmental Protection. Hours of use of the dining facilities can be restricted by condition in order to protect neighbour amenity. It is clearly not in the applicants interests to run an unruly business given that any amenity impact would equally impact, if not more so, on their own guests. It is considered that the proposal would comply with paragraph 7 of the NPPF, Policy CS7 of the Core Strategy and Policy BH3 of the Local Plan in terms of amenity.

No additional cooking facilities are proposed as the applicant already has kitchens to the rear of the ground floor and basement and will be using these existing facilities. Whilst more meals are expected to be prepared it would be difficult to quantify the potential level of any additional odours. The capacity of the restaurant will not increase, and is proportionate to the size of the hotel and will itself limit the level of activity.

The common boundary between the hotel and the adjoining house at 236 Queens Promenade is fairly open and the front elevation of 236 Queens Promenade is setback 4 metres from the front elevation of the application property. It is considered that there may be benefit from some additional screening particularly given that the respective front doors are close to this common boundary. The layout of the forecourt could also be formally agreed as part of any planning permission to ensure it is used primarily for car parking and to limit the number of table and chairs outside. Although it should be noted that the application relates solely to the internal floorspace of the hotel and does not include outside seating.

**Highway Safety, Parking and Servicing Arrangements** - A condition requiring that the six parking spaces at the front of the building are to be marked out is considered necessary to ensure the existing number of spaces are retained. The restaurant has 40 plus covers on the ground floor plus whatever additional capacity is created in the basement. Queens Promenade is in a very accessible location, serviced by trams and buses and within close proximity to the Red Bank Road District Centre, and there is some on street parking available within the vicinity. It is considered that the development would comply with paragraphs 7 and 56 of the NPPF, Policy CS7 of the Core Strategy and Policy AS1 of the Local Plan in terms of access and highway safety. The comments of the Head of Highways and Transportation are awaited and will be reported prior to the meeting.

**Other Issues-** the hotel is undergoing refurbishment so comments about rubbish accumulating outside the hotel is to be expected and is only temporary.

### **LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION**

None

### **HUMAN RIGHTS ACT**

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

### **CRIME AND DISORDER ACT 1998**

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

### **BACKGROUND PAPERS**

Planning Application File(s) 16/0469 which can be accessed via the link below:

<http://idoxpa.blackpool.gov.uk/online-applications/search.do?action=simple>

**Recommended Decision:** Grant Permission

### **Conditions and Reasons**

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

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

2. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority on 25th July 2016 including the following plans:

Location Plan stamped as received by the Council on 25th July 2016.

Drawing showing floor layouts stamped as received by the Council on 25th July 2016.

Reason: For the avoidance of doubt and so the Local Planning Authority can be satisfied as to the details of the permission.

3. Prior to the development hereby approved being first brought into use the forecourt, and specifically the car parking provision and outside seating area, shall be provided and shall thereafter be retained in accordance with details to be submitted to and approved in writing with the Local Planning Authority.

Reason: In the interests of the appearance of the locality, residential amenity and highway safety, in accordance with Policies BH3,LQ1 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4. The non-resident guest use of the premises shall not operate outside the hours of 0800 hours and 2300 hours Sundays to Thursdays and 0800 hours and 2330 hours Fridays and Saturdays.

Reason: To safeguard the living conditions of the occupants of nearby residential premises, in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. Before the restaurant is first open to non-residents a wall or fence along part of the common boundary with 236 Queens Promenade shall be erected in accordance with details to be agreed in writing by the Local Planning Authority and shall be thereafter retained.

Reason: In the interests of residential amenity, in accordance with Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. The car parking area to the rear of the building shall solely be used by the owners/ staff at the hotel.

