

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 1 SEPTEMBER 2020

Present:

Councillor Owen (in the Chair)

Councillors

Baker	Critchley	Hugo	R Scott
D Coleman	Farrell	Jackson	Stansfield

In Attendance:

Ms Kate Aldridge, Head of Corporate Delivery, Performance and Commissioning

Mrs Bernadette Jarvis, Senior Democratic Governance Adviser

Ms Clare Lord, Legal Officer

Ms Susan Parker, Head of Development Management

Also Present

Councillor Mrs Callow, Norbreck Ward Councillor for Agenda Item 5

Councillor O'Hara, Waterloo Ward Councillor for Agenda Item 6

Councillor Robertson, Waterloo Ward Councillor for Agenda Item 6

1 DECLARATIONS OF INTEREST

Councillor D Coleman declared a prejudicial interest in Agenda Item 5, Planning Application 20/0219, 124 Norbreck Road. The nature of the interest being that she worked within the industry sector.

Councillor Stansfield declared a personal interest in Agenda Item 5, Planning Application 20/0219, 124 Norbreck Road. The nature of the interest being that he worked within the industry sector but outside of the Blackpool borough.

2 MINUTES OF THE MEETING HELD ON 4 AUGUST 2020

The Planning Committee considered the minutes of the last meeting held on 4 August 2020 and noted that Councillor Rick Scott had been present but as ward Councillor for Greenlands Ward and not Warbreck ward as shown in the minutes and that he had been speaking on behalf of the residents of that ward.

Resolved: that the minutes of the last meeting held on 4 August 2020 be approved and signed by the Chairman as a correct record, subject to the amendment detailed above.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

The Planning Committee received a report on the planning appeals lodged and determined since the last meeting.

The report stated that that an appeal against the Council's decision to refuse planning permission for the erection of a single storey side extension at 29 Webster Avenue,

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Blackpool had been dismissed by the Planning Inspectorate.

The Planning Inspectorate had also dismissed an appeal against the Council's decision to refuse planning permission for use of the premises at Unit 2, Woodman Centre, Vicarage Lane, Blackpool.

The benefits of the upheld decisions in terms of resisting future appeal decisions was also reported.

Resolved: To note the report.

4 PLANNING ENFORCEMENT UPDATE REPORT

The Committee considered the summary of planning enforcement activity within Blackpool between 1 July 2020 and 31 July 2020.

The report stated that 63 new cases had been registered for investigation with 612 complaints remaining outstanding by the end of the period, 26 cases had been resolved by negotiation without recourse to formal action and 88 cases had been closed as there had either been no breach of planning control found, no action was appropriate or it had not been considered expedient to take action.

The report also stated that one enforcement notice had been authorised between 1 July 2020 and 31 July 2020.

The Committee noted the significant workload involved in undertaking planning enforcement activities.

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.

5 PLANNING APPLICATION 20/0129- 124 NORBRECK ROAD

The Committee considered planning application 20/0219 that sought permission for the use of a bungalow at 124 Norbreck Road as a residential care home for up to two persons aged 8-17 years old.

Ms Parker, Head of Development Management, provided an overview of the application and presented site location and layout plans and an aerial view of the site. She reminded the Committee that it had deferred the application at its last meeting to allow for investigations to be made into the use of the facility at 66-66a Norbreck Road, Blackpool which was located within 400 metres of the application site. Following a visit to the premises at 66-66a Norbreck Road, Blackpool and discussions with the operator of the facility and colleagues from the Council's Children's Services department, Ms Parker confirmed her view that the facility supported living accommodation for young people aged 16 to 18 years of age and she reported on the differences between this and a children's home. In her view, the use of the two premises was materially different in planning terms and as such the locational requirements of Policy BH24 for the current planning application had been met. Ms Parker also advised the Committee on another concern raised recently regarding a further property at 11 Guildford Avenue, Blackpool

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which was also within 400 metres of the application site, however, following a visit to the property, she was satisfied that this was a private dwelling.

