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Blackpool Council

6 January 2017

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

The above members are requested to attend the:

PLANNING COMMITTEE

Tuesday, 17 January 2017 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 20 DECEMBER 2016 (Pages 1 - 14)

To agree the minutes of the last meeting held on 20 December 2016 as a true and correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED (Pages 15 - 38)

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

4 PLANNING ENFORCEMENT UPDATE REPORT (Pages 39 - 42)

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 16/0674 - THE SANDS VENUE

(Pages 43 - 60)

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 Governance Adviser, Tel: (01253) 477212, e-mail bernadette.jarvis@blackpool.gov.uk

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

Present:

Councillor L Williams (in the Chair)

Councillors

Humphreys	Matthews	O'Hara
Hutton	Maycock	Stansfield

In Attendance:

Mr Carl Carrington, Head of Planning, Quality and Control

Mr Ian Curtis, Legal Adviser

Mrs Bernadette Jarvis, Senior Democratic Governance Adviser

Mr Gary Johnston, Head of Development Management

Mr Sean Powell, Senior Technician, Traffic Management

Mr Mark Shaw, Principal Planning Officer

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE MEETING HELD ON 22 NOVEMBER 2016

The Committee considered the minutes of the last meeting held on 22 November 2016.

Resolved: That the minutes of the meeting held on 22 November 2016 be approved and signed by the Chairman as a correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

The Committee noted the Planning Inspector's decisions to dismiss appeals against the Council's refusal of planning permission in respect of the following planning applications:

Planning Application 15/0229 requesting permission to use part of the rear garden of 6-8 Carlin Gate as a communal garden in association with the existing care homes at 4 St Stephens Avenue and 4 Carlin Gate following the demolition of existing rear extensions at the rear of 6-8 Carlin Gate.

Planning Application 15/0227 requesting permission to erect a roof lift to the existing single storey rear extension of 4 St Stephens Avenue to provide five additional bedrooms and a lounge and the provision of three additional car parking spaces following the removal of an existing storage building.

Planning Application 15/0713 requesting permission for the installation of a new shopfront, erection of a single storey rear extension and use of the ground floor rear as one self-contained flat at 26-28 Red Bank Road.

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The Committee also noted that two appeals had been lodged in respect of the properties at 3-5 Reads Avenue. The appeals were against the Council's refusal to grant a Certificate of Lawful Development for Proposed Use to use the premises as 10 self-contained permanent flats and the Council's refusal of planning permission for the removal of conditions 3 and 5 attached to planning permission 80/0013 to allow the use of the premises as 10 self-contained permanent flats.

An appeal had also been submitted in respect of 56 Springfield Road against the Council's refusal of planning permission for the formation of vehicular crossing.

Resolved: To note the planning and enforcement appeals lodged and determined.

4 PLANNING ENFORCEMENT UPDATE REPORT

The Committee considered a report detailing the planning enforcement activity undertaken within Blackpool during November 2016. The report stated that 72 new cases had been registered for investigation, eight cases had been resolved by negotiation without recourse to formal action and 54 cases had been closed as there was either no breach of planning control found, no action was appropriate or it was not considered expedient to take action.

Two enforcement notices had also been served during the same period.

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.

5 PLANNING APPLICATION 16 0563 - 38 - 40 SPRINGFIELD ROAD AND 10 - 10A LORD STREET

The Committee considered an application in respect of 38-40 Springfield Road and 10-10A Lord Street for external alterations including re-instatement of bay windows and formation of second floor balconies to the Springfield Road and Lord Street elevations, and use of the premises as altered as 11 self-contained permanent flats with associated landscaping, boundary treatment, bin and cycle stores, following demolition of the existing sun lounges and dormers.

Mr Johnston, Head of Development Management, gave the Committee a brief overview of the application including a visual image of the properties and the site layout plans. He reported that, although the three properties were within the Lord Street Main Holiday Accommodation Area, 38 Springfield Road had ceased trading as a hotel approximately five years ago and since that time had been the subject of enforcement investigations relating to its use, 10 Lord Street had not traded as a hotel since 2010 and 40 Springfield Road currently only traded as a hotel at weekends during the main holiday season. Mr Johnston advised that the applicant had submitted evidence to demonstrate that bringing the properties back into hotel use was not a viable option. Mr Johnston also considered that due to the siting of the properties they did not contribute significantly to the character of the Lord Street Main Holiday Accommodation Area. Although the proposed development would result in a reduction in parking spaces, the number of spaces was

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considered sufficient given the high accessibility of the location.

Mr Johnston reported that the Head of Traffic and Highway Safety had raised no objection in principle to the proposed development and referred Members to proposed condition 10 which required an approved Construction Management Plan to be put in place prior to the commencement of any development, should permission be granted.

Mrs Madden spoke in support of the proposed development which in her view would bring both a community and economic benefit to the area from the introduction of affordable housing. She also reported on a petition with 23 signatures that had been submitted in support of the proposed development.

The Committee discussed the merits of the application and acknowledged the loss of a small number of parking spaces but considered it acceptable given the accessibility of the site and its relationship to the town centre, bus and rail services. The Committee considered that on balance the benefits of the proposed development outweighed the loss of hotel accommodation in this location.

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

Background papers: Applications, plans and replies to consultations on the application.

6 PLANNING APPLICATION 16/0750 - LAND BOUNDED BY FISHERS LANE, COMMON EDGE ROAD AND ECCLESGATE ROAD

The Committee considered an application for the erection of six private dwelling houses with access from Common Edge Road, with associated car parking and landscaping works.

Mr Johnston gave a brief overview of the proposed development and presented a visual image of the site and site layout plans. The Committee was advised of previous planning applications that had been submitted, with the latest being refused by the Planning Committee for four reasons which were the detrimental impact on the setting of the Listed Cottages on Fishers Lane, the detrimental impact on the character and appearance of the Marton Moss Countryside Area, the potential adverse effect on the integrity of the Listed Cottages and concerns regarding drainage and potential flooding in the area. A subsequent appeal against the Council's decision to refuse planning permission was dismissed by the Planning Inspector with the sole factor warranting dismissal being the impact on the setting of the Listed Cottages.

Mr Johnston reported on the Core Strategy which indicated that the Council consistently meets its five year housing supply requirement although in his view this in itself would not be considered sufficient to justify refusal of the application. He also reported on Core Strategy Policies CS8 and CS26 relating to Heritage and the Marton Moss Countryside Area and outlined the circumstances in which development would be considered acceptable.

Mr Johnston reported on the amendments to the application that sought to address the

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Planning Inspector's concerns which included a greater distance between the Listed Cottages on Fishers Lane and the proposed dwelling houses and a greater area of open land in front of the Listed Cottages.

Ms Briscoe spoke in objection to the application and voiced concerns relating to the detrimental impact on the relationship between the Listed Cottages and the adjoining land should planning permission be granted. She referred to the factors considered by the Secretary of State in relation to the previous application and the National Planning Policy Framework which placed significant weight on the conservation of heritage assets. In her view, the current proposal was not significantly different to the previous application.

Mr De Pol, Agent acting on behalf of the Applicant, spoke in support of the application and reported on the amendments that, in his view, addressed the concerns raised by the Planning Inspector. Those changes included a reduction in the number of proposed dwellings from eight to six, a greater distance between the Listed Cottages and proposed dwellings, and an increase in the open space area in front of the Listed Cottages.

Responding to a question from the Chairman, Mr Johnston confirmed that proposed condition 13 required an initial archaeological investigation, followed by regular monitoring during the development.

The Committee considered the merits of the application and, in doing so, had particular regard to its impact on the setting of the Listed Cottages. Whilst it acknowledged the concerns raised by the neighbouring residents, it was satisfied that the amended proposal had addressed the Planning Inspector's concerns that had led to the refusal of the previous scheme.

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

Background papers: Applications, plans and replies to consultations on the application.

7 PLANNING APPLICATION 16/0643 - 170 PRESTON NEW ROAD

Prior to consideration of the above application, the Committee was advised that the Applicant had requested that consideration of the application be deferred until its meeting on 14 February 2017 to enable the Applicant's Agent to enter into discussions with the Head of Traffic and Highway Safety regarding the concerns raised in the Update Note.

Resolved: To defer consideration of the application to the meeting scheduled for 14 February 2017.

Background papers: Applications, plans and replies to consultations on the application.

Chairman

(The meeting ended 6.41 pm)

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

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Application Number 16/0563 - 38 - 40 SPRINGFIELD ROAD, AND 10 - 10A LORD STREET, BLACKPOOL - External alterations including reinstatement of bay windows and formation of second floor balconies to Springfield Road and Lord Street elevations, and use of premises as altered as 11 self contained permanent flats with associated landscaping, boundary treatment, bin and cycle stores, following demolition of existing sun lounges and dormers.

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 31st August 2016 including the following plans:

Location Plan stamped as received by the Council on 31st August 2016.

Drawings numbered B/16/69/03 Rev A, B/16/69/04

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 refuse storage and cycle storage 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 the residential amenity of occupants and neighbours, and to ensure that the development is accessible by a sustainable mode of transport in accordance with Policies AS1, 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. The external brickwork and roof tiles to be used in the external alterations hereby approved shall be the same colour, texture and design as those on the existing buildings, unless otherwise agreed in writing by the Council as Local Planning Authority before the development commences.

Reason: In the interests of appearance of the locality, in accordance with policies LQ1 and LQ14 of the Blackpool Local Plan 2001 - 2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

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

Reason: To safeguard the living conditions of the occupants of nearby residential premises and to prevent the further establishment of Houses in Multiple Occupation which would further increase the stock of poor quality accommodation in the town and further undermine the aim of creating balanced and healthy communities, in accordance with Policies BH3 and HN5 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. The dwarf wall shown on the frontage of the premises shall be constructed in brickwork to match the brickwork of the buildings and shall have a stone coping (or coping with the appearance of stone). The existing stone gate posts other than one which is to be removed, shall be refurbished and retained. The dwarf wall and gate posts shall thereafter be retained.

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

7. The window reveals on the Lord Street and Springfield Road elevations shall be the same depth as the existing properties unless otherwise agreed in writing with the Local Authority prior to the commencement of development.

Reason: In the interests of the appearance of the property and the character of the surrounding area, in accordance with policies LQ1 and LQ4 of the Blackpool Local Plan 2001 - 2016 and Policy CS7 of the Blackpool Local Plan, Part 1 - Core Strategy 2012 - 2027.

8. 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, 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.