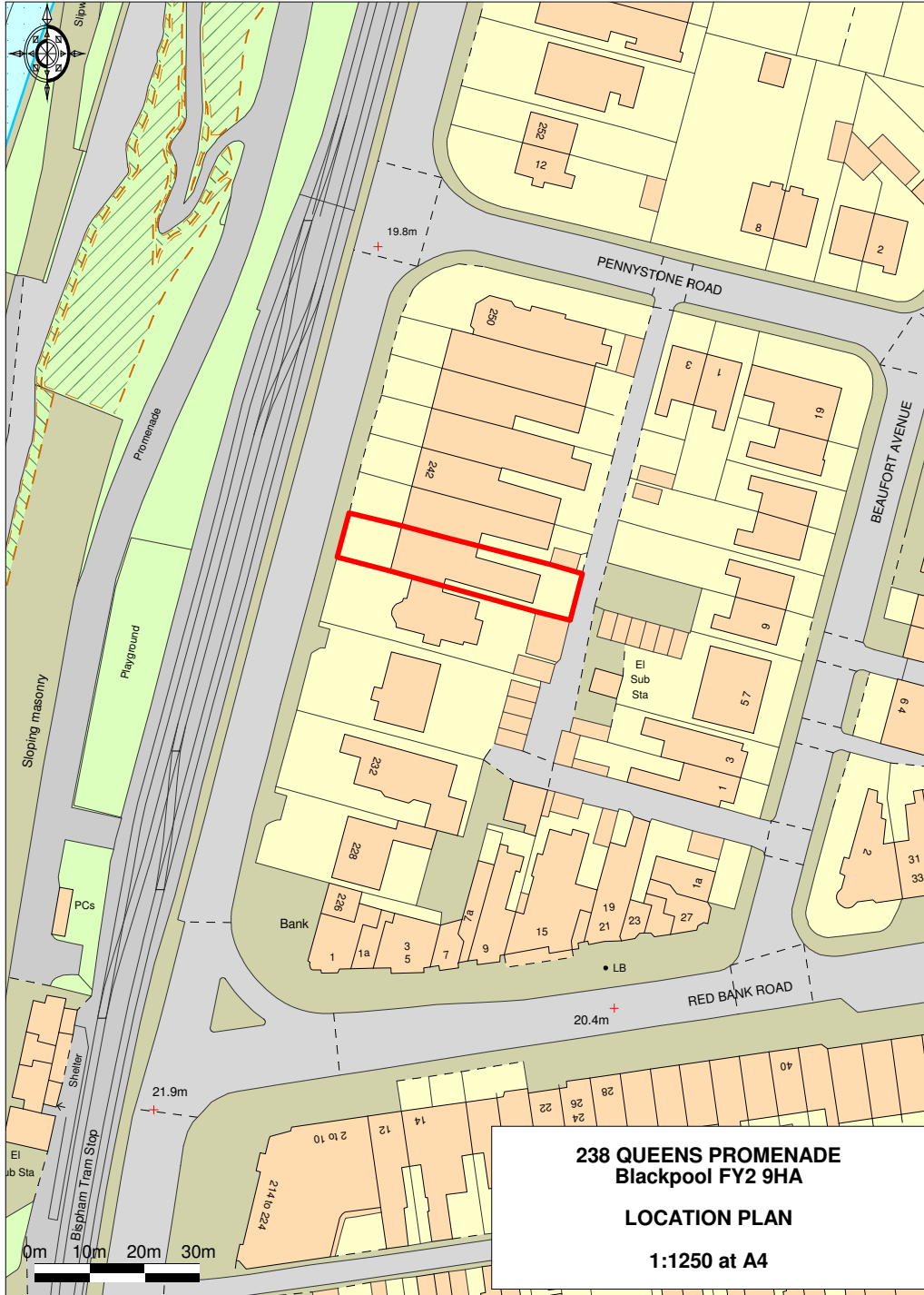
Reason: In the interests of residential amenity the appearance of the locality and highway safety, in accordance with Policies BH3, LQ1 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

### **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: [22/11/2016](#)

**Application Reference:** 16/0553

WARD: Talbot  
DATE REGISTERED: 26/08/16  
LOCAL PLAN ALLOCATION: Defined Inner Area

APPLICATION TYPE: Outline Planning Permission  
APPLICANT: Kewdeal Ltd

**PROPOSAL:** Erection of part five/ part six storey 156 bedroom hotel.

**LOCATION:** LAND AT ADELAIDE STREET, ALFRED STREET AND LEOPOLD GROVE,  
BLACKPOOL

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**Summary of Recommendation:** Grant Permission

## **CASE OFFICER**

Ms C Johnson

## **SUMMARY OF RECOMMENDATION**

This application is a positive step towards the regeneration of the site, which is in a key location on the edge of the Town Centre and adjacent to one of Blackpool's most important heritage assets and leisure facilities.

It is considered that the proposal is generally in accordance with national and local planning policies and with the right design, the proposal would regenerate and enhance the area and provide good quality visitor accommodation to support the Town Centre and the wider leisure economy.

As such, the Officer recommendation is to grant planning permission.

## **INTRODUCTION**

The Planning Committee approved application 09/0999 at its meeting on the 11 January 2010 which was a full application for the erection of a part five/part six storey 156 bedroom hotel with 48 parking spaces on the lower ground floor accessed from Leopold Grove with gymnasium, meeting rooms, central landscaped courtyard and associated landscaping and boundary treatment on the same site.

The site is currently operating as a pay and display car park on a temporary basis, following the demolition of fourteen terraced buildings in 2009.

## **SITE DESCRIPTION**

The application site measures 0.19ha (1900 sq metres) and is just outside but adjacent to the Town Centre boundary as defined by the Blackpool Local Plan 2001-2016. The site is in the Town Centre Conservation Area. The site is bounded by Leopold Grove to the west, Adelaide Street to the south and Alfred Street to the east with adjoining buildings to the north. The area is mixed use in character with hotel and guest house uses to the south, mixed holiday, residential and commercial uses to the east and north and the Grade II\* Winter Gardens entertainment complex to the west. The scale of the buildings in the area in terms of height and footprint varies from two-storey dwellings, three and four-storey hotels and the large Winter Gardens complex on the western side of Leopold Grove.

The site falls to the south west towards Adelaide Street and is approximately 4m lower than the most northern part of the site on Alfred Street. The site is currently a car park operating on a temporary basis.

The site is served by regular bus services on Church Street and the wider town centre and is within 520 metres of Blackpool North Railway Station and 500 metres of the tram service. Leopold Grove is also on the National Cycle Network and is a local Cycle Route. These taken together with the site's edge of Town Centre location give the site a high accessibility level.

There are some pay and display parking bays on Alfred Street and Leopold Grove but most of the streets in the surrounding area have parking restrictions such as double yellow lines. The surrounding streets operate on a one way system running north along Leopold Grove and north along Alfred Street.