Ms Parker referred the Committee to the support for the application from the Council's Children's Services department and the lack of objection from the Head of Transportation. Referring to the comments made by Environmental Protection, Ms Parker suggested that, should the Committee be minded to approve the application, a further condition should be added to the planning permission to secure sound proofing to protect the amenity of residents of neighbouring properties. She also referred to the recommendation for the Committee to agree the application in principle and delegate approval to the Head of Development Management subject to conditions and subject to a Section 106 legal agreement requiring the young people to be placed in the care home by, or in agreement with, Blackpool Council.

Ms Kerrone, member of the public, spoke in objection to the application. Her main concerns included the impact on the residential amenity and character of the area and the potential for the proposal to undermine efforts to promote community cohesion. Further concerns related to the impact on vulnerable residents from an exacerbation of the existing anti-social behaviour and crime issues in the area. She also advised on her view of how the proposal would conflict with the aims of Policy BH24.

Mr Lee, applicant, spoke in support of the application. He referred to the key assumptions made by objectors relating to age which, in his view, could not lawfully be considered and fear of anti-social behaviour which might not come to fruition. He also referred to the facility at 66-66a Norbreck Road and advised on his view of the difference between this facility and the regulated provision of care offered by the proposed care home.

Councillor Mrs Callow, spoke in objection to the application on behalf of local residents. Her key concerns related to fear and the impact on elderly residents in the area. She referred to the character of the area and its demographic and disputed the planning officer's views on human rights issues, suitability of the property and adequate parking provision. Reference was also made on the impact on the local area and the town from the number of recently approved childrens homes and the close proximity and issues of the facility at 66-66a Norbreck Road. She asked the Committee on behalf of the residents of Norbreck ward and the town to refuse the application based on fear.

Ms Parker, Head of Development Management, referred to the aims of the recently approved approach to granting permission for children's homes in terms of increased control. She also advised that little weight could be attached to emerging Policy DM3 due to the Local Plan Part 2 not yet having been adopted. Responding to further concerns raised, Ms Parker referred to discussions at the last Committee meeting with regard to fear and reiterated her view on the lack of a justifiable basis for assumptions of anti-social behaviour. She also referred to the recommendation for approval subject to a Section 106 agreement requiring Children's Services' involvement in the placement of children in the home.

During consideration of the application, the Committee raised concerns regarding the facility at 66-66a Norbreck Road and its similarity to the current proposal and the

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potential detrimental impact this could have on the amenity of local residents. Responding to questions and concerns raised by the Committee, Ms Parker referred to the legislative differences between the supported living accommodation at 66-66a Norbreck Road and the proposed children's home. She also referred to the controls that would be in place at the proposed children's home in terms of placement of children through securing the Section 106 agreement. Ms Aldridge, Head of Corporate Delivery Performance and Commissioning, expanded on the difference in provision between children's homes and supported living accommodation and advised on the enhanced level of control provided by the regulation of children's homes. She also advised on the involvement of Children's Services in the initial placement of children and its interest in managing issues from care homes from a safeguarding perspective and to ensure children were receiving adequate support.

Following further consideration of the application, the majority view of the Committee was that the application be approved subject to conditions and the agreement of a Section 106 agreement.

Resolved: To agree the application in principle and delegate approval to the Head of Development Management, subject to conditions including the additional condition relating to sound proofing and on receipt of a Section 106 legal agreement and for the reasons outlined in the decision notice.

The decision notice, when available, can be accessed via the link below:

<https://idoxpa.blackpool.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal= BLCKP DCAPR 63921>

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

NOTE: Councillor D Coleman, having declared a prejudicial interest, left the meeting during consideration of this item and took no part in the discussions or voting on the application.

6 PLANNING APPLICATION 20/0352- 595-601 PROMENADE

NOTE: Councillor D Coleman re-joined the meeting prior to consideration of this item.

The Committee considered planning application 20/0352 that sought permission for the erection of a four storey extension to the hotel to form an additional 74 bedrooms; single storey rear extension, plantroom on the roof and additional parking spaces to the rear, with new access and egress to the car park.