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

Reason: In order to ensure that the accommodation accords with the Council's approved Supplementary Planning Document, to safeguard the living conditions of the occupiers of the flats and to improve the external appearance of the property in accordance with Policies LQ1, LQ14, BH3 and HN5 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. 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, BH3 and BH4 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Application Number 16/0750 – LAND BOUNDED BY FISHERS LANE, COMMON EDGE ROAD AND ECCLES GATE ROAD, BLACKPOOL - Erection of six private dwellinghouses with access from Common Edge Road, with associated car parking and landscaping works.

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 7th November 2016 including the following drawings numbered:

CMNEDGE/APP/2/LOC/01 (Site Location Plan);
CMNEDGE/APP/2/SK/001 Rev A (Site Layout);
CMNEDGE/APP/2/MAT/01 Rev A (Proposed Materials Layout);
HOLA-P-03(2010) Rev A (The Holcombe Aspect);
DAV-P-04_2010 Rev B (The Davenham);
BAN-P-04 (2010) Rev B (The Banbury);
BAN-P-04 (2010)-P1 Rev A (The Banbury Plot 1);
DET-SG-PLNG01 (Detached Single Garage);
SDL 600PR (600 mm High Post and Diamond Knee Rail Fence);
SDL 900PW (900 mm High Post and Three Wire Fence);
SF 10 (1800 mm High Timber Post and Vertically Boarded Fence);
CMNEDGE/APP/2/STREET/01 Rev B (Proposed Street Scenes);
CMNEDGE/APP/2/LANDSCAPE/01 Rev A (Soft Landscaping Layout);
CMNEDGE/APP/2/RE/01 Rev A (Site Layout - Rendered).

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

3. 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). 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.

4. Unless the absence of nesting birds has been confirmed by further surveys or inspections, any removal of vegetation including trees and hedges shall be undertaken outside the nesting bird season [March - August inclusive]. Any removal of vegetation outside the nesting bird season shall be preceded by a pre-clearance check by a licensed ecologist on the day of removal.

Reason: To ensure that there are no adverse effects on the favourable conservation status of birds and to protect the bird population from damaging activities and reduce or remove the impact of development, in accordance with Policy LQ6 of the Blackpool Local Plan 2001 - 2016 and The Wildlife and Countryside Act 1981 (as amended) and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

5. No development shall be commenced until a gas monitoring regime has been carried out in accordance with a written methodology, which shall first have been agreed in writing with the Local Planning Authority. If mitigation is then considered necessary, a scheme for implementation of this in the design of the dwellings shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to occupation of each dwelling. 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 Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

6. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall have foul wastewater and surface water drained in accordance with the principles outlined in the submitted Drainage Plan P4979/14/100B - prepared by Thomas Consulting dated 26 March 2014. For the avoidance of doubt, foul must drain separate to surface water which must then combine at the last manhole prior to discharging into the public combined sewer located on Ecclesgate Road. Surface water draining from the site must be restricted to a maximum pass forward flow of 5 litres per second. The approved drainage scheme shall be implemented before the development is brought into use and retained as such.

Reason: To prevent the increased risk of flooding, both on and off site, in accordance with Policy NE10 of the Blackpool Local Plan 2001 - 2016 and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

7. 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.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) the integral and detached garages shall not be used for any purpose which would preclude their use for the parking of a motor car.

Reason: In the opinion of the Local Planning Authority the retention of parking space within the site is of importance in safeguarding the appearance of the locality and highway safety, in accordance with Policies AS1 and LQ1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

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

Reason: To safeguard the living conditions of the occupants of nearby residential premises and to prevent the further establishment of Houses in Multiple Occupation which would further increase the stock of poor quality accommodation in the town and further undermine the aim of creating balanced and healthy communities, in accordance with Policies BH3 and HN5 of the Blackpool Local Plan 2001-2016 and Policies CS7, CS12 and CS13 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no enlargement of the dwellings the subject of this permission shall be carried

out without the written approval of the Local Planning Authority.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse which fronts or is side onto a road, other than those detailed on approved site layout drawing no. CMNEDGE/APP/2/SK/001. The boundary to Fishers Lane shall be constructed as a 0.9 m high timber post and three wire fence and thereafter retained.

Reason: The development as a whole is proposed on an open plan layout and a variety of individual walls/fences would seriously detract from the overall appearance of the development, would detract from the setting of the listed cottages and would therefore be contrary to Policies LQ2 and LQ9 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

12. Notwithstanding the details shown on soft landscaping layout drawing no. CMNEDGE/LANDSCAPE/01 Rev A, the details and siting of one bat roost tube, one house sparrow terrace and one starling box shall be agreed in writing with the Local Planning Authority, and provided prior to first occupation of the relevant dwelling and thereafter retained.

Reason: In order to enhance the biodiversity of the site, in accordance with Policy LQ6 of the Blackpool Local Plan 2001 - 2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

13. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Note: The programme of field investigation should include an initial phase of geophysical surveying and trial trenching, followed by such subsequent work as required to investigate and record any remains encountered. This work should be carried out by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance set out by the Chartered Institute for Archaeologists.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site in accordance with paragraph 141 of the NPPF and Policies CS7 and CS26 of the Blackpool Local Plan Part

1: Core Strategy 2012-2027.

14. No external lighting shall be installed within the site, unless the details of the lights and their locations have previously been agreed in writing with the Local Planning Authority.

Reason: In order to protect the amenities of existing residents and in the interests of biodiversity, in accordance with Policies BH3 and LQ6 of the Blackpool Local Plan 2001 - 2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

15. A piling and foundation methodology specific to this site, and taking into account the listed cottages adjacent, shall be submitted to and agreed in writing by the Council, prior to the commencement of any ground works on the site. The piling and foundations shall thereafter be carried out in accordance with the agreed methodology.

Reason: In the interests of the structural stability of the Listed cottages at 1 & 2 Fishers Lane and in accordance with Policy LQ9 of the Blackpool Local Plan 2001 - 2016 and Policy CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse which fronts or is side onto a road.

Reason: The development as a whole is proposed on an open plan layout and a variety of individual walls/fences would seriously detract from the overall appearance of the development and would be contrary to Policy LQ2 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

Report to:	PLANNING COMMITTEE
Relevant Officer:	Gary Johnston, Head of Development Management
Date of Meeting	17 January 2017

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

5.2 338 Midgeland Road, Blackpool FY4 5HZ (16/0251)

5.2.1 An appeal by Mr and Mrs Wells against the decision of the Council to refuse planning permission for the erection of a single storey detached building, with formation of decking areas, for use as ancillary accommodation (granny annex) to existing private dwelling house following demolition of existing detached store and workshop.

APPEAL ALLOWED

5.2.2 A copy of the Inspector's decision dated 10 November 2016 is attached as Appendix 3a.

5.2.3 The main issues are whether the development would comprise a new self-contained dwelling in the countryside area and the effect of the development on the living conditions of both future occupiers of the proposed accommodation and the occupiers of the main house.

5.2.4 The Inspector concluded that the accommodation would not form a self-contained dwelling and would have no impact on the living conditions of the occupiers of either the proposed accommodation or the occupiers of the main house.

5.3 11 Talbot Road (former Rumours club), Blackpool, FY1 1LB (16/0353)

5.3.1 An appeal by Mr Nordwind against the decision of the Council to refuse advertisement consent for a high level LED screen on the front elevation of the building. **APPEAL ALLOWED**

5.3.2 A copy of the Inspector's decision dated 1 December 2016 is attached as Appendix 3b.

5.3.3 The main issues are whether the large LED screen would have an adverse impact on the host building and the Town Centre Conservation Area.

5.3.4 The Inspector concluded that the LED screen would preserve the character and appearance of the host property, the surrounding Town Centre Conservation Area and the setting of the nearby Listed Buildings.

5.4 Synagogue, Leamington Road, Blackpool, FY1 4HD (13/0734 and 13/0736)

5.4.1 An appeal by Mr Thompson against the decision of the Council to refuse planning permission and listed building consent for external alterations including replacement

windows and erection of part two-storey, part single-storey rear extension, second floor rear extension including enclosed roof garden following part-demolition of existing single-storey corridor extension, and use of part-ground floor, part- first floor and second floor as altered as five self-contained permanent flats with associated basement cycle storage, rear bin store, landscaping, car parking and boundary treatment. **APPEAL ALLOWED**

5.4.2 A copy of the Inspector's decision dated 29 November 2016 is attached as Appendix 3c.

5.4.3 The main issues are whether the proposal would preserve the special architectural and historical interest of the Grade II listed building and whether the proposal would preserve or enhance the character and appearance of the Raikes Hall Conservation Area; whether the proposal would harmfully intensify the existing over concentration of flat accommodation in the Defined Inner Area of Blackpool and whether future residents of the proposal would experience acceptable living conditions, with particular regard to outlook and sunlight.

5.4.4 The Inspector concluded that whilst the proposal would cause some harm to the special architectural and historical interest of the Grade II listed building, such harm would be outweighed by the public benefits of the scheme. Furthermore, whilst the proposal would intensify the existing local over concentration of flat accommodation, such intensification would not be harmful in this instance and with the imposition of conditions the proposal would not have an adverse effect on the living conditions of the future residents of the flats.

5.5 Planning/Enforcement Appeals Lodged

5.9 List of Appendices:

5.9.1 Appendix 3a - A copy of the Inspector's decision dated 10 November 2016

Appendix 3b - A copy of the Inspector's decision dated 1 December 2016

Appendix 3c - A copy of the Inspector's decision dated 29 November 2016

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

Appeal Decision

Site visit made on 11 October 2016

by Thomas Hatfield BA (Hons) MA MRTPI

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

Decision date: 10 November 2016

Appeal Ref: APP/J2373/D/16/3156984
338 Midgeland Road, Blackpool, FY4 5HZ

- 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 & Mrs Wells against the decision of Blackpool Borough Council.
 - The application Ref 16/0251, dated 22 April 2016, was refused by notice dated 24 June 2016.
 - The development proposed is the erection of single storey detached building, with formation of decking areas, for use as ancillary accommodation (granny annex) to existing private dwelling house following demolition of existing detached store and workshop.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of single storey detached building, with formation of decking areas, for use as ancillary accommodation (granny annex) to existing private dwelling house following demolition of existing detached store and workshop at 338 Midgeland Road, Blackpool, FY4 5HZ in accordance with the terms of the application, Ref 16/0251, dated 22 April 2016, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1105 PL WEL Rev A.1; 1105 PL WEL Rev A.2; 1105 PL WEL Rev A.4; 1105 PL WEL Rev A.5; Site Location Plan.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling.
 - 4) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as No 338 Midgeland Road.

Procedural Matter

2. The description of development given above is the one provided in the Council's decision notice and the appellant's appeal form. The description given in the application form has not been used as it states that the proposal is a re-submission of a previously approved scheme. However, the proposal is

not formally a re-submission, and differs from the previously approved scheme in a number of respects.