## **DETAILS OF PROPOSAL**

This application is for the erection of part five/ part six storey hotel. The application is for outline permission which includes details of access and scale only. The matters of appearance, landscaping and layout are reserved for consideration at a future date. The hotel would be a maximum of 19 metres in height and is 16.5 metres high at the corner of Leopold Grove and Adelaide Street which is the lowest part of the site.

Access to 48 parking spaces (including 5 disabled spaces), and motorcycle and cycle parking would be taken on a lower ground floor accessed from Leopold Grove. There would be two pedestrian access points, one on Leopold Grove and the other on Alfred Street.

The application is accompanied by Heritage Statement, a Transport Statement, a Design and Access Statement and a Planning Statement.

## **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- Principle of Development;
- Scale of the Development ;

- Access to the Development.

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

## **CONSULTATIONS**

### **Historic England:**

The current application is situated in the Blackpool Town Centre Conservation Area and is located adjacent to the renowned Blackpool Winter Gardens. The Winter Gardens is a grade II\* listed complex which demonstrates the innovative approach taken to providing entertainment facilities in Blackpool. The structure houses two theatres, a huge ballroom known as the Empress Ballroom, conference suites as well as bars and cafes.

The entertainment venue was necessary as a result of Blackpool's success as the quintessential Victorian seaside resort, built to cater for the working class communities of the surrounding districts. The success of the town as a holiday resort is many fold, however fundamental to it are Blackpool's iconic buildings, developed for the sole purpose of entertaining the masses who flocked to the area.

The site to be developed was previously the location of terrace housing, with the strong likelihood of a percentage being used as boarding houses for those on vacation. However, the site is currently a surface level car park, which adds little to either the character of the conservation area within which it sits or the setting of the grade II\* Winter Gardens. As a consequence, we believe the site is suitable for redevelopment and whilst the application is in outline, approval is being sought for the scale of the building and having considered the scheme we believe the proposed scale to be acceptable.

However, given the site's location adjacent to a grade II\* listed building and its position in the conservation area, careful consideration needs to be given to the elevational treatment of the new building. Unfortunately due to the outline nature of the application, approval for the detailed design of the building is not being sought and as such the suitability of the scheme in the context of the Winter Gardens cannot be established.

This is contrary to paragraph 131 or 132 of the National Planning Policy Framework (NPPF), which states that great weight should be given to an asset's conservation. Paragraphs 131 and 57 of the NPPF also state that local authorities should take account of the desirability of new development to make a positive contribution to local character, history and distinctiveness; again the outline nature of the application makes it impossible to establish whether this would be achieved by the proposals.

It is therefore our view that an outline application is not the correct approach for this site, as it is not possible to establish the impacts of the proposal on the surrounding heritage assets. As such, we cannot support the scheme at present and would request that a fully worked up scheme is submitted, which clearly demonstrates the impact on the surrounding heritage assets. We recommend that either the current outline application is withdrawn and that a full application is submitted for consideration or that approval for the appearance of the building is sought as part of the existing outline planning application.

We would welcome the opportunity of advising further. Please consult us again if any additional information or amendments are submitted. If, notwithstanding our advice, you propose to approve the scheme in its present form, please advise us of the date of the Committee and send us a copy of your report at the earliest opportunity.

**Electricity North West:**

The development is shown to be adjacent to or affect Electricity North West operational land or electricity distribution assets. Where the development is adjacent to operational land the applicant must ensure that the development does not encroach over either the land or any ancillary rights of access or cable easements. If planning permission is granted the applicant should verify such details by contacting Electricity North West, Estates and Wayleaves, Frederick Road, Salford, Manchester M6 6QH.

The applicant should be advised that great care should be taken at all times to protect both the electrical apparatus and any personnel working in its vicinity.

The applicant should also be referred to two relevant documents produced by the Health and Safety Executive, which are available from The Stationery Office Publications Centre and The Stationery Office Bookshops, and advised to follow the guidance given.

The documents are as follows:-

HS(G)47 – Avoiding danger from underground services.

GS6 – Avoidance of danger from overhead electric lines.

Other points, specific to this particular application are:-

- There are a number of Electricity North West underground high and low voltage cables buried in the footpaths and highways surrounding the site of the proposed development. Safe digging techniques must be followed when excavating in the area of these.

The applicant should also be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion would usually be borne by the applicant. The applicant should be aware of our requirements for access to inspect, maintain, adjust, repair, or alter any of our distribution equipment. This includes carrying out works incidental to any of these purposes and this could require works at any time of day or night. Our Electricity Services Desk (Tel No. 0800 195 4141) will advise on any issues regarding diversions or modifications.

**Police:**

The Crime Impact Statement is formed based on local crime figures and trends, incidents reported to the police and community knowledge gathered from local policing teams. It is with this knowledge and policing experience that the recommendations made are site specific, appropriate and realistic to the potential threat posed from crime and anti-social behaviour in the immediate area of the development.

### Crime Risks:

In the last 12 month period there have been 169 burglaries and 217 criminal damage offences reported in the general area around this site. Hotels within the area are often targeted for crime and the crimes reported include;

Burglary – targeting guest’s valuables, room furnishings/bedding/TV’s, bars (cash and alcohol), reception (TV, laptops, cash),

- Damage – to room fittings, fire extinguishers set off without genuine reason, window smashed,
- Violent crimes – assaults.

