

# Blackpool Council

21 August 2020

To: Councillors Baker, D Coleman, Farrell, Hugo, Jackson, O'Hara, Owen, Robertson BEM and Stansfield

The above members are requested to attend the:

## **PLANNING COMMITTEE**

Tuesday, 1 September 2020 at 6.00 pm  
Zoom meeting

## **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 either

- (a) personal interest
- (b) prejudicial interest
- (c) disclosable pecuniary interest (DPI)

and

(2) the nature of the interest concerned

If any member requires advice on declarations of interests, they are advised to contact the Head of Democratic Governance in advance of the meeting.

### **2 MINUTES OF THE MEETING HELD ON 4 AUGUST 2020** (Pages 1 - 10)

To agree the minutes of the last meeting held on 4 August 2020 as a true and correct record.

### **3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED** (Pages 11 - 14)

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

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

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

**5 PLANNING APPLICATION 20/0129- 124 NORBRECK ROAD** (Pages 19 - 34)

To consider planning application 20/0129 for the use of the property as a residential care home for up to two persons aged 8-17 at 124 Norbreck Road.

**6 PLANNING APPLICATION 20/0352- 595-601 PROMENADE** (Pages 35 - 54)

To consider planning application 20/0352 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.

**7 DATE OF NEXT MEETING**

To note the date of next meeting as 29 September 2020.

**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](mailto:bernadette.jarvis@blackpool.gov.uk)

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at [www.blackpool.gov.uk](http://www.blackpool.gov.uk).

### **Present:**

Councillor Owen (in the Chair)

Councillors

Baker	Farrell	Jackson	Robertson BEM
D Coleman	Hugo	O'Hara	T Williams

### **In Attendance:**

Mrs Bernadette Jarvis, Senior Democratic Governance Adviser

Ms Clare Lord, Legal Officer

Ms Susan Parker, Head of Development Management

Mr Latif Patel, Network Planning and Projects Manager

Mr Mark Shaw, Principal Planning Officer

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

### **Also Present:**

Councillor Mrs Callow – Norbreck Ward Councillor for Minute Item 6

Councillor Cox- Squires Gate Ward Councillor for Minute Item 8

Councillor Rick Scott – Warbreck Ward Councillor for Minute Item 10

Councillor Walsh – Squires Gate Ward Councillor for Minutes 8

### **1 DECLARATIONS OF INTEREST**

Councillor D Coleman declared a prejudicial interest in the following Agenda Items:

Agenda Item 5, Publication and Use of Children’s Care Homes Planning Advice Note;

Agenda Item 6, Planning Application 20/0219, 124 Norbreck Road, Blackpool;

Agenda Item 7, Planning Application 20/0267, 77 Lancaster Road, Blackpool;

Agenda Item 8, Planning Application 20/0296, 14 Freemantle Avenue, Blackpool; and

Agenda item 9, Planning Application 20/0287, 37 Hodder Avenue, Blackpool.

The nature of the interest in all the above agenda Items was that she was employed within the sector and some of the employees were known to her.

### **2 MINUTES OF THE MEETING HELD ON 7 JULY 2020**

The Planning Committee considered the minutes of the last meeting held on 7 July 2020.

**Resolved:** That the minutes of the meeting held on 7 July 2020 be approved and signed by the Chairman as a correct record.

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

The Committee considered the summary of planning enforcement activity within Blackpool between 1 June 2020 and 30 June 2020.

The report stated that 64 new cases had been registered for investigation with 633 complaints remaining outstanding by the end of the period, six cases had been resolved by negotiation without recourse to formal action and 22 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 Section 215 notice had been authorised between 1 June 2020 and 30 June 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.

### **4 PLANNING APPLICATIONS PERFORMANCE**

The Committee considered the Planning Application and Appeals Performance Report that provided an update on the Council's performance in relation to Government targets.

The report outlined the performance for the quarter period from April 2020 to June 2020 as 100% for major development decisions determined within 13 weeks or an agreed extension of time against a target of 60% and 76% for non-major development decisions determined within eight weeks or an agreed extension of time against a target of 70%. It was noted that this exceeded the statutory targets for the period.

**Resolved:** To note the report.

### **5 PUBLICATION AND USE OF CHILDREN'S CARE HOMES PLANNING ADVICE NOTE**

Ms Parker, Head of Development Management, reminded Members of the approach agreed by the Committee at its meeting on 16 June 2020 in respect of Certificates of Lawfulness and applications for planning permission for children's homes. She reported on the challenges faced with the previous approach in terms of the Council's lack of control over the children being placed within care homes and the consequences of this in terms of an oversupply of inaccessible homes and an undersupply of homes to accommodate the significant number of local children currently in need of placement.

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 4 AUGUST 2020

Ms Parker advised that in the majority of cases children's homes could now be considered as materially different to a standard residential dwelling for a number of reasons, which included a change in character of the property, impact on the Council's wider strategy and the ability to meet the needs of local children in need of care. Whilst each application would be determined on its merits, in Ms Parker's view the Council was justified in refusing to grant certificates of lawfulness and instead consider granting planning applications, but only where the properties were considered suitable and in an acceptable location and where the applicant had agreed to work with the Council to prioritise the placement of local children.

Ms Parker referred to the advice note that had been attached as at Appendix 5a to the report and reported on the key elements contained within the advice note, which included the requirement for children's homes not to be located within the inner defined area or within 400 metres of another similar use. She reported on the benefits of the advice note in terms of it providing advice and guidance in relation to future applications for children's homes.