Main Issues

3. The main issues are:
 - (a) Whether the development would comprise a new self-contained dwelling in the countryside contrary to both local and national policy, and;
 - (b) The effect of the development on the living conditions of both future occupiers of the proposed accommodation and occupiers of No 338 Midgeland Road with regard to overlooking and a loss of privacy.

Reasons

New dwelling in the countryside

4. The proposed building would be located to the rear of No 338 Midgeland Road, on land that is partly occupied by an existing garden store. It would be a relatively large structure that would contain two bedrooms and a generous living area. The Council's Officer Report states that due to the size and layout of the building, it could be converted to a self-contained unit with very few alterations.
5. The application is clear that it proposes a residential annexe and it was submitted to the Council as a householder development. The Council validated the application on this basis. The Council expresses concerns that the increased lounge area would provide greater opportunity for provision of further independent facilities, such as a kitchen, and that it would be out of scale with the existing dwelling. However, the scale would not be significantly different from a previously approved scheme for an annexe in the same location. That scheme, which was approved in April 2016, had the same facilities as the current appeal proposal and would also have been capable of being converted to a self-contained unit with few alterations, albeit the lounge area was smaller than that proposed here.
6. Furthermore, the proposed building would be located at the back of the plot and some distance from the road. Whilst it would have a separate pedestrian access it would not have a dedicated vehicular access. In addition, the proposed building has a relationship to the rear garden of No 338 that would not lend itself to separate occupation. For these reasons, I do not regard the appeal building as being tantamount to a new dwelling.
7. The Council has brought 5 recent appeal decisions to my attention in the Marton Moss Area. However, each of these relates to proposals for new dwellings and so they are of limited relevance to the current appeal proposal.
8. I conclude that the development would not comprise a new self-contained dwelling in the countryside. It would therefore not be contrary to Policy CS26 of the Blackpool Local Plan Part 1: Core Strategy (2016), Policy NE2 of the Blackpool Local Plan 2001-2016 (2006), and paragraph 55 of the National Planning Policy Framework (NPPF).

9. In coming to that view, I have considered the judgments referred to by the parties¹. In this regard I note that in the *Uttlesford* case, deciding whether additional accommodation would be a separate planning unit, even where that accommodation included facilities for independent day-to-day living, was found to be a matter of fact and degree. The *Eagles* case, referred to by the Council, similarly confirms that it is a matter of judgement to assess whether a proposal has the distinctive character of a dwelling house, which in that particular case included the scale, extent of provided facilities, the layout, and the functional relationship with the original house. In any case, I must determine this case on its planning merits and as applied for, namely a residential annexe.

Living conditions

10. There would be no fence or other barrier between the proposed building and the existing dwelling at No 338. This would allow for uninterrupted views from the proposed building across the rear garden area and rear habitable room windows of No 338. Similarly, there would be uninterrupted views from the rear garden of No 338 across the frontage and habitable room windows of the proposed building.
11. However, this mutual overlooking would occur between the existing dwelling and an ancillary residential annexe. In this situation, no unacceptable loss of privacy would arise.
12. I conclude that the development would not unacceptably harm the living conditions of both future occupiers and occupiers of No 338 Midgeland Road with regard to overlooking and a loss of privacy. It would therefore be in accordance with Policy CS26 of the Blackpool Local Plan Part 1: Core Strategy (2016) and Policy NE2 of the Blackpool Local Plan 2001-2016 (2006).

Conditions

13. The Council suggested a number of conditions, some of which I have edited for clarity and enforceability. In addition to the standard time limit condition, I have imposed a condition that requires the development to accord with the approved plans. This is necessary for clarity and to ensure a satisfactory development. I have also imposed a condition that requires samples of all external facing materials to match the existing dwelling. This condition is necessary to protect the character and appearance of the area. Finally, I have imposed a condition requiring that the annexe is only to be occupied for purposes ancillary to the residential use of No 338. This is necessary to ensure that the accommodation is not used as a separate unit of accommodation in the interests of residential amenity and to safeguard the character of the area.

Conclusion

14. For the reasons given above I conclude that the appeal should be allowed.

Thomas Hatfield

INSPECTOR

¹ Mr & Mrs J. Eagles v Minister for the Environment Sustainability and Housing, Welsh Assembly Government, Torfaen County Borough Council [2009] EWHC 1028 (Admin), and, Uttlesford DC v Secretary of State for the Environment and White [1992] J.P.L. 171

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Appeal Decision

Site visit made on 28 November 2016

by Alison Partington BA (Hons) MA MRTPI

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

Decision date: 1st December 2016

Appeal Ref: APP/J2373/Z/16/3157377

11 Talbot Road, Blackpool FY1 1LB

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Mike Nordwind against the decision of Blackpool Borough Council.
 - The application Ref 16/0353, dated 14 June 2016, was refused by notice dated 5 August 2016.
 - The advertisement proposed is 1 high level LED screen.
-

Decision

1. The appeal is allowed and express consent is granted for the display of the high level LED screen as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Procedural Matter

2. The application sought consent for a total of 4 different advertisements on the appeal property. The other three were granted express consent, and so this appeal only relates to the high level LED screen which was refused.

Main Issue

3. The main issue in the appeal is the visual impact of the proposed advertisement on the host property and the surrounding area.

Reasons

4. The site is within the Town Centre Conservation Area, and near to a number of listed buildings. Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that special attention must be paid to the desirability of preserving the setting of listed buildings, and preserving or enhancing the character or appearance of the conservation area. A strict control over the display of outdoor advertisements should therefore be maintained.
5. The area in which the appeal property is located is a busy commercial, retail and leisure area that forms part of the town centre, and is a busy pedestrian and vehicular thoroughfare. The area contains a wide variety of illuminated and non-illuminated advertisements both on buildings and within the street scene. Buildings in the vicinity are large scale buildings of several storeys. The appeal property is a 3 storey modern building located on the north side of

Talbot Square which I understand has recently been refurbished. In contrast to the fine architectural detailing found on the adjacent buildings, the appeal property has a clean and simple form.

6. The sign would be located to one side of the upper floors of the building. Its long linear form would reflect the form of the windows found on the property, and would maintain the strong vertical emphasis of the building. The size of the screen would not be out of scale with the host property, and so it would not appear as an overly dominant feature on it. As such it would not be detrimental to the visual appearance of the building or the surrounding area.
7. Although its position above the ground floor level, means it would be above the general level of advertisements within the street scene, given the larger high level screen already located on the nearby North Pier, it would not appear out of keeping. As the screen would be aligned parallel to the façade of the building it would not be particularly visible when approaching in either direction along Talbot Road. Nevertheless, the regularly changing of colourful advertisements would draw attention to the building, when approaching along Corporation Street, or in Talbot Square. However, this would be no different to the way the screen on the North Pier attracts attention when in Talbot Square, or when approaching along Talbot Road or The Promenade. I observed that this did not have a detrimental impact on the visual amenity of the area.
8. Consequently, I consider the appeal scheme would preserve the character and appearance of the host property, the surrounding Town Centre Conservation Area, and the setting of the nearby Listed Buildings. It would therefore not be detrimental to visual amenity. I have taken into account Policy LQ13 of the *Blackpool Local Plan 2001 – 2016 (adopted June 2006)* which seeks to protect amenity, and so is material in this case. Given I have concluded that the proposal would not harm amenity, it does not conflict with this policy.
9. It has been suggested that the screen is less acceptable than the one on North Pier because of the likely nature of the advertisements that would be displayed. However, there is no indication that the content would be harmful to amenity or public safety, which the *National Planning Policy Framework* indicates are the only two matters that should be taken into consideration when controlling advertisements.
10. For the reasons set out above, I conclude the appeal should be allowed.

Alison Partington

INSPECTOR



Appeal Decisions

Hearing held on 4 October 2016

Site visit made on 4 October 2016

by Jonathan Hockley BA(Hons) DipTP MRTPI

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

Decision date: 29 November 2016

Appeal A: APP/J2373/W/15/3004464

Hebrew Synagogue, Leamington Road, Blackpool FY1 4HD

- 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 Joseph Thompson against the decision of Blackpool Borough Council.
 - The application Ref 13/0734, undated, but registered on 21 November 2013, was refused by notice dated 11 August 2014.
 - The development proposed is described as 'external alterations including replacement windows and erection of part two-storey, part single-storey rear extension, second floor rear extension including enclosed roof garden following part demolition of existing single-storey corridor extension, and use of part-ground floor, part first-floor and second floor as altered as 5 self-contained permanent flats with associated basement cycle storage, rear bin store, landscaping, car parking and boundary treatment'.
 - This decision supersedes that issued on 31 July 2015. That decision on the appeal was quashed by order of the High Court.
-

Appeal B: APP/J2373/Y/15/3004471

Hebrew Synagogue, Leamington Road, Blackpool FY1 4HD

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Joseph Thompson against the decision of Blackpool Borough Council.
 - The application Ref 13/0736, dated 7 November 2013, was refused by notice dated 11 August 2014.
 - The works proposed are described as 'external alterations including replacement windows and erection of part two-storey, part single-storey rear extension, second floor rear extension including enclosed roof garden following part demolition of existing single-storey corridor extension, and use of part-ground floor, part first-floor and second floor as altered as 5 self-contained permanent flats with associated basement cycle storage, rear bin store, landscaping, car parking and boundary treatment'.
 - This decision supersedes that issued on 31 July 2015. That decision on the appeal was quashed by order of the High Court.
-

Decisions

1. Appeal A is allowed and planning permission is granted for external alterations including replacement windows and erection of part two-storey, part single-storey rear extension, second floor rear extension including enclosed roof garden following part demolition of existing single-storey corridor extension, and use of part-ground floor, part first-floor and second floor as altered as 5 self-contained permanent flats with associated basement cycle storage, rear

bin store, landscaping, car parking and boundary treatment at Hebrew Synagogue, Leamington Road, Blackpool FY1 4HD in accordance with the terms of the application, Ref 13/0734 , undated, but registered on 21 November 2013, subject to the conditions set out at the end of my decisions.

2. Appeal B is allowed and listed building consent is granted for external alterations including replacement windows and erection of part two-storey, part single-storey rear extension, second floor rear extension including enclosed roof garden following part demolition of existing single-storey corridor extension, and use of part-ground floor, part first-floor and second floor as altered as 5 self-contained permanent flats with associated basement cycle storage, rear bin store, landscaping, car parking and boundary treatment at Hebrew Synagogue, Leamington Road, Blackpool FY1 4HD in accordance with the terms of the application Ref 13/0736 dated 7 November 2013 subject conditions set out at the end of my decisions.