It is clear from the crime figures and methods above that the hotel would be at risk of suffering burglary, criminal damage and assault and therefore security measures should address that risk. In order to reduce the risk of offenders targeting the proposed development, the following Secured by Design principles should be incorporated in line with the Blackpool Adopted Core Strategy when determining the outcome of this application;

### Access Control

Due to the car park being at lower ground level, there are vulnerabilities associated with unauthorised access. Access control must be robust enough to adequately deter attempts at pedestrian and vehicle entry. A vehicle barrier would be insufficient as it would not prevent a person on foot. A full height and width shutter or similar, certified to LPS 1175 SR2 would be adequate and there are products available which will allow visibility and airflow.

An intercom with CCTV linked to reception/security should be installed to allow authorised visitors entry. The barrier should activate automatically by sensor, push button or similar internally to allow exit. CCTV should cover the entire opening so that it would not be possible for an additional vehicle or pedestrian to follow in an authorised visitor without reception being aware and able to intervene.

The car park should be light and bright to ensure it is not an intimidating place. Light grey/cream walls help to reflect the light, promoting natural surveillance and reducing shadows.

Access into staff only and restricted areas should be prevented by appropriate control systems in order to reduce the risk of sneak-in burglaries.

### CCTV

CCTV coverage is advised for all internal and external guest circulation areas, including the car park. It is likely that alcohol will be served in the building however even if this is not the case, guests are likely to be returning to the hotel after consuming alcohol in the resort. Incidents of violence and disorder often break out without warning when people gather whilst or after consuming alcohol. Often when assaults occur and CCTV footage is seized to investigate actions and identification, the images are grainy and of little evidential value. In order to provide good quality images in all lighting conditions, the systems should be infrared. Data should be recorded and stored for a 30 day period in a secure environment before being destroyed if not required. Bar areas within hotels are often targeted for

burglary when they have been locked up and are not staffed, so it is advised that these areas are covered by CCTV and additional security (locks, shutters).

The reported crimes in the area show that opportunist offenders often walk into hotels posing as guests in order to take advantage of unstaffed receptions and insecure guest rooms. CCTV coverage of the entrance area, capturing clear head and shoulders image of people entering will help to deter this type of offence and also capture evidence to identify offenders after a crime is committed.

#### Emergency Incident

Panic alarms should be installed at key locations for staff activation should an emergency incident occur. These should be linked to an intruder alarm connected to an Alarm Receiving Centre for a police deployment on a confirmed incident. These should be easily accessible for staff to activate if required and located where they cannot be easily seen or reached from public areas. Staff should be clear on evacuation procedures which should be rehearsed at regular intervals.

#### Natural Surveillance

Good coverage of external lighting should promote natural surveillance and safe use around public areas and deter suspicious activity. Promote natural surveillance around different areas of the development by using glazed screens and avoid recessed areas. Glazing should be 6.8mm laminated to reduce the risk of burglary and damage, accidental or otherwise.

#### Physical Security

All glazing in external doors and ground floor windows should be laminated to reduce the risk of damage and burglary. External doors should be certified to PAS 24:2012 to reduce the risk of burglary. External canopies should be avoided as they can encourage loitering, especially in inclement weather. This can lead to littering, damage and anti-social behaviour which is difficult to address once established.

#### **Conservation Officer:**

Since the previous application was given consent the site has now become part of the extended Town Centre Conservation Area and, as such, any development must seek to preserve or enhance the character of the area. The site also falls within the setting of the Grade II\* Winter Gardens complex. The former Winter Gardens car park on Leopold Grove is now the subject of an application to develop a conference centre, which will regenerate the area and upgrade that elevation of the complex.

I note that English Heritage (Historic England) responded to the previous application stating that the scheme was reminiscent of a poor apartment scheme in Manchester or Leeds and failed to take account of the local built character. The current scheme also fails on this account. Although I have no objection to siting a hotel on this site, it should take its design cues from the local built environment, for example with the use of gabled bays and pitched slate roofs. Although there is an eclectic mix of architectural styles across the conservation area as a whole, this has had varying degrees of success and, in the area of the proposed hotel, there is a high degree of design consistency along Adelaide Street in particular.



In summary, therefore, I have no objection in principle to the erection of a hotel on this site, but all other details should be discussed in detail in due course.

**Contaminated Land Officer:**

Historic land use does not show any possibilities for activities which may have led to contamination. Due to historic construction of the property there may be a possibility of asbestos fragments within the ground conditions. Testing is requested to ensure there is no presence of asbestos within the ground conditions.

**Environmental Protection:**

Details of the proposed method of ventilation/extraction for the kitchen are required to be submitted.

The extract ventilation system must deal with cooking smells, fumes and steam produced by cooking and be designed to prevent or minimise any nuisance to neighbours. Regard should be had to Government publication - Guidance from the Department for Environment, Food and Rural Affairs (Defra) on the control of odour and noise from commercial kitchen exhaust systems, February 2005 Annex B summarises the required details.

Details of any air conditioning/cooling plant to be submitted. I require details of when it is anticipated that servicing / deliveries will take place - I would suggest not before 7.30am weekdays, not before 9am Saturdays and Sundays and no later than 8pm in order to prevent complaints regarding noise nuisance.