Ms Parker, Head of Development Management, provided an overview of the application and presented site location and layout plans and an aerial view of the site. She also referred to the update note that proposed the removal of condition 12 should permission be granted, and a flyer sent by the applicant to neighbouring residents. Ms Parker advised that the proposed extension replicated the design of the original building. She also reported on the planned reconfiguration of the existing car park to provide a single access route and repairs to the alleyway. She advised on her view of the benefits of the proposal in terms of the quality of the development and contribution to the resort's hotel offer. Ms Parker reminded the Committee that commercial competition was not a valid

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planning consideration. She also referred to the requirement for a construction management plan should the application be approved which would control the hours of construction and highlighted the proposed CCTV provision to mitigate anti-social behaviour. Whilst Ms Parker acknowledged the limited on-street parking provision, she highlighted the accessible location and the requirement for a travel plan to be agreed through a relevant condition.

Mr Pyatt, member of the public, spoke in objection to the application. In his view the proposed development represented a breach of the core principles of town and country planning and would result in a loss of jobs. He also advised on his view of the impact that the proposed development would have on existing local businesses. He also raised concerns regarding the operators and referred to previous issues experienced during the construction of the hotel. Further issues related to the lack of capacity in the existing utilities infrastructure and the impact on residents from increased demand on these resources, and anti-social behaviour concerns.

Mrs Whadcock, member of the public, also spoke in objection to the application. Her main concerns included the impact on her livelihood and increased parking issues following the opening of the hotel. She advised on her view of the lack of transport surveys undertaken and the significant level of traffic in the area. Further concerns related to the hotel's policy of not charging its guests for car parking which in her view impacted negatively on the availability of on-street parking in the area and she suggested that parking issues could be mitigated by the hotel changing its policy and offering free parking to its guests.

Ms Wright, member of the public and local resident, also spoke in objection to the application. Her main concern related to her view of the significant parking issues experienced in the area.

Mr Mathison, on behalf of the applicant, Create Developments (Blackpool) Ltd, spoke in support of the proposal and advised on his view of the benefits of the proposal in terms of attracting year round visitors to the town as well as corporate visitors in view of the future conference facility. He acknowledged residents' concerns in relation to car parking and major construction and advised on the measures taken to mitigate the impact as detailed in the flyer referred to earlier in the meeting. He advised on Council investigations to introduce parking initiatives to alleviate parking issues and confirmed his support for the initiatives.

Councillor O'Hara, Ward Councillor, spoke on the application, with his main concerns being his view of the significant impact on the amenity of vulnerable local residents from the lack of car parking provision. He asked that the Committee defer the application to enable consultation to take place between the developer and residents to resolve the issues.

Councillor Robertson, Ward Councillor, also spoke on the application, and raised significant concerns relating to increased parking issues, including the loss of a large number of car parking spaces which would exacerbate the current issues, impact local hoteliers and have an impact on on-street parking in the wider area. He requested that the Committee considered deferral of the application to enable the developers and the Council to investigate initiatives to resolve the parking issue.

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Ms Parker responded to concerns raised by referring to the controls and enforcement options available for breaches of a construction management plan. She reminded the Committee that Utilities were not a valid planning consideration. In relation to the size of the proposed extension, Ms Parker reported on the requirement for the development to be financially viable. Ms Parker also referred to the applicant's agreement to resurface the rear alleyway and suggested an additional condition be attached in relation to this, should the application be approved. The additional condition could also include off street highway works and a Traffic Regulation Order to prevent parking in the area. The Head of Transportation had indicated the cost of the Traffic Regulation Order to be in the region of £10,000.

The Committee considered the application and noted the benefits to the area and town from the proposed development, however also acknowledged the significant parking concerns and its impact on residents and local businesses. It also noted the ongoing investigations into potential initiatives to resolve the parking issues. Mr Mathison, on behalf of the developer and in response to a question from the Committee, agreed to support a parking initiative in principle and accept a condition requiring the necessary highway works and an off-site parking management scheme on the understanding that a developer contribution of up to £10,000 would be required. Ms Parker, responding to a further question from the Committee, confirmed the Head of Transportation's commitment to the implementation of a parking scheme.

Resolved: That the application be approved, subject to the conditions, including an additional condition requiring agreement and implementation of a scheme for off-site highway works to include parking management and for the reasons outlined in the decision notice.

The decision notice, when available, can be accessed via the link below:

<https://idoxpa.blackpool.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal= BLCKP DCAPR 64056>

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

7 DATE OF NEXT MEETING

The Committee noted the date of the next meeting as 29 September 2020.

Chairman

(The meeting ended 7.55 pm)

Any queries regarding these minutes, please contact:
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