Preliminary Matters

3. Within the evidence there is a plan of the proposed Raikes Conservation Area, within which the appeal site lies. It was confirmed at the Hearing by the Council that this Conservation Area is now designated.
4. Prior to the Hearing the Blackpool Local Plan Part 1:Core Strategy 2012-2027 was adopted (the CS). This Plan includes the relevant policy CS13, which has superseded policy HN5 of the Blackpool Local Plan (the LP), which was adopted in June 2006.

Main Issues

5. Based on all that I have read, seen, and the discussions at the Hearing, I consider the main issues in these cases to be as follows:
 - Whether the proposal would preserve the special architectural and historical interest of the Grade II listed building, and whether the proposal would preserve or enhance the character or appearance of the Raikes Hall Conservation Area;
 - Whether the proposal would harmfully intensify the existing over concentration of flat accommodation in the Defined Inner Area of Blackpool; and
 - Whether future residents of the proposal would experience acceptable living conditions, with particular regard to outlook and sunlight.

Reasons

6. The appeal site lies in the north west corner of the suburb of Raikes, situated to the south east of the centre of Blackpool. The area is generally a well preserved example of a mainly early 20th century suburb. Streets within the Raikes Hall Conservation Area (RHCA) are roughly arranged in a grid pattern and buildings are mainly terraced and semi-detached houses. Within the area there are a number of notable religious buildings, of which the appeal site is one.

Heritage Assets

7. The Synagogue is Grade II listed and is detailed in the listing as being constructed in 1916-1926, with alterations and additions in 1955 to the rear, and 1976 to the side. The building is constructed in red brick with ashlar dressings. The main range, constructed earliest, has a gable ended frontage with a low parapet, behind which rises an octagonal dome. This element of the building is designed in Byzantine style, with a detailed façade including round arched upper windows with voissoirs to head and keystones, and chequer-board banding between stages. A range to the right, stated to have been constructed in 1976 following the demolition of the adjacent house, is of simpler design and contains the main entrance to the building with a window above.
8. The left return runs alongside a narrow one way street, and has an original section and an extension. Windows in the original element have similar window designs to the façade, although the upper level windows are simpler, with keystones. The rear extension bays have plainer window surrounds and a flat roof, which is set at a lower level than the adjacent original building. Many of the windows, both on the façade, on the left return and on the rear of the extension contain stained or leaded glass depicting a variety of scenes from the Torah. Those in the façade are stated to be of an age range from 1921-1931¹, aside from one bay which is believed to contain glass which comes from a different synagogue, and predates the building. The windows in the rear extension are of a similar age to the extension itself, 1955.
9. Internally the original hall has many original features, including a counter levered gallery, and some pews. Evidence details how some features such as a prominent Bimah (a reading desk) in the centre of the hall were added at a later date. In the basement of the building an original Mikveh (a ritual bath) is still located. It is stated that such a feature is rare.
10. The synagogue has been empty for a number of years and was deconsecrated in 2012. The Council state that the building is on the Historic England heritage at risk register. There is extensive evidence of fly tipping around the site and of ingress into the building; at the Hearing I heard anecdotal evidence of break ins and attempted arson attacks. The doors to the property are boarded up and the windows protected. Evidence suggests that the building requires extensive repair.
11. The Planning (Listed Building and Conservation Areas) Act 1990 (the Act) requires special regard to be given to the desirability of preserving a listed building and any features or architectural interest it possesses. The significance of the Synagogue, as far as its exterior is concerned, lies essentially in its architectural design and detail and its distinctive fenestration. The significance is added to internally by the remaining original features of the building, and the retention of the fine and high quality stained and leaded windows, particularly those located in the original area of the building.
12. Section 72(1) of the Act states that special attention must be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. The RHCA can be characterised as a well preserved

¹ 'Conservation Options Appraisal, Risk Assessment and Management Plan: Blackpool Synagogue, Blackpool'. JS Conservation Management and Town Planning, September 2013

- example of a late Victorian/Edwardian suburb with notable religious buildings. The area is largely unified by the use of distinctive red brick and the rough grid pattern to the streets in the area. The history of the area and its emergence due to changing attractions and growth of the town also add to its significance.
13. Saved LP policy LQ9 states that proposals for the alteration or extension of a listed building will only be granted consent where the essential character of the building is retained, including any features of architectural or historic interest which contribute to its reasons for listing. Policies LQ1, LQ2, and LQ14 of the LP together state that all new development will be expected to be of a high standard of design and make a positive contribution to the quality of its surrounding environment. Developments should respond to and enhance the existing character of conservation areas.
 14. The proposal effectively involves the segregation of the rear extensions of the building from the original worship space and the side 1970s extensions, with the conversion of the rear areas to 5 2 bedroom flats. The proposal would also involve the erection of a part two storey, part single storey extension to rear. The synagogue would be reduced in size and would be serviced by an office, a meeting room, kitchen and toilets. As part of the proposal this element of the building would be brought up to the latest relevant accessibility standards.
 15. The proposal would, by the subdivision, of the buildings and conversion of the rear into flats, result in a loss of connectivity between the original synagogue and its supporting meeting and classrooms. Whilst the rear extensions are of later date and are of less significance architecturally, the building was listed as a whole in 1998. The subdivision of the structure and the loss of the functional whole of the overall building would reduce the stature of the heritage asset and thus harm the significance of the building.
 16. The rear areas of the building that are proposed to be converted contain some stained/leaded glass windows at upper floor levels. There are various proposals for these windows, ranging from leaving them in place to act as windows in the new flats, to recording and removal, or to moving them to alternative locations within the front part of the building which would be kept as a community asset. At the Hearing it was stated that the majority of these windows could remain in place, but that some would have to be relocated to the front part of the building. At the Hearing the Council accepted this proposition. However, despite this I still consider that the relocation of some windows within the building would cause harm to the significance of the building. The listing specifically notes the stained glass throughout and the movement of some of the rear windows, despite being of later vintage than those in the façade and original left return of the building, would have a negative impact on the property, by virtue of a break in their association with their immediate location.
 17. The National Planning Policy Framework (the Framework) makes it clear that when considering the impact of a proposed development on the significance of a listed building, great weight should be given to its conservation. Significance can be harmed or lost through alteration of the heritage asset, and as they are irreplaceable, any harm should require clear and convincing justification. For the reasons given above, I consider that the proposal would result in harm being caused to the significance of the listed building and that in so doing it would also fail to preserve the historic character and appearance of the RHCA

- to which the listed building makes an important contribution. However, given that the original building would be retained largely in its present form I agree with both parties and consider that the degree of harm caused would be less than substantial.
18. In such situations this harm should be weighed against the public benefits of a proposal, including securing the asset's optimum use. These can be briefly summarised as primarily stopping the deterioration of the building, through, in the appellants view, making the size of the synagogue more manageable, repairing and maintaining the building to make it more likely to be sold/let and improving site security by the provision of the flats to the rear of the building.
 19. I have considered this matter carefully. It is clear that the building has deteriorated significantly since it was in use, and that this process of deterioration would continue without the proposals being allowed, or a buyer/renter being found for the whole building.
 20. Paragraph 130 of the Framework states that where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision. However, I do not consider that the deterioration of the synagogue is down to deliberate neglect or damage. The building has been made as secure as possible to stop break ins and thefts. The stained glass windows have been fully protected, and appear to be sound, aside from issues of rot to window frames. The appellant has clearly spent money on securing and protecting the premises, and some evidence of cosmetic works, such as cutting of a hedge at the front of the building was present when I was on site. The deterioration of the heritage asset is primarily down to the non-use of the building, and the lack of day to day maintenance and surveillance that this entails. I do not consider therefore that paragraph 130 applies in this case.
 21. Evidence submitted² (the Duxburys letter) states that the property has been for sale and for rental since September 2012. The Council raise concerns over this marketing of the property, both since 2012, and in documents submitted at the Hearing³. I note the sales particulars previously submitted which indicate that the building was being marketed for sale or rent either as a whole or in part but this appears to me to be reasonable to consider options for a viable tenant or purchaser. The appellant apologised for the misleading sales particulars which were produced at the Hearing, stating that they were a mistake and should not have been published. Given the planning history of the site I can understand such an error.
 22. The evidence states that 34 viewings have taken place of the property, but that none of the viewings, due to issues such as the accommodation configuration, the costs of works to upgrade the premises, the location of the building and lack of parking, have resulted in the property being leased or purchased.
 23. At the Hearing an interested party submitted a letter expressing her interest in the whole property⁴. Ms Sorhaindo states that she would like to consider the building for use as a community health centre, including using the premises as a place of worship for the Seventh Day Adventist Church. Ms Sorhaindo

² Document submitted at the Hearing, No 5.

³ Document 4

⁴ Document 1.

detailed her proposals and financial situation at the Hearing and I have no reason to doubt the veracity of her claims. However, I have no firm guarantee of how, or if the proposals could work in practice, or if her proposal would generate the funds to overcome the issues detailed in the letter from Duxburys. This letter notes that following internal viewings none of the 34 parties decided to lease or buy the property and I cannot guarantee that the genuine interest demonstrated by Ms Sorhaindo at the Hearing would materialise into a realistic or viable offer for the premises. Ms Sorhaindo also notes that the agents had been somewhat obstructive in her attempts to view the building. However, at the Hearing the appellants appeared receptive to her ideas and were happy for her to attend the full site visit.

24. The Council consider that the greatest threat to the building is redundancy and that the separation of the building could undermine its viability, reducing the chances of securing a new and sustainable use for the whole building. Similar views are expressed by Historic England. However, I am not convinced that the retention of the whole unit is desirable in marketing terms. Aside from the evidence submitted, at my visit I noted the sheer size of the building and its ancillary rooms. I consider that such a large facility would be hard to let or sell in an area with limited on street parking, notwithstanding any issues concerning the costs of building maintenance.
25. The proposal would, as well as reducing the overall size of the building and thus maintenance costs, also bring the structure up to modern day standards. A reasonably sized meeting room would remain, along with an office which could also be utilised, a kitchen and up to date toilets. It thus seems to me that the sub division of the unit provides positive opportunities in terms of securing a permanent viable use for the original synagogue and its side extension. A submitted unilateral undertaking⁵ (the UU) undertakes to conduct 12 months of professional marketing for the retained synagogue to try to achieve a successful purchaser or tenant for the building. I also note in this respect the conditional support of Jewish Heritage to the proposals.
26. The UU also confirms that within 3 months of commencement of development a submitted schedule of works of repair and renovation to the retained synagogue would be carried out, making the front of the original building more likely to be let or sold, bringing it largely up to modern day standards and repair. The schedule of works in this respect is relatively old, being dated December 2013, and as such new items may well have arisen in the 3 or so years which have passed since the date of this schedule. A condition could be used to ensure that this schedule is brought up to date, which would be necessary in the interests of the maintenance of the listed building. The appellant indicated that they would be content for such a condition to be imposed. The provisions within the UU would be necessary to make the development acceptable in planning terms, are fairly related and reasonably related in scale and kind to the proposal, and are directly related to the development.
27. The scheme would effectively utilise the rear of the building giving life to this part of the structure, having benefits in terms of security, with the use of the rear of the building making surveillance of the side alleyway more prevalent and reducing the risk of further theft or vandalism of the remaining synagogue.