**Head of Highways and Traffic Management:**

Whilst this is for outline only, I have listed the key items that will require conditioning or further details on submission of full application.

I do not have any significant concerns for this proposal, in particular for vehicle trips to the proposal site. The development proposes 48 car parking spaces, this is less compared to the current use of the land as a temporary car park which currently accommodates up to 80 spaces - frequency and times of vehicle trips will vary though.

- The temporary car park currently sits over public highway, this will require stopping-up under S247 of the Town and Country Planning Act. **It would be useful if the applicant could provide drawing No. 104/20 in cad format so that Highways can confirm for definite the areas that will require stopping-up.**
  1. Tracking plans to be provided to determine access into the street to the side of 2 Leopold Grove, this to determine that the turning head and access is suitable for the size and type of vehicle that would require access.
  2. No details have been provided for pick-up and drop or servicing, it needs to be understood how this will be done. Options to create loading/unloading bays on Leopold Grove or Alfred Street are available, further details are needed as to how this would be managed. A scheme can be worked up which would form part of a S278 agreement.

3. The current vehicle access on Leopold Grove (serving the car park) is insufficient in width for two-way traffic flow, this will require modifying, works to be implemented via a S278 Agreement.
4. The lobby/reception area appears to be set back from the public highway, the layout is different to existing. Is the area in front of the lobby and public highway to remain private? If not, there will be a requirement to dedicate the land for highway purposes which can be included in the S278 Agreement.
5. Waste Collection Strategy to be provided.
6. Cycle parking to be introduced.
7. A Travel Plan to be conditioned.
8. A Construction Management Plan to be conditioned. I would expect the developer to undertake a joint dilapidation survey with the Highway Authority to ensure the public highway is left in the state it is found. The public highway in the area does not meet intervention level for defects. Should this change during construction, the Highway Authority will expect the developer to make good areas affected. The alternative would be request a treatment scheme for the public highway surrounding the proposal site, in order to uplift and enhance the area.
9. A restriction on working hours should be considered, given the location of the site in the midst of hotels and private residencies.
10. The hotel will require a formal postal address. Applicant to contact Highways and Traffic Division | Blackpool Council | P.O Box 4 | Blackpool | FY1 1NA | 01253 477477.

### **PUBLICITY AND REPRESENTATIONS**

Press notice published: 15 September 2016

Site notice displayed: 19 September 2016

Neighbours notified: 08 September 2016

No representations have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

### **NATIONAL PLANNING POLICY FRAMEWORK**

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

The core planning principles in the NPPF include:

1. proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
2. take account of the different roles and character of different areas, promoting the vitality of our main urban areas.

- local authorities should encourage effective use of land by re-using land that has previously been developed provided that it is not of high environmental value.
- local authorities should conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Paragraphs 7, 9, 10, 11, 14, 17, 18, 19, 23, 32, 34, 49, 56, 59, 128, 129, 132, 137 and 197 are considered to be most relevant to this application.

### **BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY**

The Blackpool Local Plan Part 1: Core Strategy was adopted by the Council in January 2016. The policies in the Core Strategy that are most relevant to this application are:

Policy CS1:	Strategic Location of Development
Policy CS5:	Connectivity
Policy CS6:	Green Infrastructure
Policy CS7:	Quality of Design
Policy CS8:	Heritage
Policy CS17:	Blackpool Town Centre
Policy CS18:	Winter Gardens
Policy CS21:	Leisure and Business Tourism

### **SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016**

The Blackpool Local Plan was adopted in June 2006. A number of policies in the Blackpool Local Plan (2006) have now been superseded by policies in the Core Strategy (these are listed in Appendix B of the Core Strategy). Other policies in the Blackpool Local Plan are saved until the Local Part 2: Site Allocations and Development Management Policies is produced.

The following policies are most relevant to this application:

Policy LQ1:	Lifting the Quality of Design
Policy LQ2:	Site Context
Policy LQ3:	Layout of Streets and Spaces
Policy LQ4:	Building Design
Policy LQ5:	Public Realm Design
Policy LQ6:	Landscape Design and Biodiversity
Policy LQ7	Strategic Views
Policy LQ9	Listed Buildings
Policy BH3	Residential and Visitor Amenity
Policy BH4	Public Health and Safety
Policy AS1	General Development Requirements
Policy AS2	New Development with Significant Transport Implications
Policy AS5	Traffic Management

## **ASSESSMENT**

### **Principle of Development**

The application site has no allocation on the Proposals Map to the Local Plan but it is within the Defined Inner Area. The site is adjacent to the Town Centre and is within the Town Centre Conservation Area and the character of the area is predominantly hotel and guest house uses fronting Adelaide Street.

The site is currently being used as a surface level, pay and display car park which has been in operation since 2009. Planning permission was granted for the temporary car park in 2009 and again in 2012 (09/1004 and 12/0226 refer). The land should have ceased being used as a car park on 04 March 2014, but given that no development proposals for the site had been put forward, the car park is still operating.

The principle of hotel development has already been established on this site, with the grant of planning permission 09/0999. However, since then, the National Planning Policy Framework has been introduced (March 2012) and the Core Strategy has been adopted (January 2016) and the Town Centre Conservation Area boundary has been extended to include the application site.