The Chairman reported positively on the advice note in terms of it providing guidance for future applications and benefits for local children in need of care.

**Resolved:** To approve the advice note for publication and use.

**NOTE:** Councillor D Coleman, having declared a prejudicial interest, left the meeting and took no part in the discussion or voting on this item.

**ADDITIONAL NOTE:** Councillor Jackson was absent during consideration of this item.

### **6 PLANNING APPLICATION 20/0219 - 124 NORBRECK ROAD, BLACKPOOL**

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

Mr Shaw, Principal Planning Officer, provided an overview of the application. He advised on the requirement for any permission granted to be subject to a Section 106 legal agreement requiring the applicant to work with the Council in relation to the placement of children within the home. He referred to the requirement of a further condition relating to sound installation recommended by Environmental Protection which would need to be included if Members were minded to approve the application. Mr Shaw advised on the key requirements of Policy BH24, which included the requirement for there to be no property with a similar facility located within 400 metres. Mr Shaw advised the Committee on a recent notification of a potential similar facility at 66-66a which was located within 400 metres of the application premises and the need for further clarity as to this property's specific use. In view of the current uncertainty as to the use of 66-66a Norbreck Road Mr Shaw recommended deferral of the application to allow further investigations to be made.

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 4 AUGUST 2020

Mrs Kerrone, member of the public, spoke in objection to the application. Her main concern related to the use of the property at 66-66a Norbreck Road, which in her view conflicted with Policy BH24 due to it housing looked after children and its location within 400 metres of the application premises which, in her view, would cause an exacerbation of the existing issues.

Mr Lee, Applicant, accompanied by Mr Chadwick, Proposed Homes Manager, spoke in support of the application. He advised on the ethos, goals and values of his organisation, which included providing children with appropriate care and support to help them function within the community. He referred to the objections to the application, which in his view were based on unfounded assumptions. He also referred the flexibility of Policy BH24 and his view that the application complied with policy.

Councillor Mrs Callow, Ward Councillor, spoke in objection to the application. She referred to the application premises' proximity to 66-66a Norbreck Road and raised concerns relating to this property. Further concerns raised by Councillor Mrs Callow included the placement of children from outside of the borough, her view of the unsuitability of the property and location and insufficient parking provision. She asked that the Committee refuse the application based on local residents' fear, close proximity to a similar facility and potential impact on local residents.

Mr Bramhall, member of the public, spoke in objection to the application. He advised on his view that the application was contrary to Policy BH24 due to its proximity to a similar facility. Further concerns related to the applicant's business model and the significant number of objections received to the proposal.

Ms Parker, Head of Development Management, referred to the change in the recommendation to request deferral to enable investigations into the use of 60-66a Norbreck Road to be made. In relation to a reference made to the applicability of Policy BH24 to non-C2 uses, Ms Parker advised that the policy was still considered to be relevant to care and supported-living uses that might fall outside of this class. With regards to fear as a potential grounds for refusal, Ms Parker acknowledged that it was a valid planning consideration but referred to Planning Inspectorate decisions that determined that there was no reasonable justification to assume that a properly managed care home would result in local disturbance and anti-social behaviour. She also reported on the aim of Section 106 legal agreement to control the placement of out of borough children. She reminded Members that an organisation's business model was not a planning consideration.

Ms Aldridge, Head of Corporate Delivery, Performance and Commissioning, provided the Committee with a brief overview of the challenges faced by children's services in relation to the placement of looked after children. She advised that children's services would work with the planning department in the investigation of the use of the facility at 60-66a Norbreck Road.

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 4 AUGUST 2020

**Resolved:** To defer the application to allow the detailed assessment of the facility at 66-66a Norbreck Road to be undertaken.

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

**NOTE:** Councillor D Coleman, having declared a prejudicial interest, had left the meeting prior to consideration of this item and took no part in the discussion or voting thereon.

**ADDITIONAL NOTE:** Councillor Jackson was present but unable to participate during consideration of this item due to technical issues.

### **7 PLANNING APPLICATION 20/0267 - 77 LANCASTER ROAD, BLACKPOOL**

The Committee considered planning application 20/0267 that sought permission for the use of premises at 77 Lancaster Road, Blackpool as a residential care home for up to two young persons aged 11-17 with non resident carers (use ClassC2).

Ms Parker, Head of Development Management, provided an overview of the application and presented the site location, layout plans and aerial view of the site. She advised that the applicant was prepared to sign up to a Section 106 legal agreement requiring priority be given to local children and confirmed that there were no other children's homes located within 400 metres. Ms Parker also presented her view of the suitability of the property and acceptable location. She also referred to the objections to the application as detailed in the report and advised on her view of the benefits of placing children within stable environments.

**Resolved:** To agree the application in principle and delegate approval to the Head of Development Management, subject to conditions and on receipt of a Section 106 legal agreement and for the reasons outlined in the decision notice, which can be accessed via the link below:

<https://idoxpa.blackpool.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

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

**NOTE:** Councillor D Coleman, having declared a prejudicial interest, left the meeting and took no part in the discussion or voting on this item.

**ADDITIONAL NOTE:** Councillor Jackson was present but unable to participate during consideration of this item due to technical issues.

**8 PLANNING APPLICATION 20/0296 - 14 FREEMANTLE AVENUE, BLACKPOOL**

The Committee considered planning application 20/0296 requesting permission for the use of premises at 14 Freemantle Avenue, Blackpool as a Children's Home for up to two children.