⁵ Thompson Property Investments Limited, 24/06/15

28. I have paid special regard to the desirability of preserving the listed building as it stands at present. Less than substantial harm does not equate to a less than substantial objection, and I place significant weight on the harm that the proposal would cause to the significance of the asset. Nevertheless, when combined I consider that the public benefits of bringing the rear of the building back to life, the security benefits of the scheme, and in renovating and repairing the original synagogue would outweigh such harm, and that the proposal would comply with the Framework.
29. I therefore conclude that whilst the proposal would cause some harm to the special architectural and historical interest of the Grade II listed building, such harm would be outweighed by the public benefits of the scheme. Such benefits would also outweigh the non-compliance of the scheme with Policy LQ14 of the LP. Furthermore, for the reasons given above the proposal would enhance the overall character and appearance of the Raikes Hall Conservation Area and the proposal would comply with LP policies LQ1, LQ2 and LQ9.

Flat accommodation

30. The appeal site lies within the defined Inner Area of Blackpool. Within this area, Policy HN5 of the LP states that proposals for conversion for residential use will not be permitted which would further intensify existing over-concentrations of flat accommodation and conflict with wider efforts for the comprehensive improvement of the neighbourhood as a balanced and healthy community. Policy CS13 of the CS has similar aims and states that developments including more than 10 flats are unlikely to be acceptable on sites in the inner area and where flat development are permitted, at least 70% should be 2 bedrooms or more.
31. Evidence submitted by the Council, both prior to and at the Hearing⁶, demonstrates that there are a very high percentage of 1 person households within the neighbourhood⁷, of nearly 60%. A similar percentage of dwelling types in the area are flats. Such a concentration of small one person flats contributes to socio-economic problems in the town and the development plan policies aim to rebalance the housing stock and provide a wider choice of homes to attract differing types of households and promote community cohesion.
32. The proposal seeks to create 5 flats in the property, of which all, or 100%, will have 2 bedrooms. Such a development would clearly further intensify the existing over concentration of flat accommodation in the neighbourhood. However, the flats themselves are of a reasonable size. Flats 1, 2, 3, and 5 have around 70m² floorspace and have a reasonably generous double and single bedroom, as well as separate kitchen and lounge areas. Flat 4 is larger and has 2 double bedrooms and a larger kitchen diner. All flats would have access to a fairly large roof garden, and accord with the minimum space standards for 3 person flats (flats 1,2,3 & 5) and 4 person flats (flat 4) contained within Council guidance⁸.
33. Furthermore, the flats for the reasons given above would, I consider, contribute towards the improvement of the neighbourhood as a balanced and healthy

⁶ Document 3

⁷ Defined as Blackpool 010C

⁸ 'New Homes from Old Places', Residential Conversion and Sub-Division Supplementary Planning Document, Blackpool Council, March 2011

community. Whilst adding to the concentration of flats in the area, given the size of the proposed units it is likely that they will attract larger households than single people and the contribution of the scheme to the improvement of the area, bringing into use the rear of the building and the circulation of people and natural surveillance that this will provide for, as well as the repair and improvement of the original synagogue would contribute towards the betterment of the neighbourhood.

34. In such a way I consider that the proposal would comply with policy HN5 of the LP, and to policy CS13 of the CS. Whilst the proposal would intensify the existing over concentration of flat accommodation in the Defined Inner Area of Blackpool, such intensification in this particular instance would be positive and not harmful.
35. The Council submitted an appeal decision⁹ within their evidence. In this decision the Inspector concluded that the proposed conversion of a mid-terrace property in nearby Church Street would have an adverse effect on the overall mix of housing in the area. However, this case differs in the public benefits it provides, thereby helping to improve the neighbourhood and realise the overall aims of LP policy HN5 and CS13. Furthermore, each case must be dealt with on its own merits.

Living Conditions

36. I do not consider that the retention of stained glass to windows in residential properties is necessarily inappropriate, but it is clear that such retention may have the potential to restrict light and outlook from the proposed flats. This could be an issue in the double bedroom of Flat 3 on the 1st floor and the rear bedroom of Flat 4 on the same floor, and in the Flat 3 kitchen. The large lounge kitchen diner in Flat 4 would be served by 4 windows, including 3 stained glass ones. However the number of windows serving this room, including one clear glass one, would provide ample sunlight and the clear window would maintain outlook.
37. However, the movement of some of the windows where necessary to the front and potentially to the rear of the upper floors of the retained synagogue building could alleviate many such issues as mentioned above. Such movement could be achieved via condition, the wording of which was proposed and agreed by both parties during the Hearing.
38. The lounge window of Flat 3 would be located very close to a building return housing a proposed office. This window would likely not present a satisfactory outlook or provide enough sunlight for the future users of the lounge. The Council also raise concerns over the outlook from the lounges of the ground floor flats
39. In the respect of the lounge of Flat 3, a condition to allow for some internal reconfiguration and handing of the unit to move rooms around would help in this regard. Whilst the ground floor units would have an outlook set reasonably close to the floor, there is space for landscaping between the window and boundary wall and the outlook across this space, and across the alleyways to the side and rear is not dissimilar to many such outlooks in terraced properties across the country.

⁹ APP/J2373/A/13/2207504

40. I therefore conclude that, with the imposition of relevant conditions, future residents of the proposal would experience acceptable living conditions, with particular regard to outlook and sunlight. Such conditions would also ensure that the proposal complies with Policies LQ14, HN5 and BH3 of the LP, which together seek to ensure that proposals for alterations or extensions are well designed and detailed and maximise residential amenity.

Other Matters

41. Policy BH21 of the LP states that proposals which would lead to the reduction in size of a community facility will not be permitted unless the facility is appropriately replaced, or the applicant can demonstrate that there is no longer a need for the facility or its alternative use to meet other community needs. However, for the reasons detailed above in paragraphs 21-23 I consider that it has been demonstrated that there is no longer a need for the full size of the existing synagogue for community needs and the proposal therefore complies with this policy.
42. A neighbour raises concerns over car parking and refuse collection. I note in this regard that only 2 car parking spaces would be provided at the rear of the building. However, the site is located in a sustainable location, a short walk from the town centre and Blackpool North train station and I note that the Council's Highways Officer has no objections in this regard. The proposal includes an adequately sized bin store at ground level for the future occupants of the flats.
43. Aside from the building works and marketing programme for the retained synagogue, the submitted deed of obligation would also ensure a payment for open space provision in the town is made within 7 days of commencement of development. This accords with LP policy BH10, which states that where site constraints preclude making the provision of sufficient open space to meet the needs of its residents, a commuted sum may instead be made to improve such provision and meet the needs generated by the development. The payment provided by the UU is therefore directly related to the scheme, would make the development acceptable in planning terms and is fairly related and reasonably related in scale and kind to the proposal.

Conditions

44. I have imposed the standard conditions relating to implementation and accordance with plans on both appeals, for the avoidance of doubt and in the interests of the proper planning of the area. On both appeals I have also imposed conditions relating to the approval of all materials for external faces of the building, a scheme for the protection and relocation of the stained/leaded glass windows, the making good of all works, and for an updated building condition survey and schedule of works to be carried out and implemented. As above, I am conscious in this respect that the existing schedule of works dates from 2013 and will require updating. Such conditions were discussed at the Hearing, and are all necessary to preserve the special architectural and historic interest of the building. A proposed condition to prevent the removal of any windows from the site without the written consent of the Council was also raised at the Hearing. However, I do not consider that such a condition would add anything to the window scheme mentioned above which would provide details of the plans for all stained/leaded windows on the site.

45. In the interests of the character and appearance of the building itself and the wider conservation area, as well as the living conditions of future residents, I have also imposed conditions relating to the hard and soft landscaping of the site, including that of the proposed roof garden.
46. For Appeal A I have further imposed conditions to ensure that the proposed cycle and bin stores, as well as the parking spaces, are provided prior to the occupation of the flats. Such conditions are necessary in the interests of the character and appearance of the area, local highway safety, and the living conditions of future residents. I have also imposed a condition suggested by the Council restricting future internal reconfigurations, aside from those required to amend the location of the lounge in Flat 3, details of the relocation of which are provided for in a further condition. Such conditions are necessary in the former example to ensure that the flats remain as 2 bed units and in the latter condition to ensure that the future occupants of Flat 3 experience acceptable living conditions.
47. Finally, I am conscious that the proposal would result in residential properties situated directly next door to a former synagogue, which could have a range of community activities taking place within it. Such activities could have the potential to disturb future residents of the proposed flats. This matter was discussed at the Hearing and I consider that a condition on both appeals to ensure appropriate noise insulation and mitigation is necessary.

Conclusion

48. I have concluded that whilst the proposal would cause some harm to the special architectural and historical interest of the Grade II listed building, such harm would be outweighed by the public benefits of the scheme. Furthermore, whilst the proposal would intensify the existing local over concentration of flat accommodation, such intensification would not be harmful in this instance, and with the imposition of conditions the proposal would not have an adverse effect on the living conditions of the future residents of the proposal. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that the appeals should succeed.

Jon Hockley

INSPECTOR

APPEAL A: SCHEDULE OF 13 CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Reference O1469133, A012/081/P/01 Rev B, A012/081/P/02 Rev B.

- 3) No development shall commence until details of all materials to be used on the external elevations, including new and replacement windows and window surrounds have been submitted to and approved in writing by the local planning authority. The relevant works shall be carried out in accordance with the approved details.
- 4) No development shall commence until a scheme for the protection of, and as necessary, the relocation of all the existing stained/leaded glass windows in the building has been submitted to and approved in writing by the local planning authority. The flats shall not be occupied until the agreed scheme has been fully implemented.
- 5) No development shall commence until an updated building condition survey and schedule of works at Annex 2 to the executed Section 106 obligation, including details of stained/leaded glass window repairs, methodology and details of materials to be used has been submitted to and agreed in writing by the local planning authority. All of the works identified in the schedule shall be completed prior to the occupation of the flats.
- 6) All making good beyond what is included in conditions 3, 4, and 5 above shall be undertaken with materials and methods to match the existing.
- 7) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping, including full details of the proposals for the roof garden. The scheme shall include details of 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 sizes, species and number/densities), existing landscaping to be retained and protected throughout the course of development, and detail how account has been taken of any underground services.
- 8) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All hard landscaping works shall be carried out prior to occupation of the flats.
- 9) No flats shall be occupied until the bin and cycle storage shown on the approved plans has been provided. Such storage facilities shall be retained thereafter.
- 10) No flats shall be occupied until the car parking provision has been constructed in accordance with the approved plans. The parking areas shall be retained thereafter.
- 11) No development shall take place until an amendment to approved plan No A012/081/P/02 Rev B to relocate the lounge in Flat 3 to face west has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved amendment.