Paragraph 7 of the NPPF explains the three dimensions to sustainable development (economic, social and environmental roles). This outline application would satisfy the economic dimension and in part, the environmental dimension in relation to the scale of the development in close proximity to the Winter Gardens. The social and environmental dimensions would be fully assessed under either a detailed full application or with a reserved matters application.

Core Strategy Policy CS21 states that proposals for new visitor accommodation will be focused on the Town Centre, resort core and defined holiday accommodation areas unless exceptional circumstances justify a peripheral location outside of these areas. Given the site's location abutting the Town Centre, it is considered that the proposal would be in accordance with Policy CS21.

Core Strategy Policy CS8 states that development proposals will be supported that enhance the setting and views of heritage assets through appropriate design and layout of new development and design of public realm and strengthen the existing townscape character created by historic buildings. The existing car park provides a poor setting for the Winter Gardens and creates a negative tarmac void in an otherwise built up area. The scale of the building has previously been accepted and design details would be assessed under a full or a reserved matters application.

Although there have been changes to planning policy at a national and local level and a Conservation Area designation now covers the site, it is considered that hotel development in this location is still acceptable in principle.

## **Scale of the Development**

The scale of the development is identical to the previously approved scheme. The site is now in the Town Centre Conservation Area, but there are no other changes in circumstance which would suggest that the proposed scale is no longer acceptable, especially when considering the scale of nearby buildings and the changing land levels.

The existing car park does nothing to enhance the setting of such an important building as the Winter Gardens, even when considering that the Leopold Grove elevation is less significant and with less architectural merit than the Church Street and Coronation Street elevations.

The key issue with the acceptability of a large hotel in this location will be the design and massing, and this isn't detailed at this stage. The proposal would assist in regenerating the area and provide good quality visitor accommodation on the edge of the Town Centre and adjacent to the Winter Gardens.

## **Access to the Development**

There is an existing vehicle access point on to Leopold Grove which forms the entrance to the existing car park, and it is proposed to retain this access point, as per the original permission.

Given its edge of Town Centre location, the site is particularly accessible by public transport, including tram, rail and bus services and by cycling or by foot.

The updated Transport Statement confirms:

- No existing highway safety patterns or concerns have been identified within the vicinity of the site;
- Vehicular access has been developed in line with appropriate design guidance, with suitable geometry and visibility based upon connecting local highway network characteristics;
- Parking provision and internal highway layout complies with local authority guidance;
- The forecast vehicle trip generation for the proposed development will not make any material impact on the safety or operation of the local highway network;
- The existing trip generation of the current car park is at similar or greater level than forecast for the proposed hotel.

There have been no other material changes to the road network in the immediate vicinity, since the original permission was granted and no other access issues have been identified. As such, it is considered that the proposal would be in accordance with Policy CS7 of the Blackpool Local Plan, Part 1 - Core Strategy and policies AS1 and AS2 of the Blackpool Local Plan 2001/2016.

## **CONCLUSION**

This application is a positive step towards the regeneration of the site, which is in a key location on the edge of the Town Centre and adjacent to one of Blackpool's most important heritage assets and leisure facilities.

It is considered that the proposal is generally in accordance with national and local planning policies and with the right design, the proposal would regenerate and enhance the area and provide good quality visitor accommodation to support the Town Centre and the wider leisure economy.

## **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 PAPERS**

Planning Application File 16/0553 can be accessed via the link below:

<http://idoxpa.blackpool.gov.uk/online-applications/search.do?action=simple>

**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:
    - Layout
    - 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. No development shall be commenced until a desk study has been undertaken and agreed in writing with the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been agreed in writing with the Local Planning Authority. If remediation methods are then considered necessary, a scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented and completed prior to the commencement of the development. Any changes to the approved scheme shall be agreed in writing with the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

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 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

4.
  - 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 Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. No development shall take place until full details of an external lighting strategy for both the building and the public landscaped area to the south of the building have been submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall be implemented in accordance with the approved details prior to the hotel hereby approved being first brought into use and shall thereafter be retained unless otherwise agreed in writing with the Local Planning Authority.

Reason. To ensure the site is satisfactorily illuminated in the interests of good design and visual amenity in accordance with paragraphs 56 and 57 of the National Planning Policy Framework, Policies CS6 and CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ1, LQ3, LQ4, LQ5 and LQ6 of the Blackpool Local Plan 2001-2016.

6. The development hereby approved shall not be occupied until the servicing areas and coach drop off points have been submitted to and agreed in writing by the Local Planning Authority.



Reason; In the interests of residential and visitor amenity and in the interests of highway safety, in accordance with Policies BH3, LQ4 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

7. The development shall not be occupied until a travel plan has been submitted to and approved in writing by the Local Planning Authority. Such 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.

No part of the development shall be occupied 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 and Policy CS5 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8. Prior to the development hereby approved being first brought into use the car parking provision shown on the approved plans shall be provided and shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the locality and highway safety, in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

9. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority on 26 August 2016 including the following plans:

Location Plan stamped as received by the Council on 26 August 2016

Drawings numbered 104/34 Rev B, 104/33 Rev B, 104/22 Rev B, 104/21 Rev B, 104/20 Rev E

Reason: For the avoidance of doubt and so the Local Planning Authority can be satisfied as to the details of the permission.