Ms Parker, Head of Development Management, provided an overview of the application and presented the site location, layout plans and aerial view of the site. She advised that the applicant was prepared to sign up to a Section 106 legal agreement requiring priority to be given to local children and confirmed that there were no other children's homes located within 400 metres. Ms Parker also presented her view of the suitability of the property and acceptable location. She referred to the significant number of objections as detailed in the report and although there were other care homes within 400 metres, Policy BH24 restricted only those care homes with similar care uses. Whilst Ms Parker acknowledged that fear of crime and anti-social behaviour was a valid planning consideration, she referred to the benefit of seeking a Section 106 legal agreement, which would provide an element of control over the management of the premises. She also reported on the benefits and need for children to be placed in a pleasant and stable environment.

Mr Foley, member of the public, spoke in objection to the application. He advised on his view that a local need for the facility had not been demonstrated as required by Policy BH24 and raised concerns at the potential for this application, if approved, to set a precedent for future applications. He also expressed his view of the potential for out of area placements to be made through a reciprocal agreement with another local authority.

Councillor Cox, Ward Councillor, spoke in objection to the application advising that he was also speaking on behalf of Councillor Walsh. He referred to the significant number of objections received in relation to the application and asked the Committee to disregard the two representations made in support of the application due to them living outside of the area. His main concerns related to his view of the inappropriateness of the location, insufficient parking provision and traffic issues and the potential for an increase in crime and anti-social behaviour.

The Committee also noted the representations from Councillor L Williams as detailed in the update note.

**Resolved:** To agree the application in principle and delegate approval to the Head of Development Management, subject to conditions and on receipt of a Section 106 legal agreement and for the reasons for the reasons outlined in the decision notice, which can be accessed via the link below:

<https://idoxpa.blackpool.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 4 AUGUST 2020

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

**NOTE:** Councillor D Coleman, having declared a prejudicial interest, left the meeting and took no part in the discussion or voting on this item.

**ADDITIONAL NOTE:** Councillor Jackson was present but unable to participate during consideration of this item due to technical issues.

### **9 PLANNING APPLICATION 20/0287 - 37 HODDER AVENUE, BLACKPOOL**

The Committee considered planning application 20/0287 seeking permission for the use of premises at 37 Hodder Avenue, Blackpool as a residential care home for one young person aged 11-17 with non-resident carers.

Ms Parker, Head of Development Management, provided an overview of the application and presented the site location, layout plans and aerial view of the site. She advised that the home was already established and that it currently housed a 17-year-old child who had been an emergency placement due to safeguarding issues occurring during the Covid19 lockdown. The property was outside of the inner defined area but was within 400 metres of another children's home. She referred to the applicant's comments with regard to walking distance, however, she advised on her view of the limited significance that could be placed on this in terms of the aims of Policy BH24, which sought to restrict an overconcentration of care homes. In her view the application failed the requirement of Policy BH24. However, Ms Parker also acknowledged the exceptional circumstances of the placement and therefore the recommendation was to approve a temporary permission for 1 year to enable the young person to continue to reside in the property until age 18. She referred to the objections as detailed in the report but acknowledged the need for these to be balanced against the needs of local children in care.

Mr and Mrs Turner, members of the public, spoke in objection to the application. their main concerns related to the impact of alleged incidents of anti-social behaviour, they also considered that there was more appropriate accommodation to house the individual in the area.

Mr Davies, Applicant's Agent, spoke in support of the application, advising on the inability of the applicant to verify the measurement to the similar facility due to the lack of disclosure of its location. He disputed the method of measurement used by the planning officers and advised on his view of the reasons why walking distance would be a more appropriate measure to demonstrate overconcentration of use. In his view the application complied with policy and he the Committee to consider the granting permanent planning permission, rather than a temporary 1-year permission that had been recommended.

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 4 AUGUST 2020

Responding to the Committee's concerns, Ms Aldridge agreed to investigate the issues raised by the objectors with the provider and Children's Services.

**Resolved:** To approve temporary permission for a period of 1 year, subject to conditions and for the reasons outlined in the decision notice, which can be accessed via the link below:

<https://idoxpa.blackpool.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

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

**NOTE:** Councillor D Coleman, having declared a prejudicial interest, left the meeting and took no part in the discussion or voting on this item.

### **10 PLANNING APPLICATION 20/0079 - FORMER B & Q PREMISES, HOLYOAKE AVENUE, BLACKPOOL**

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

The Committee considered planning application 20/0287 seeking permission for the erection of a single storey side extension and external alterations to existing Class A1 retail store, and part use as a retail foodstore with associated works to existing car park and alterations to existing access and egress onto Holyoake Avenue at the former B&Q premises at Holyoake Avenue.

Mr Shaw, Principal Planning Officer provided an overview of the application and presented the site location, layout plans and aerial view of the site. He advised on the existence of a Section 52 legal agreement currently in place that limited sales to specific items. He drew Members' attention to the amended conditions 8, 9, 10 and 12 relating to the retail foodstore as detailed in the update note. He also advised on an additional condition that would be required relating to the remaining floor space to reiterate the existing Section 52 legal agreement. Mr Shaw referred to two main planning considerations with the application, namely the requirement of a sequential test and retail impact statement and concluded that in his view the policy requirements for a retail development had been met. Mr Shaw also referred to the additional comment from the Local Highways Authority that reported its conclusion that access closest to Holyoake Avenue would be egress only and this had been accepted by the applicants. The application was recommended for approval subject to conditions and on the basis of a sum of £30,000 being paid to the Council via a Section 106 legal agreement to enable appropriate alterations to be carried out to the traffic signal junction of Holyoake Avenue, Plymouth Road, Bispham Road and Warbreck Hill Road, in accordance with an agreed scheme, and also to discharge the retail restriction in the Section 52 Agreement on planning permission 82/1679.

## MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 4 AUGUST 2020

Mr Patel, National Planning and Networks Manager, reported on the benefits of the highway changes, which in his view would not have a detrimental impact on the nearby junction, and the expectation of £30,000 being secured from the applicant to fund the necessary works.

Mr Sobic, Applicant's Agent, spoke in support of the application, advising of the applicant's investment in the proposal, which in his view demonstrated a long-term commitment. He also advised on the economic benefits of the proposal in terms of employment and increased food retail offer to local residents. Mr Sobic referred to amended condition 10 in the update note which limited the delivery and servicing hours on a Sunday to 8.00am to 6.00pm and asked the Committee to consider amending this to replicate the Monday to Saturday hours of 6.00am to 11.00 pm. He indicated his support to the recommendation proposed by the planning officer, subject to the amendment of the Sunday servicing hours.

Mr Shaw advised on the standard practice of consulting with the Council's Environmental Protection team for requests to amend servicing hours and it was noted that there was no Environmental Protection officer at the meeting to comment upon the request.

Councillor Scott, Ward Councillor, advised on his view the benefits of the proposal in terms of preventing potential increase in anti-social behaviour from an empty property, benefits to local residents and increased footfall to the area.

The Committee considered the proposal and commented positively on proposal in terms of economic benefit and employment opportunities.

**Resolved:** To delegate approval to grant the application, subject to conditions including the amended conditions 8, 9, 10 and 12 as detailed in the update note and an additional condition relating to the remaining floor space, subject to a Section 106 legal agreement requiring payment of £30,000 to undertake alterations to then traffic signal junction of Holyoake Avenue, Plymouth Road, Bispham Road and Warbreck Hill Road in accordance with an agreed scheme, and also to discharge the retail restriction in the Section 52 Agreement on planning permission 82/1679 and subject to consultation with Environmental Protection regarding the hours of delivery and servicing on Sunday, for the reasons outlined in the decision notice, which can be accessed via the link below:

<https://idoxpa.blackpool.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

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

**11 DATE OF NEXT MEETING**

Resolved: To note the date of the next meeting as 1 September 2020.

**Chairman**

(The meeting ended at 4.36pm)

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

<b>Report to:</b>	<b>PLANNING COMMITTEE</b>
<b>Relevant Officer:</b>	Susan Parker, Head of Development Management
<b>Date of Meeting:</b>	1 September 2020

## PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

### 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 priorities are both 'The Economy: maximising growth and opportunity across Blackpool' and 'Communities: creating stronger communities and increasing resilience'.

## **5.0 Planning Appeals Lodged**

5.1 None.

## **5.2 Planning/Enforcement Appeals Determined**

5.2.1 20/0061 – 29 Webster Avenue – Erection of single storey side extension.

5.2.2 Appeal Dismissed

5.2.3 Revised plans not seen by the Council were submitted for the appeal and it was judged that the design of the extension in terms of materials used, appearance, and size in comparison to the main dwelling was acceptable in the context of Webster Avenue. However, by virtue of its size and location on the side elevation of a corner property, the extension would disrupt uniformity of the street scene on Johnsville Avenue as the design would not relate well to the character of Johnsville Avenue. Additionally, the extension would project past the established building line of Johnsville Avenue and would appear prominent and incongruous in the context of this street, even when considering the altered plans submitted to the inspectorate that show a greater distance between the extension and the side boundary of the property than originally illustrated on the plans seen by the council. Whilst the site is currently screened by greenery along the boundary with the highway on Johnsville Avenue, the incline of the road means that the proposal would still be visible and conspicuous from further down Johnsville Avenue. The inspector commented that, in any case, landscaping should not be used to screen inappropriate development from view. A similar single storey side extension nearby was noted, but it was acknowledged that due to the differing context, the extension was not comparable to the appeal scheme. The inspector concluded that the proposal would result in harm to the character and appearance of the area.

5.2.4 19/0688 – Unit 2 Woodman Centre, Vicarage Lane – use of premises as tanning salon

5.2.5 Appeal Dismissed

5.2.6 The unit has planning permission for use within classes B1 (business/light industry), B8 (warehousing and distribution) or as a vehicle, cycle, kitchen, bedroom or furniture showroom. It is currently vacant.

The Inspector noted the lack of substantive evidence that the lawful use of the premises was within class A1 (retail) and so judged the proposal against the use approved through planning permission. She considered the key issues to be the impact on the supply of employment land and the vitality and viability of town centres.

The Inspector acknowledged that the constrained nature of the borough results in limited opportunities for future employment development and expansion. Given the lack of evidence in relation to appropriate marketing, the Inspector did not accept that employment use of the premises would not be commercially viable. As such the proposal would result in the loss of employment premises within a defined industrial/business estate. This would be contrary to Policy CS3 of the Core Strategy, DE1 of the Local Plan and the aims of the NPPF. As such it would be unacceptable.

With regard to the impact on the town centre, the Inspector noted that Blackpool is underperforming and needs investment to maintain its vitality and viability. She considered the requirement of CS4 to avoid out-of-centre development, avoid harm to existing centres, and not to undermine regeneration objectives to be in accordance with the NPPF. Although the site is in a reasonably accessible location and might not, in itself, be harmful, it would undermine regeneration objectives and contribute to cumulative adverse impacts on the town centre.