- 12) No flat shall be occupied until the external alterations and the internal layouts and arrangements have been provided in accordance with the approved plans, aside from the precise arrangements of Flat 3 as required by Condition 11. The layout of the accommodation and arrangements hereby approved shall thereafter be retained.
- 13) Construction work shall not take place until a scheme for protecting the proposed flats from noise from the retained synagogue shall have been submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be completed before the flats are occupied and retained thereafter.

APPEAL B: SCHEDULE OF 9 CONDITIONS

- 1) The works hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The works hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Reference O1469133, A012/081/P/01 Rev B, A012/081/P/02 Rev B.
- 3) No works shall commence until details of all materials to be used on the external elevations, including new and replacement windows and window surrounds have been submitted to and approved in writing by the local planning authority. The relevant works shall be carried out in accordance with the approved details.
- 4) No works shall commence until a scheme for the protection of, and as necessary, the relocation of the existing stained/leaded glass windows in the building has been submitted to and approved in writing by the local planning authority. The flats shall not be occupied until the agreed scheme has been fully implemented.
- 5) No works shall commence until an updated building condition survey and schedule of works at Annex 2 to the executed Section 106 obligation ,including details of stained/leaded glass window repairs, methodology and details of materials to be used, has been submitted to and agreed in writing by the local planning authority. All of the works identified in the schedule shall be completed prior to the occupation of the flats.
- 6) All making good beyond what is included in conditions 3, 4, and 5 above shall be undertaken with materials and methods to match the existing.
- 7) No works shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping, including full details of the proposals for the roof garden. The scheme shall include details of 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 sizes, species and number/densities), existing landscaping to be retained and protected throughout the course of works, and detail how account has been taken of any underground services.
- 8) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons

following the completion of the works, and any trees or plants which within a period of 5 years from the completion of the works die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All hard landscaping works shall be carried out prior to occupation of the flats.

- 9) Construction work shall not take place until a scheme for protecting the proposed flats from noise from the retained synagogue shall have been submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be completed before the flats are occupied and retained thereafter.

APPEARANCES

FOR THE APPELLANT:

Simon Richardson	Planning and Law Limited
David Hadwin	Keystone Design

FOR THE LOCAL PLANNING AUTHORITY

Clare Johnson	Blackpool Borough Council
Gary Johnson	Blackpool Borough Council
Carl Carrington	Blackpool Borough Council

INTERESTED PARTIES

Shirley Sorhaindo	Potential purchaser
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DOCUMENTS SUBMITTED AT THE HEARING

1. Letter of representation from Shirley Sorhanindo.
2. Letters of notification for the appeals.
3. Print out of Neighbourhood Statistics from the Office for National Statistics website
4. Print out of recent sales details for the property.
5. Letter from Duxburys Commercial, dated 3 October 2016, concerning sales and marketing details for the appeal site.

Report to:	PLANNING COMMITTEE
Relevant Officer:	Tim Coglan (Service Manager, Public Protection)
Date of Meeting	17 January 2017

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 December 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, 33 new cases were registered for investigation, compared to 29 received in December 2015.

5.1.2 Resolved cases

In December 2016, 24 cases were resolved by negotiation without recourse to formal action, compared with nine in December 2015.

5.1.3 Closed cases

In total, 42 cases were closed during the month (26 in December 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

- One enforcement notice authorised in December 2016 (none in December 2015);
- No s215 notices authorised in December 2016 (six in December 2015);
- No Breach of Condition notices authorised in December 2016 (one in December 2015);

- No enforcement notices served in December 2016 (none in December 2015);
- No s215 notices served in December 2016 (none in December 2015);
- No Breach of Condition notices served in December 2016 (none in December 2015).

Enforcement notices / S215 notices authorised in December 2016

Ref	Address	Case	Dates
16/8237	81 Patterdale Avenue	Unauthorised erection of a boundary treatment consisting of close boarded wooden fencing and concrete posts adjacent to highway, namely Patterdale Avenue, exceeding one metre in height	Enforcement Notice authorised 14/12/2016

5.1.5 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

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Agenda Item 5

COMMITTEE DATE: 17/01/2017

Application Reference: 16/0674

WARD: Talbot
DATE REGISTERED: 04/11/16
LOCAL PLAN ALLOCATION: Resort Core
Key Tourism Investment Site
Central Promenade and Seafront
Town Centre Boundary
Leisure Zone / Resort Core
Defined Inner Area

APPLICATION TYPE: Reserved Matters
APPLICANT: The Sands Venue

PROPOSAL: Erection of a single-storey side extension and a three-storey extension to the roof to create third, fourth and fifth floors and use of premises as altered to provide an A1 retail unit and hotel reception at ground floor level, with hotel accommodation above comprising 96 en-suite bedrooms and associated facilities, with associated rooftop plant area and basement car park for 55 cars and demolition of foot bridge over Bank Hey Street.

LOCATION: THE SANDS VENUE, PALATINE BUILDINGS, PROMENADE, BLACKPOOL, FY1 4TQ

Summary of Recommendation: Grant Permission

CASE OFFICER

Ms C Johnson

SUMMARY OF RECOMMENDATION

The development would meet the economic, social and environmental aspect of sustainable development (paragraph 7 of the National Planning Policy Framework) and the plans show a well-designed building, designed with appropriate massing which respects the height and character of surrounding listed buildings and Town Centre Conservation Area.

The application is recommended for approval with a condition requiring the submission and approval of the materials to be used on the external elevations.

Conditions relating to the submission and agreement of landscaping details, external lighting, off site highway works, a Travel Plan and a Construction Management Plan are included in the outline planning permission (reference 15/0523).

INTRODUCTION

The Palatine building was converted from a disused nightclub in 2010 (reference 10/0578 - use of first and second floors of premises as a jazz club and restaurant) and recently permission was granted for external alterations to the ground floor on the Promenade side (reference 15/0384) and those works have been carried out.

An outline application (reference 15/0523) was granted permission by the Planning Committee at its meeting on 5 April 2016 for the erection of a single-storey side extension and a three-storey extension to the roof to create 3rd, 4th and 5th floors and use of premises as altered to provide an A1 retail unit and hotel reception at ground floor level, with hotel accommodation above comprising 96 en-suite bedrooms and associated facilities, with associated rooftop plant area and basement car park for 55 cars and demolition of foot bridge over Bank Hey Street. This application is a reserved matters application dealing with the appearance of the development only.

The high quality design of the building proposed is as a result of a great deal of officer time and negotiation with the agent and the applicant, given the sensitive location of the building and the complexities of extending the building up rather than demolishing the existing venue and erecting a completely new building.

SITE DESCRIPTION

The application property, the Palatine building, is a large three-storey detached building with road frontages onto the Promenade to the west, Bank Hey Street to the east and Adelaide Street West to the north. The building is in a very prominent location on the Golden Mile within 45 metres of Blackpool Tower, which is one of the most well-known landmark buildings in the Country.

The Palatine building is a brutalist structure constructed in the 1970's. At its highest point, (the tallest of the rectangular extrusions) the building is approximately 20 metres tall, although the vast majority of the building's bulk is no taller than approximately 13.6 metres tall (when viewed from the Promenade). It has recently undergone some improvements externally when the current operators opened the 'Sands Venue' which is a music/show bar and restaurant. Formerly the building operated as various nightclubs with retail uses on the ground floor. Currently, the ground floor on the Promenade side is a restaurant and the main entrance into the Sands Venue and there is a large discount retail shop which occupies all of the ground floor on the south side of the building, with a presence on the Promenade and Bank Hey Street. A second large discount retail unit fronts Bank Hey Street and Adelaide Street West and there is a disused nightclub in the basement, accessed from the southern side of the Palatine building. The building's main service areas are accessed from Adelaide Street West.

To the south of the building, there is an external staircase in a pedestrianised area between the Promenade and Bank Hey Street, giving access to the first floor of the Palatine Buildings and to a walkway and bridge over Bank Hey Street. The bridge connects to businesses on the east of Bank Hey Street, although the access is only currently used in emergencies and isn't publicly accessible. To the south of the pedestrianised area and staircase, is Coral Island amusement centre which is largely one/two storeys in scale.

In the wider area, the Promenade has recently been regenerated, extended and landscaped and the area has received significant investment to upgrade, improve and enhance the visitor offer and visual amenity. Similarly at Blackpool Tower, significant restoration, repair and regeneration works are on-going and the restoration of the Tower Promenade elevation has recently won a commendation by the Royal Town Planning Institute.

The Palatine building stands within the Town Centre and Resort Core on the Proposals Map to the Local Plan. The Promenade frontage is within the Leisure Zone and the Bank Hey Street frontage within the Principal Retail Core on the Proposals Map to the Local Plan. The Town Centre Conservation Area lies to the north of the building.

DETAILS OF PROPOSAL

The application is a major scheme for a three-storey hotel development on the top of the Sands Venue. This application is for the approval of the reserved matter of appearance which was not applied for with the outline application. All other matters have been approved under planning application reference 15/0523.

The hotel development which has already been approved, includes 96 en-suite bedrooms and associated facilities providing 11,311 square metres of floorspace.

The previously approved building would have a maximum height of approximately 28 metres when viewed from the Promenade (36.26 metres above ordnance datum or AOD), which is approximately 1.5 metres taller than the bulk of the former Woolworths building and approximately 4 metres taller than the bulk of the Blackpool Tower building to the north and approximately 19 metres taller than Coral Island to the south.

A single-storey side extension has also been approved to the southern side of the building to extend the existing ground floor retail offer. A mezzanine floor in the extension is shown in this application. There would be a hotel reception area in part of the existing retail unit on the south east corner. The existing retail unit on the north east corner would be used as ancillary space for the hotel, potentially a spa.

The third, fourth and fifth floors would each contain 32 bedrooms arranged around an 'Atrium Lounge' (or voids over the Lounge). The lounge would have natural light and ventilation via a glazed roof light in the main roof. Redundant former nightclub floorspace within the existing building would be converted to restaurant/ancillary space for the hotel.

The previous approval also included details of a rooftop plant area and basement car parking for 55 cars, with vehicle access via hydraulic lifts. The car park would be accessed off Adelaide Street West.