## 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.
2. The grant of planning permission will require the developer to enter into an appropriate Legal Agreement with Blackpool Borough Council acting as Highway Authority to stop-up public highway on the site, to agree pick-up, drop-off and servicing arrangements and to widen vehicle access. The Highway Authority may also wish to implement their right to design all works within the highway relating to this proposal. The applicant is advised to contact the Council's Built Environment Department (Tel: 01253 477477) in the first instance to ascertain the details of such an agreement and the information provided.





Site Location Plan 1:1250



Site Plan 1:200

Appendix 10a

Do Not Scale from this drawing use only figured dimensions. Verify all dimensions on site before commencing any work on site or preparing shop drawings.

Report all discrepancies, errors and omissions.

All materials, components and workmanship are to comply with the relevant British Standards, Codes of Practice, and appropriate manufacturers recommendations that from time to time shall apply.

For all specialist work, see relevant drawings.

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Page 101

Rev	Date	Description
E	Aug 16	Red line amended
D	Dec 09	Fifth Floor removed.
C	Nov 09	Drawing updated in line with planning comments
B	Oct 09	Drawing updated in line with planning comments
A	Aug 09	Boundary lines amended

Client  
**Kewdale Ltd**

Project  
**Proposed Hotel  
 Adelaide Street  
 Blackpool**

Drawing Title  
**Proposed Site Plan**

Date	Scale
June 2009	1:200 & 1:1250 @ A1
Drawn	Checked
KE	
Drawing Number	Revision
104 / 20	E



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Proposed Hotel, Adelaide Street, Blackpool





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**COMMITTEE DATE:** [22/11/2016](#)

**Application Reference:** 16/0567

**WARD:** Claremont  
**DATE REGISTERED:** 02/09/16  
**LOCAL PLAN ALLOCATION:** Neighbourhood action plans  
Defined Inner Area

**APPLICATION TYPE:** Full Planning Permission  
**APPLICANT:** THE MAGIC CLUB COMMUNITY GROUP

**PROPOSAL:** Use of premises as a youth club for children age 7-16 years.

**LOCATION:** REAR OF 1 SHERBOURNE ROAD, BLACKPOOL, FY1 2PW

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**Summary of Recommendation:** Grant Permission

## **CASE OFFICER**

Mr M Shaw

## **SUMMARY OF RECOMMENDATION**

The application is recommended for approval on the basis that it brings a vacant building back into use to provide a much needed local youth (ages 7 to 16) recreation, education and training facility. It is expected that a number of the young people using the premises will be on foot, and the use would not be expected to generate greater traffic levels than the former Magic Club. There are expressed concerns regarding noise and disturbance from the youth club but these matters can be controlled via good management of the facility and a limit on the hours of use which will be a condition of any planning permission.

## **SITE DESCRIPTION**

The former Magic Club is a single storey building bounded by mainly terraced residential properties fronting Warley Road, Boothroyden, St Paul's Road and Sherbourne Road and can be accessed from Boothroyden, St Paul's Road and Sherbourne Road behind alleygates. The building is rectangular in shape and measures 32 metres by 7.5 metres.

## **DETAILS OF PROPOSAL**

Conversion of former Magicians Social Club into a youth club for children from the Claremont area between 7 and 16 years old providing recreation, training and learning opportunities. The hours of opening are given as 10am to 8pm Mondays to Fridays. The application form states there will be one full time youth worker and two part time youth workers. No external alterations are proposed.

The application is accompanied by a supporting statement

### **MAIN PLANNING ISSUES**

The main planning issues are considered to be:

- Principle of Use
- Impact on Residential Amenity
- Impact on Highway Safety/ Lack of Parking

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

### **CONSULTATIONS**

**Head of Highways and Traffic Management:** 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.

**Service Manager, Public Protection:** The Council's anti-social behaviour officer for Claremont ward is behind this application (Mr Dave Fitch). He assures me it will be a tight run ship with fully trained staff and structured activities. I was worried about noise but he has confirmed that there will be firm and proper management of any issues and he has already talked to adjacent residents about the project. It should reduce youth nuisance in the area. I therefore have no objections.

**Police Architectural Liaison Officer:** as the building is at the end of a concealed alley it is recommended that the windows and doors are protected with shutters or grilles. The conversion should be carried out to Secure by Design standards with reference to physical security, lighting, CCTV and intruder attack alarm.

**Waste Services Manager:** No comments have been received at the time of preparing this report. Any comments that are received before the Committee meeting will be reported in the update note.

### **PUBLICITY AND REPRESENTATIONS**

3 x site notices displayed: 21 September 2016

Neighbours notified: 15 September 2016. 10 letters of objection have been received on the following grounds:-

4 Boothroyden Blackpool- I wish to object to the above application based on the following points:

The proposal would affect the quiet enjoyment of my property due to disturbance caused by increased noise levels both by users of the youth club and by increased traffic levels brought about by people being dropped off and picked up. My property backs on to the premises and I feel there would be an impact on my privacy caused by people passing when

going to and leaving the club. There would be an impact on the character of the area; the surrounding area is completely residential and use as a youth club is inappropriate.

Effect on highway safety and parking: The entrances to the building are both close to the road junctions with Warley Road which would cause safety issues and traffic congestion. There is insufficient parking on Boothroyden and nearby roads and virtually all parking is taken by residents; it is already difficult being able to park close to home without increasing the volume of vehicles in the area.