The Inspector did not consider that the Appellant had satisfied the needs of the exceptions test and did not accept that a tanning salon could not operate within a town centre due to lack of parking. She felt the use proposed to be suitable to a town centre location. The sandwich shop on the business park was considered to support the wider function of the area and the larger stores and leisure uses in the vicinity fall outside of the safeguarded employment area. As such they were not considered to provide justification for the proposal.

Likewise the appellant's preferences and any job creation were not considered sufficient to outweigh the identified harm. On this basis, the appeal was dismissed.

5.2.7 The Planning Inspectorate decision letter can be viewed online at <https://idoxpa.blackpool.gov.uk/online-applications/>

**5.3** Does the information submitted include any exempt information? No

**5.4 List of Appendices:**

5.4.1 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.

<b>Report to:</b>	<b>PLANNING COMMITTEE</b>
<b>Relevant Officer:</b>	Tim Coglean (Service Manager, Public Protection)
<b>Date of Meeting:</b>	1 September 2020

## 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, between 1 July 2020 and 31 July 2020.

### 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

#### New cases

In total, 63 new cases were registered for investigation in June 2020.

As at 31 July 2020, there were 612 “live complaints” outstanding.

#### Resolved cases

In total, 26 cases were resolved by negotiation without recourse to formal action.

#### Closed cases

In total, 88 cases were closed. These cases include those where there was no breach of planning control found, no action was appropriate, or where it was considered not expedient to take action.

#### Formal enforcement notices / s215 notices

- One enforcement notice was authorised in July 2020;
- No s215 notices were authorised in July 2020;
- No enforcement notices were issued in July 2020;
- No s215 notices were issued in July 2020.

#### Notice authorised

Ref	Address	Case	Dates
20/813 1	23 Winsford Crescent (FY5 1PS)	Unauthorised erection of a rear and side extension	Planning application 20/0257 (retrospective) was refused by notice dated 29/06/2020. Enforcement Notice authorised 13/07/2020.

5.2 Does the information submitted include any exempt information? No

**5.3 List of Appendices:**

None.

**6.0 Legal considerations:**

6.1 None.

**7.0 Human Resources considerations:**

7.1 None.

**8.0 Equalities considerations:**

8.1 None.

**9.0 Financial considerations:**

9.1 None.

**10.0 Risk management considerations:**

10.1 None.

**11.0 Ethical considerations:**

11.1 None.

**12.0 Internal/ External Consultation undertaken:**

12.1 None.

**13.0 Background papers:**

13.1 None.

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## Blackpool Council Development Management

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### Officer Report to Committee

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**Application ref:** 20/0219  
**Ward:** NORBRECK  
**Application type:** FULL  
**Location:** 124 NORBRECK ROAD  
**Proposal:** USE OF BUNGALOW AS A RESIDENTIAL CARE HOME FOR UP TO 2 PERSONS  
AGED 8-17 YEARS OLD  
**Recommendation:** APPROVE  
**Case officer:** MR. M. SHAW  
**Case officer contact:** 01253 476345

#### **1.0 BLACKPOOL COUNCIL PLAN 2019-2024**

- 1.1 The Council Plan sets out two priorities. The first is ‘the economy: maximising growth and opportunity across Blackpool’, and the second is ‘communities: creating stronger communities and increasing resilience.
- 1.2 This application accords with the second priority, increasing resilience with respect to protecting and improving the lives of vulnerable children in Blackpool.

#### **2.0 SUMMARY OF RECOMMENDATION**

- 2.1 The application relates to a semi-detached property of a size considered suitable for a two child placement. It is outside the defined Inner Area and not within 400 metres of any similar specialist use. The recommendation is that the decision on the application is deferred to the Head of Development Management to grant planning permission on receipt of a S106 legal agreement signed by the applicant. The legal agreement would provide that the property is only occupied by a maximum of two children who must be placed either by Blackpool Council; or placed by another Authority with the prior written agreement of Blackpool Council.

#### **3.0 INTRODUCTION**

- 3.1 This application is before Members because there have been a significant number of representations made against the application and the proposal is one of a number of current applications involving the establishment of a children’s home and is therefore of wider public interest.
- 3.2 Members will be aware that the application was deferred from the 4 August 2020 meeting due to the use of 66 Norbreck Road being raised as a ‘children’s facility’ within 400 metres of the application site after the publication of that agenda. Prior to that, planning officers had been unaware of the use. A site visit/meeting took place on 11<sup>th</sup> August between officers and Northern Community Pathways (NCP) who occupy 66 Norbreck Road, with ground floor offices and residential accommodation on the upper floors, to gather information on the current residential use of 66 Norbreck Road and to report back.