This application is accompanied by:

- A Design, Access and Heritage Statement.

MAIN PLANNING ISSUES

The main planning issues are considered to be:

- The design and appearance of the development.

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

CONSULTATIONS

Built Heritage Manager: There is no information about proposed materials and how they would be treated. However, based on the visuals, I have no objection to the application.

Head of Highways and Traffic Management: The comments remain the same as for the outline application (reference 15/0523).

- Areas of the public highway highlighted for stopping-up must be undertaken via the Town and Country Planning Act, this is to allow development to take place (points 2, 3).
- The pick-up and drop-off will be on the public highway. This will need regulating and can be combined as part of the off-site highway works undertaken via a S278 agreement.
- Traffic and Highways will undertake detail design and construction for the works proposed on the public highway.
- The retail unit and hotel will require formal postal addresses and the applicant should contact Traffic and Highways, Blackpool Council, 3rd Floor Bickerstaffe House, Blackpool, FY1 3AH, 01253 477477 to arrange.
- There would be 55 car parking spaces in the basement. Parking standards for A1 (non-food) stipulate 1:31 which equates to 80 spaces. The parking is underprovided but given the location I have no significant concerns.
- How practical will it be to use the car parking spaces in the basement, mechanical problems with the hydraulic ramps due to the climate, salt air could render access and egress a problem. How will this be overcome/managed?
- The walkway attached to the building at first floor level and over Bank Hey Street, is highway, part or all of which is used as a fire escape. The proposal seeks to remove the walkway. Highways rights must be removed and the walkway to be stopped-up under S247 of the Town and Country Planning Act to allow development to take place. It is crucial though that a means of escape, for neighbouring businesses affected by the removal of the walkway, is provided/replaced prior to the removal of the existing walkway.

- The proposed retail unit will be built over public highway, as point 2, the area where the unit will sit must be stopped-up in order to remove highway rights. The same will apply to the area where the stairs are to be built.
- The over sail for the hotel entrance on Bank Hey Street will require a licence.
- Further discussion to be had for the scheme proposed between the neighbouring building (Coral Island) and the proposal site. This is in order to clearly distinguish and identify scope of works, lighting specification, planting schedule, ongoing maintenance etc. The final scheme agreed will be subject to a S278 agreement.
- The pick-up and drop point cannot be supported as the introduction of this facility will result in the loss of a number of taxi spaces within the taxi rank on Bank Hey Street, the busiest rank in Blackpool. To mitigate this I would be willing to review arrangements along the Promenade to determine if there is scope to provide a facility in close proximity. All works associated with this to be funded by the proposal.
- Servicing remains unaffected as it can be undertaken from the existing covered servicing area. A condition may be appropriate clearly stating where the servicing can be undertaken from.

Head of Environmental Services: A detailed Construction Management Plan is required detailing the hours of work and proposals to minimise noise nuisance etc.

Historic England: No objections - The proposal should be considered in line with national planning policy and with reference to your own specialist advice.

PUBLICITY AND REPRESENTATIONS

Press notice published:	17 November 2016
Site notice displayed:	11 November 2016
Neighbours notified:	07 November 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 (NPPF)

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

Paragraph 7 explains that there are three dimensions to sustainable development including economic, social and environmental roles. 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 creating a high quality built environment, that reflects the community's needs and support its social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our 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.

Paragraph 8 confirms that these roles should not be undertaken in isolation and that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

Paragraph 14 states that 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:

- i) 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
- ii) 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 economic development, to always seek to secure high quality design and to 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;

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

Paragraph 19 states that 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.

Paragraph 56 confirms that 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.

Paragraph 58 states that planning decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 61 confirms that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Paragraph 65 states that local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).

Paragraph 128 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Paragraph 129 confirms that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal.

Paragraph 131 state that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

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

Paragraph 132 states that 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. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 135 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 137 confirms that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

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.

BLACKPOOL LOCAL PLAN PART 1: CORE STRATEGY

The Blackpool Local Plan: Part 1 - Core Strategy was adopted by the Council at its meeting on 20th January 2016. 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:

Policy CS1: Strategic Location of Development

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

1. Blackpool's future growth, development and investment will be focused on inner area regeneration, comprising:
2. Blackpool Town Centre, including the three strategic sites of Central Business District, Winter Gardens and Leisure Quarter.
 - a. The Resort Core, containing the promenade and the majority of resort attractions and facilities, holiday accommodation and major points of arrival.

Policy CS6: Green Infrastructure

High-quality and well connected networks of green infrastructure in Blackpool will be achieved by:

- a. Enhancing the quality, accessibility and functionality of green infrastructure and where possible providing net gains in biodiversity.
 - Creating new accessible green infrastructure as part of new development and supporting urban greening measures within the built environment.
 - Connecting green infrastructure with the built environment and with other open space including the creation, extension or enhancement of greenways, green corridors and public rights of way.
 - All development should incorporate new or enhance existing green infrastructure of an appropriate size, type and standard.

Policy CS7: Quality of Design

New development in Blackpool is required to be well designed, and enhance the character and appearance of the local area and should:

- Be appropriate in terms of scale, mass, height, layout, density, appearance, materials and relationship to adjoining buildings.
- Incorporate well integrated car parking, pedestrian routes and cycle routes and facilities.
- Provide appropriate green infrastructure including green spaces, landscaping and quality public realm as an integral part of the development.

Development will not be permitted that causes unacceptable effects by reason of visual intrusion or any other adverse local impact on local character or amenity.

Policy CS8: Heritage

Development proposals will be supported which respect and draw inspiration from Blackpool's built, social and cultural heritage, complementing its rich history with new development to widen its appeal to residents and visitors.

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.
- Strengthen the existing townscape character created by historic buildings.

Developers must demonstrate how any development affecting heritage assets (including conservation areas) will conserve and enhance the asset, its significance and its setting.

Policy CS17: Blackpool Town Centre

To re-establish the Town Centre as the first choice shopping destination for Fylde Coast residents and to strengthen it as a cultural, leisure and business destination for residents and visitors, new development, investment and enhancement will be supported which helps to re-brand the Town Centre by:

- Strengthening the retail offer with new retail development, with the principal retail core being the main focus for major retail development.
- Conserving and enhancing key heritage and entertainment assets within the Town Centre and complementing these with new innovative development.

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:

Policy LQ1: Lifting the Quality of Design

All new development will be expected to be of a high standard of design and to make a positive contribution to the quality of its surrounding environment.

All planning applications for large-scale developments or smaller developments occupying prominent and/or sensitive locations, such as gateways and activity nodes must be accompanied by an 'Urban Design Statement'. This statement will need to set out the design principles of the development covering the following:

- (a) site appraisal and context
- (b) layout of street and spaces
- (c) activity and movement patterns
- (d) building design
- (e) public realm design
- (f) landscape design, including wildlife and biodiversity issues
- (g) energy and resource conservation
- (h) other relevant design issues

Sensitive and prominent locations are considered to be those within or adjacent to Conservation Areas, those directly affecting the fabric or setting of a Listed Building, those sites occupying landmark or nodal locations with the Town Centre, and any site within the Resort Core or Resort Neighbourhoods with any elevation fronting onto the Promenade.

Policy LQ2: Site Context

The design of new development proposals will be considered in relation to the character and setting of the surrounding area.

- (A) New developments in streets, spaces or areas with a consistent townscape character should respond to and enhance the existing character. These locations include:
- (i) affecting the setting of a Listed Building
 - (ii) Conservation Areas

Policy LQ3: Layout of Streets and Spaces

- (A) The layout of all new development will be expected to create or positively contribute towards a connected network of streets and spaces that:
- (i) creates direct and integrated routes through the site which provide well signed and easy access to the existing street network, nearby facilities and public transport
 - (iii) creates distinctive useable spaces, including public open spaces, which are well-defined by buildings, boundary treatments and landscaping creating a structure for habitat generation and migration
 - (vi) provides or enhances a visually interesting environment through the creation of new landmarks, views and vistas
 - (vii) assimilates sensitively into the surrounding built form and/or landscape context
 - (viii) where possible, incorporates drainage requirements as features within the design in conjunction with sustainable drainage (SUDS) technology

Policy LQ4: Building Design

In order to lift the quality of new building design and ensure that it provides positive reference points for future proposals, new development should satisfy the following criteria: The scale, massing and height of new buildings should be appropriate for their use and location and be related to:

- (i) the width and importance of the street or space
- (ii) the scale, massing and height of neighbouring buildings

Design of Facades - The detailed appearance of facades will need to create visual interest and must be appropriate to the use of the building. New buildings must have a connecting structure between ground and upper floors composed of:

- (i) a base, of human scale that addresses the street
- (ii) a middle, of definite rhythm, proportions and patterns, normally with a vertical emphasis on the design and positioning of windows and other architectural elements
- (iii) a roof, which adds further interest and variety
- (iv) a depth of profile providing texture to the elevation

Materials - will need to be of a high quality and durability and in a form, texture and colour that is complementary to the surrounding area.

Policy LQ5: Public Realm Design

New developments creating outdoor areas that will be used by the public will be expected to provide or enhance a co-ordinated, uncluttered and visually interesting public realm that is convenient for all its users. The design of the public realm must enhance the setting of surrounding buildings and will be expected to:

- (a) use materials, such as paving, which are robust, attractive and appropriate to the location
- (b) provide adequate lighting designed for the needs of pedestrians
- (c) include clear and distinct signage
- (d) provide a variety of places for people to sit
- (e) include other appropriate landscaping and street furniture.

In major developments, the provision of public art will be encouraged.

Policy LQ6: Landscape Design and Biodiversity

New development will be required to incorporate appropriate landscaping and benefits to biodiversity wherever possible, that:

- enhances the spaces between and around buildings, including new streets provides new planting of appropriate specification, including the use of indigenous species and semi-mature planting, where appropriate
- avoids the creation of left over spaces

Policy LQ7: Strategic Views

Development that has a detrimental impact on strategic views will not be permitted.

Views of the following features and buildings are considered to be of strategic importance:

- (a) Blackpool Tower – views from the seafront and along main transport corridors leading into the Town Centre
- (b) along the seafront and coastline
- (c) into and within Conservation Areas
- (d) local views of other Listed Buildings

Policy LQ9: Listed Buildings

Development affecting the Setting of a Listed Building Development which adversely affects the character or appearance of a listed building, or its setting will not be permitted.

Policy LQ10: Conservation Areas

Development must preserve or enhance the character and appearance of the Conservation Area. The development will need to respect the scale, massing, proportions, materials and detailing of similar building forms within the Conservation Area.

Policy LQ11: Shopfronts

Applications for new or alterations to existing shop fronts will be considered having regard to the character of the building and the street scene. Particular attention will be paid to the relationship of the ground floor with the upper floors of the property.