There is a high possibility of more noise/disturbance; with no nearby parking available there is suspicion that motorists associated with the proposed club would resort to parking in the gated back roads behind Boothroyden which runs alongside the proposal building from Boothroyden to Sherbourne Road. Users of the club would have to pass down the gated back roads for access purposes. Blackpool Council has gated these roads to confine their use to residents whose properties back on to them and I do not wish to lose that amenity. Use of gated back roads for access and parking would cause further increased noise levels. These comments are re-iterated by 2 Boothroyden, Flats 1 and 2 in 4 St Paul's Road, Flats 1, 2, 4, 5, 6 and 7 in 10 Boothroyden.

### **NATIONAL PLANNING POLICY FRAMEWORK**

Paragraph 2 requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration in planning decisions.

Paragraph 11 reiterates this requirement.

Paragraph 12 states that the NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless material considerations indicate otherwise. It is highly desirable that Local Planning Authorities have an up to date plan in place.

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

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

Paragraph 17 sets out the 12 core land-use planning principles which should underpin both plan-making and decision-taking which include to proactively drive sustainable development, promote mixed use development and secure a high standard of design and a good standard of amenity.

Paragraph 21 requires authorities to set out a clear economic vision and strategy for their area.

Paragraph 22 suggests that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of the site being used for that purpose.

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

Paragraph 150 emphasises the importance of Local Plans in delivering sustainable development. It reiterates the point that planning decisions should be made in accordance with the 'Local Plan' unless material considerations indicate otherwise.

Paragraph 186 states that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.

Paragraph 187 states that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

Paragraph 196 states that the planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This Framework is a material consideration in planning decisions.

### **BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY**

The Blackpool Local Plan: Part 1 - Core Strategy was adopted by the Council in January 2016. The policies in the Core Strategy that are most relevant to this application are -

CS7- Quality of Design

CS12- Sustainable Neighbourhoods



**SAVED POLICIES: BLACKPOOL LOCAL PLAN 2001-2016**

The Blackpool Local Plan was adopted in June 2006. A number of policies in the Blackpool Local Plan (2006) have now been superseded by policies in the Core Strategy (these are listed in Appendix B of the Core Strategy). Other policies in the Blackpool Local Plan are saved until the Local Part 2: Site Allocations and Development Management Policies is produced.

The following policies are most relevant to this application:

- LQ1- Lifting the Quality of Design
- BH3- Residential and Visitor Amenity
- BH4- Public Health and Safety
- BH19- Neighbourhood Community Facilities
- AS1- General Development Requirements

**ASSESSMENT**

**Principle of Use-** this is considered to be an appropriate re-use of a vacant private members/ social club and constitutes sustainable development providing a much need local community facility. The potential issues arise from the backland location of the premises and are discussed below. In principle the application is therefore considered acceptable.

**Impact on Residential Amenity-** subject to the good management of the premises, which is expected, and subject to the restriction of hours the proposed use which are given as 10-00 to 20-00 Monday to Friday, the proposal is not anticipated to cause significant amenity problems for the nearby residential neighbours bounding the site. The proposed hours of use will ensure use of the building late into the evening does not become a problem and the fact that the building is located behind alleygates will provide some security for the building. The Police comments will be passed onto the applicants regarding the recommended security measures. The comments from Environmental Protection are noted.

**Impact on Highway Safety/ Lack of Parking-** there are no off-street car parking facilities associated with the premises which was the case with the previous Magicians Club occupants. As the use caters for children i.e. non-drivers it is expected that most young people using the proposed club will be local children and it will be within easy walking distance of their homes although some children will inevitably be dropped off/picked up depending upon distance and weather conditions. Drop offs and pick-ups will generate more traffic on adjoining roads but not necessarily additional on-street parking. Potential parking down on the alleys close to the building are considered to be a management problem and not something that can be conditioned, although if this a potential issue then it would have existed equally, if not more so, when the building was used as the Magicians Club.

## **LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION**

None

## **FINANCIAL BENEFITS**

Not applicable

## **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 PAPERS**

Planning Application File(s) 16/0567 which can be accessed via the link below:

<http://idoxpa.blackpool.gov.uk/online-applications/search.do?action=simple>

**Recommended Decision:** Grant Permission

## **Conditions and Reasons**

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

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

2. The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority on 2 September 2016 including the following plans:

Location Plan stamped as received by the Council on 2nd September 2016.

Drawing showing floor layouts stamped as received by the Council on 2 September 2016.

Reason: For the avoidance of doubt and so the Local Planning Authority can be satisfied as to the details of the permission.

3. The use of the premises shall not operate outside the hours of 10-00 to 20-00 Mondays to Fridays unless otherwise agreed in writing with the Local Planning Authority

Reason: To safeguard the living conditions of the occupants of nearby residential premises, in accordance with Policy BH3 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

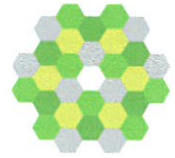
#### **Advice Notes to Developer**

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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# Land Registry Official copy of title plan

Title number **LAN72079**  
Ordnance Survey map reference **SD3037NE**  
Scale **1:1250**  
Administrative area **Blackpool**



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