- 3.3 NCP state that 66 Norbreck Road has been used as an assisted living facility for children/young adults between 16-18, often after having left a children's care home, for approximately 5 years. It is the next stage from the children's care home system in preparing children/ young adults for independent living. It offers semi-independent living accommodation whereby the residents cook, clean, budget for themselves and take responsibility for the day-to-day activities within the home. No. 66 Norbreck Road currently has 4 young people in residence each having their own lockable room with a bed, small fridge and microwave. There is a shared bathroom, kitchen and garden which the young people take responsibility for on a rota basis. Although there is a general curfew, the young people are free to come-and-go as they choose and may sleep away from the premises with prior agreement. The level of supervision is what one would expect for older teenagers in a domestic setting. There is a support worker on the premises at all times, including overnight, to offer help and advice to the young people. They occupy an office that doubles up as a bedroom but are not resident. The level of support and supervision and the activity on-site is materially different to what would be found in a regulated children's care home. The use is therefore considered to be a specialist house in multiple occupation that would classify as *sui generis*.
- 3.4 There is no requirement for the premises at 66 Norbreck Road, or similar facilities, to be regulated by Ofsted. Placement within this and other similar facilities is done via the North West Placement Framework based within Bolton MBC but is undertaken by local authorities on a rota basis. NCP have now been informed by officers that planning permission is required at 66 Norbreck Road for its use as a *sui generis* HMO. It is not within the same use class as the children's home at 124 Norbreck Road, which is within use class C2, and is considered to be materially different in nature, function and impact. As such, whilst the 400m restrictive zone applied under local plan policy BH24 and discussed in more detail below would apply between semi-independent living premises, it should not apply between such uses and regulated children's care homes.
- 3.5 The remainder of this report is as previously presented to Members at the Committee meeting on 4 August 2020.

#### **4.0 SITE DESCRIPTION**

- 4.1 The application is a semi-detached bungalow with a bedroom within the roofspace. The front area has off street car parking available for 2-3 vehicles. The main entrance into the property is located on the side elevation and in addition to the first floor bedroom there are 6 rooms on the ground floor including a bathroom, kitchen and dining room leaving 3 other rooms either to be used as living rooms or bedrooms. The property has a reasonably spacious, private and enclosed rear garden area accessible from the kitchen. Sharing the party wall is 122 Norbreck Road which appears to be a mirror image of the application property with the addition of a conservatory to the side of the kitchen and running along the common boundary.
- 4.2 The character of the area is residential with a mixture of two storey houses and bungalows although this particular section of Norbreck Road is predominantly bungalows. There is a bus stop for the No 4 route directly across Norbreck Road from the property. The property is close to the Promenade and Devonshire Road and within walking distance of local shops, schools and other facilities. The application property is unallocated on the Proposal Map of the Blackpool Local Plan and located within flood risk zone 1 which equates to low flood risk.

## **5.0 DETAILS OF PROPOSAL**

- 5.1 The application involves the use of a vacant 2-3 bed dormer bungalow (Class C3 dwellinghouse use) as a children's home (Class C2 residential institution use). The proposed children's home would accommodate two children aged between 8 – 17 with three teams of two carers on site working 8-00 til 11-00pm and 11-00pm to 8-00am in a shift pattern. In addition there would be a manager and deputy manager working 8-00am to 4-00pm who would also be on call out of hours.
- 5.2 The applicants, Outbound Care, were formed on January 2017 and in a supporting submission they state that they proving to be a thriving success in helping young people across the country. Their Mission is to provide a trusting and nurturing home environment designed to develop and prepare young people for a successful transition into adulthood. The goal is to provide well equipped and comfortable housing to young people with support from a qualified, skilled, progress orientated staff team. The application is accompanied by a copy of the lease agreement, a copy of the landlord's authorisation and a supporting statement/ management plan. Ofsted registration is stated to be dependent upon first obtaining planning permission. 4 copies of a pro forma have also been submitted from neighbours to the applicants' existing home(s) complimenting the company on its positive contribution.

## **6.0 RELEVANT PLANNING HISTORY**

- 6.1 **19/0575-** Certificate of Lawfulness for Proposed Use- Use of premises as residential care home for up to two young persons. Withdrawn.

## **7.0 MAIN PLANNING ISSUES**

- 7.1 The main planning issues are considered to be:
- Acceptability of the Use in Principle and Policy BH24
  - Impact on Residential Amenity and the Residential Character of the Area
  - Impact on Visual Amenity
  - Car parking provision/ Traffic Generation/ Highway Safety

## **8.0 CONSULTATION RESPONSES**

- 8.1 **Community and Environmental Services, Highways and Traffic Division:** No objection to the proposal. There are no drainage issues with the proposal. In highways respects the use is not materially different to the existing residential use. There is no servicing element. The parking provision is adequate given the nature of the use and two bedrooms will be occupied by non-drivers at least.
- 8.2 **Environmental Protection Manager (Environmental):** The property is a semi-detached bungalow. Officers are currently dealing with a number of complaints in relation to premises of this sort. It is therefore requested that acoustic measures to be installed at the premises to ensure the neighbours are not subject to neighbourly noise nuisance.
- 8.3 **Children, Adult and Family Services:** Outbound Care have 5 children's homes, 4 of which are in Blackpool. Three of the four in Blackpool are in FY1. The provider has recently (2019) registered these homes with OFSTED. Each home offers 1 or 2 places for young people with a range of needs. Although they have 9 beds in our local area (7 in Blackpool), they are not

currently accommodating any children or young people looked after by Blackpool, although they will have received referrals from us, along with other providers in the area, so we do not have a current working relationship with them. We do not believe these to be vacant beds, and therefore they are accommodating children from other areas. In terms of location I do not have an issue as it appears to be a large semi-detached property in a mainly residential area where you would expect family housing.

## **9.0 REPRESENTATIONS**

9.1 Site notice published: 27 April 2020

9.2 Neighbours notified: 27 April 2020

9.3 Representations have been received from the following properties:

Norbreck Road: 66, 67, 68-70, 73, 79, 81, 83, 85, 87, 89, 91, 95, 114, 118, 120, 122, 126, 128, 138, 140 and 154

Kirkstone Avenue: 1

Waterhead Crescent: 3, 4, 5

Guildford Avenue: 1

A petition signed by 71 people has also been submitted.