Policy LQ14: Extensions and Alterations

Applications for extensions or alterations will be considered in relation to the existing building, adjoining properties and to the surrounding area. Extensions and alterations must be well designed, sited and detailed in relation to the original building and adjoining properties. Past, unsympathetic alterations and extensions of adjoining properties should not be regarded as a precedent for further similar proposals. Materials will need to match or be complementary to the original building.

OTHER RELEVANT DOCUMENTS

Town Centre Conservation Area Extension of Boundaries, October 2014.

ASSESSMENT

The design and appearance of the development

The principle of hotel development in this Town Centre location coupled with access, landscaping, layout and scale have already been approved (or conditions attached requiring further details) under the outline planning application (reference 15/0523).

The economic benefits of having a 5 star hotel on the Promenade, next door but one to Blackpool Tower have already been demonstrated. This application seeks to demonstrate that the development would also have social gains in providing a high quality built environment, and an environmental gain which protects the historic setting of Blackpool Tower.

The National Planning Policy Framework attaches great importance to the design of the built environment and confirms new development should contribute positively to making places better for people. The National Planning Policy Framework confirms that new development needs to integrate into the existing built and historic environment and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policies in both the Core Strategy and the Local Plan require new development to be well designed and to enhance the character and appearance of the area. Development should be appropriate in terms of height, scale, bulk, design and appearance, use of materials and the relationship to neighbouring buildings. Development should enhance the existing character of an area where it affects the setting of a Listed Building or a Conservation Area.

Given that the Palatine Building is in one of the most prominent positions on the seafront in Blackpool, the design of any new development of the scale proposed, in this location must be of the highest quality. Furthermore, under s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, local planning authorities are to have special regard to the setting of listed buildings and the desirability of preserving their setting. When considering the impact of a proposed development on the significance of a designated heritage asset (in this case Blackpool Tower), great weight should be given to the asset's conservation. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

The existing flat roof building displays its concrete structure around brick and glazed infills. The upper floors are separated visually from the ground floor by a very heavy fascia on the front elevation which dominates the building on the Promenade. The south and east elevations are dominated by an external concrete staircase and walkway which wraps around the building to the south and over-sails Bank Hey Street to the east. The north elevation is predominantly retail frontage and services behind tall metal concertina doors.

The existing building forms a group with Blackpool Tower and the Woolworths building, each championing very different, high quality architecture from different eras. However, in its current form, it does not particularly complement either building.

The proposal reuses the existing building and over-clads it with glazed walls, broken up by projecting columns and external bracing, taking design cues from both the Woolworth building and the structure of Blackpool Tower in terms of design and materials. The design will harmonise with the historic buildings and whilst being taller than both, would not over dominate them given the lightness of the elevations.

The glazed elevations on the sides and rear would be broken up by tall sections of cladding which would give the building much needed articulation and vertical emphasis, with some cladding set back and some set forward of the main elevations.

The main entrance to the hotel would be on the south east corner of the building and would be accessed under a canopy which wraps around that corner. The canopy would help define and frame the entrance.

A condition requiring the submission and agreement of a materials palette and schedule will ensure that the materials and finishes are of a high quality and would be durable in the marine environment.

Improvements to the public realm in terms of landscaping enhancements are proposed and the submission and approval of the details is required under condition 4 of the outline planning permission. This will ensure that the development has a high quality setting and will improve pedestrian links from the Promenade into the Town Centre. The submission and approval of an external lighting strategy is required under condition 5 of the outline permission.

Other matters

The car parking, servicing and access arrangements were agreed in the outline application.

The outline application also requires the submission and approval of a Construction Management Plan (condition 3), a scheme for off-site highway works (condition 6) and a Travel Plan (condition 7). Conditions on the outline permission do not need to be replicated on this reserved matters application.

LEGAL AGREEMENT AND/OR DEVELOPER FINANCIAL CONTRIBUTION

The outline permission requires that the developer enters appropriate legal agreements relating to off-site highway works. The developer will also have to enter legal agreements to stop up various parts of the highway.

CONCLUSION

The development would meet the economic, social and environmental roles of sustainable development.

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) 16/0674 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 reserved matters application received by the Local Planning Authority including the following plans:

Location Plan stamped as received by the Council on 07/10/2016

Drawings numbered 0005, 0006, 0007, 0008, 0009, 0011, 0012, 0013 and 0014

stamped as received by the Council on 07/10/2016 and 0010 rev S1 stamped as received by the Council on 06/12/2016.

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

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

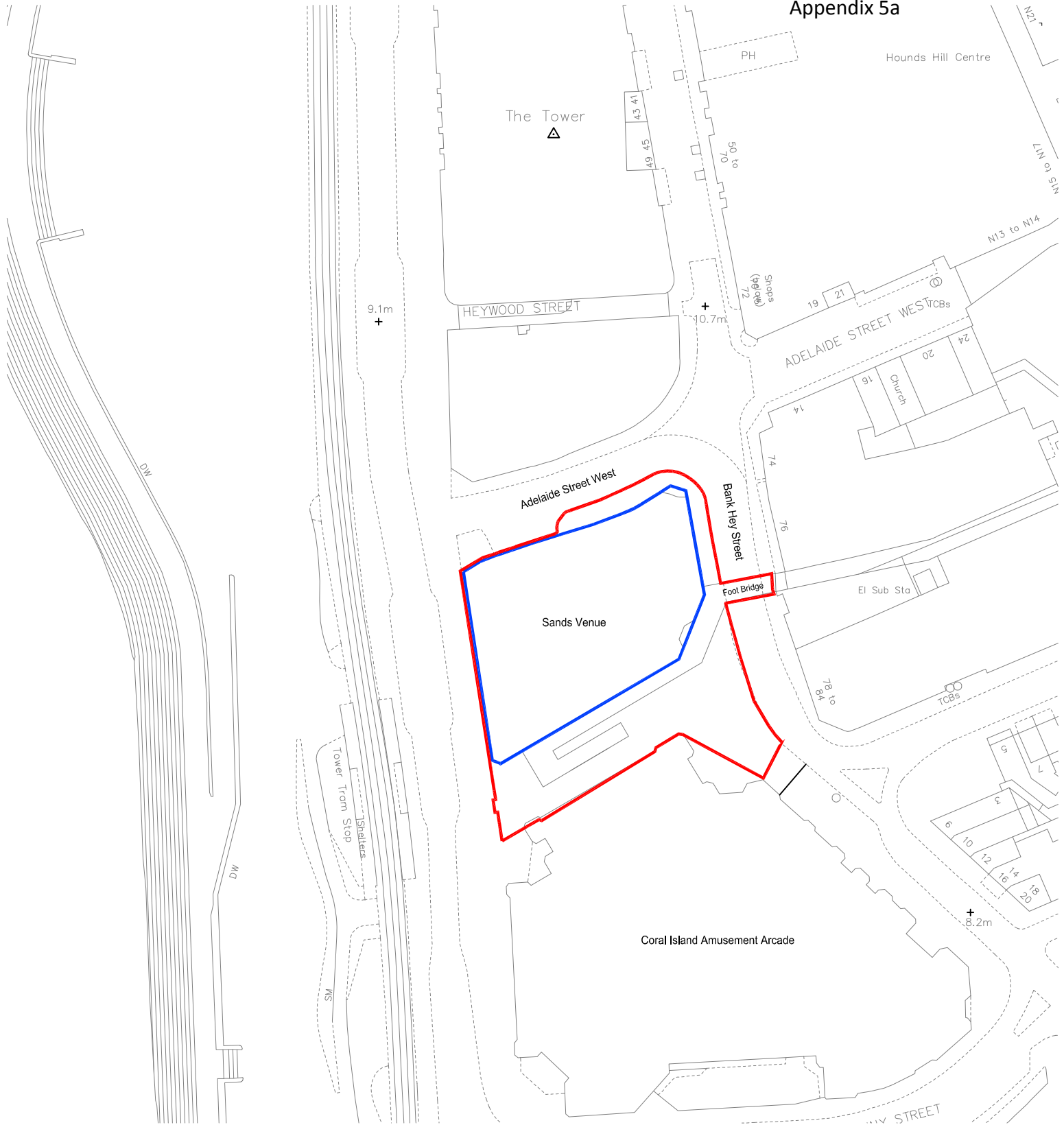
Reason: In the interests of the appearance of the locality, in accordance with policies LQ1, LQ2, LQ4 and LQ10 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1 - Core Strategy 2012-2027.

4. No rain water goods, soil pipes, vent pipes or plant shall be installed on the external elevations of the building.

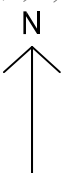
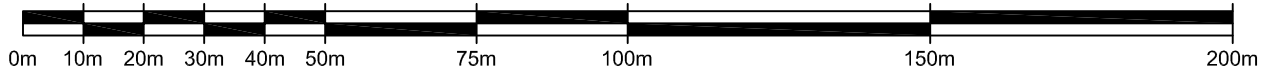
Reason: In the interests of the appearance and style of the building given it's prominent position, in accordance with policies CS7 and CS8 of the Blackpool Local Plan Part 1 - Core Strategy and policies LQ1, LQ2 and LQ4 of the Blackpool Local Plan 2001- 2016.

Advice Notes to Developer

1. Please note this approval relates specifically to the details indicated on the approved plans and documents, and to the requirement to satisfy all conditions of the approval. Any variation from this approval needs to be agreed in writing by the Local Planning Authority prior to works commencing and may require the submission of a revised application. Any works carried out without such written agreement or approval would render the development as unauthorised and liable to legal proceedings.
2. The applicant is directed to the decision notice for the Outline application 15/0523 and the conditions attached requiring:
 - the submission of a Construction Management Plan;
 - the submission of hard and soft landscaping details;
 - the submission of an external lighting strategy;
 - the submission of off-site highway work details;
 - the submission of a Travel Plan;
 - the provision of the agreed car parking layout.



1:1250 scale



NOTES

IMPORTANT

- > a This drawing is copyright and remains the property of this practice
- > Do not scale this drawing
- > All dimensions to be checked on site
- > Positions of existing services to be confirmed prior to proceeding

REVISION STATUS

- S Information issued for feasibility or scheme design.
 - T Information issued for tender purposes only.
 - C Information issued for Construction.
- NB: Only those drawings containing a C revision to be used for construction.

CLIENT

Mr Peter Swann

PROJECT

Proposed Hotel Conversion & Extension at The Sands

DRAWING TITLE

Site Location Plan

SCALE

1:1250

DATE

July 2015

DRAWN

MS

CHECKED

MS

DRG NO.

5415_L100

REVISION

REVISION

DATE

DESCRIPTION

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