9.4 These representations raise the following issues:

- This is a small semi-detached property with little indoor or outdoor space and is therefore unsuitable
- It is in very close proximity to neighbours who are predominantly elderly and / or disabled who are anxious about the prospect of vulnerable young adults living at the property who may have emotional or behavioural issues with little qualified supervision
- There are many more appropriate locations nearer to services
- Potential for anti-social behaviour and there is a local fear of crime
- Staff shift patterns do not provide the best opportunity for building relationships
- Children from outside the borough are located well away from their families
- Paul Maynard MP has raised the issue in the House of Commons of Blackpool being in danger of becoming a 'dumping ground' and the lack of communication between different agencies
- The property is poorly maintained
- The front door is only 1.9m from the neighbours front door and the proposed use would result in a constant footfall
- Noise and disturbance would be totally unacceptable
- The proposal is contrary to policy BH24 and the property should be detached
- This a quiet residential street and the proposal involves disturbance over and above a family residence
- There is insufficient parking with a bus stop opposite and there would be a need for regular visits including emergency services.
- This would generate additional traffic on an already busy road with rat running and speeding issues
- This is a business and money making venture
  - Homes are being marketed to other local authorities and this can impact on other services. It is clear this is not meeting local needs but to attract outside placements.

- The number of beds provided exceeds local demand
- Sir Michael Narey in his 2016 report found children in homes tend to be older, male, with special educational needs and therefore more challenging. There are too many care homes in the area
- The placing of children from outside Blackpool is not acceptable to us, because if approval is given for one placement, there would be a precedent set, which would give leverage to the company to demand more. The ruling should be quite clear, absolutely no children from outside the borough.
- According to Policy BH24 of the Blackpool Local Plan no children's homes will be supported within 400 metres of an existing similar use. There is one operating within 400 metres at 66 Norbreck Road. It is run by a company called Northern Community Services, and there has been a lot of incidents of unruly and anti social behaviour, involving police intervention. The nearby residents have reported drug dealing, and there has been suspicion of break ins at the shops.
- Outbound Care are operating four different care homes, and not one child is from the Blackpool area. This is further evidence that this town is being used as a dumping ground. This has to stop. Blackpool Children's Care have confirmed there is no need for any more private care homes, as there are already plenty of spaces available, provided that the existing one's take in Blackpool children, rather than raking in higher fees by offering to take high risk children from other towns.
- Northern Community Pathways state "we provide semi- independent living accommodation, and outreach to 16 to 18 year olds" and currently have 66 Norbreck Road which falls within the specialist use category of BH24 and is located just 298 metres from 124 Norbreck Road. Notwithstanding, the location of these premises, it has also been the subject to countless complaints from nearby residents, for anti - social behaviour, recorded drug offences, and police involvement on a regular basis, and appears to be totally unregulated. The granting of permission for a similar facility at 124, Norbreck Road, would be a contrary to policy.
- The Police in consultation with Mr. Paul Maynard M.P. have warned about the propensity of the 'County Lines' operating in our resort, and this is why close proximities of these types of accommodations have to be avoided.

**Councillors Maxine and Peter Callow** formally submit their strong objection to the planning application for the children's home at 124 Norbreck Road. The reason for the objection is that the proposal is completely out of character with the area and most importantly it is less than 400 metres from a similar establishment.

**Councillor Don Clapham**- the problems generated from 66 Norbreck Road in Bispham just up the road from this application are horrendous. A unit housing children from outside Blackpool. The huge numbers of Blackpool children in care are being housed out of Blackpool is very expensive and to house children being brought in from other towns is unsupportable. There is a mass of opposition by residents and you add myself and Cllr Paul Wilshaw in opposition to this application

## **10.0 RELEVANT PLANNING POLICY**

### **10.1 National Planning Policy Framework (NPPF)**

10.1.1 The NPPF was adopted in February 2019. It sets out a presumption in favour of sustainable development. The following sections are most relevant to this application:

- Section 5 -Delivering a sufficient supply of homes
- Section 8 - Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 12 - Achieving well-designed places

## **10.2 National Planning Practice Guidance (NPPG)**

10.2.1 The NPPG expands upon and offers clarity on the points of policy set out in the NPPF.

## **10.3 Blackpool Local Plan Part 1: Core Strategy 2012-2027**

10.3.1 The Core Strategy was adopted in January 2016.

- CS7 Quality of Design
- CS12 Sustainable Neighbourhoods
- CS15 Health and Education

## **10.4 Blackpool Local Plan 2011-2016 (saved policies)**

10.4.1 The Blackpool Local Plan was adopted in June 2006. A number of policies in the Local Plan have now been superseded by policies in the Core Strategy but others have been saved until the Local Plan Part 2: Site Allocations and Development Management Policies has been produced. The following saved policies are most relevant to this application:

- LQ1 Lifting the Quality of Design
- BH3 Residential Amenity
- BH4 Public Health and Safety
- BH24 Residential Institutions and Community Care Residential Use
- AS1 General Development Requirements (Access and Transport)
- LQ14 Extensions and Alterations

## **10.5 Blackpool Local Plan Part 2: Site Allocations and Development Management Policies (emerging policies)**

10.5.1 The Blackpool Local Plan Part 2 has been subject to an informal consultation exercise and will be subject to formal consultation later this year. At this point in time limited weight can be attached to the policies proposed. Nevertheless, the following draft policies in Part 2 are most relevant to this application:

- Policy DM3: Residential Institutions

## **10.6 Other Relevant Policy Guidance**

10.6.1 A Children’s Care Homes Advice Note has been produced July 2020 and is to be presented to the Council’s Planning Committee at the meeting on 4<sup>th</sup> August with a recommendation that it be published and used as a material consideration in the assessment and determination of planning applications. The advice note is intended to offer clarification and information to applicants seeking planning permission for the development of or the change of use of an existing building to a children’s care home. The aim is to ensure that good quality accommodation is available in appropriate premises and locations within the

borough to meet the needs of looked-after children within the care of Blackpool Council, without causing undue harm to the character and amenities of local neighbourhoods.

10.6.2 In light of specific Blackpool issues, the principal objectives are:

- Ensure that new children's homes are established in appropriate premises and in suitable locations;
- Establish a priority for local children to ensure that the Council can meet the needs of the existing community within the local area;
- Prevent an undue concentration of specialist uses in any particular area of the borough in order to safeguard local character and amenity;
- Safeguard the children in care and the interests of local communities by requiring premises to be operated in accordance with robust Management Plans.

## **11.0 ASSESSMENT**

### **11.1 Principle**

11.1.1 The National Planning Policy Framework makes it clear that a priority of the planning system is to meet local housing needs, including those of groups with specific housing requirements. The impact on the ability of a Local Authority to meet its own needs within its own area is therefore a material consideration.

11.1.2 The use proposed would fall within Class C2 of the Planning Use Classes Order. Policy BH24 of the Local Plan is the key policy relating to such uses. This policy seeks to direct community residential care uses to suitable properties and locations. A local need for the use must be demonstrated, and the management of the operation and its potential impact on neighbours considered. The policy goes on to state that, in order to protect the character and amenities of residential areas and avoid an undue concentration of care uses, no more than 10% of any block will be permitted in such use, and no use meeting a specialist need will be supported within 400m of an existing similar use.

11.1.3 The requirement for a demonstration of local need is fundamental to all applications for C2 uses within Blackpool. There is nothing within the policy or supporting text to suggest that local need could be a justification for departure from the criteria at the end of the policy that seek to avoid undue concentration. Compliance with all elements of the policy must be secured in order for a proposal to be supported.

11.1.4 The 400m criteria of Policy BH24 only applies to residential uses meeting specialist needs. The supporting text to Policy CS24 lists 'bail hostels, drug or alcohol recovery units and problem family homes' as specialist uses. However, in an appeal decision in Blackpool in 2011 (ref. 10/0870 – APP/J2373/A/10/2139079), the Inspector judged the children's home the subject of the application to classify as a specialist use. A mapping system has been developed that shows the positions of existing children's care homes and also the boundary of a 400m radius buffer around each home. This allows officers to easily assess whether or not a proposed use would be within 400m of an existing use. The site does not fall within 400m of an existing children's residential care home and so the locational requirements of Policy BH24 are met. The property falls outside of the defined Inner Area, where the high levels of deprivation makes the placement of vulnerable children undesirable.

11.1.5 The Council's Children's Services department has been consulted on this application and has confirmed that there is a local need for accommodation within the town. As such, it is considered that support could be given, subject to meeting stated criteria, on the basis that

the operator is prepared to work with the Council's Children's Services team with an emphasis on the placing of local children. In order to perpetuate this arrangement in the future, if permission is forthcoming, the applicant will be required to enter into a Section 106 legal agreement requiring any placements in this property to be made via Blackpool Council. This would not necessarily preclude placements from outside authorities, but these would have to be agreed by the Council based upon the specific circumstances of the case.

11.1.6 The proposal would result in the loss of a family dwelling. However, the Council can currently demonstrate a five year supply of housing land and the quantitative loss would be negligible. As such this carries little weight in the planning balance.

11.1.7 The proposals ability to meet a local need in suitable premises in an appropriate location weighs strongly in favour of the scheme.

## **11.2 Residential Amenity**

11.2.1 The Children's Care Homes Advice note to be presented to Committee at the meeting on 4<sup>th</sup> August considers that semi-detached properties are generally suitable for accommodating up to two children. In this case only two young people would be resident and so the property is considered to be suitable. There would be two members of staff present at all times within the premises working in shifts with change overs at 8-00 am and 11-00pm plus a manager and deputy manager available during the day and also out of hours if required. These change overs of staff may be noticeable and there may be some limited impact on adjoining property but given it involves two staff leaving the home and being replaced by two new members of staff this is not considered sufficient to warrant a refusal of the application.

11.2.2 It is acknowledged that care homes can generate a significant number of additional visits from care, education and therapeutic professionals, however, the existing use of the property as a traditional family home would also be expected to generate visits from friends and relatives. The property is also semi-detached and shares a party wall with a single family residence. However, the property is also positioned on a relatively busy through road, which is a bus route. As such, activities taking place within the property and any increase in vehicle movements would not be expected to unacceptably impact upon amenity through noise. Nevertheless, in order to avoid direct impact upon the adjoining semi-detached bungalow Environmental Protection have recommended the imposition of a condition requiring sound insulation.

11.2.3 The application property is located within a residential area where there are a significant number of bungalows and a significant elderly population. It is noted that local residents have raised a number of concerns regarding behaviour. Children have a right to be cared for in good-quality accommodation within their local area. If any unacceptable issues arose relating to the behaviour of the child due to poor management of the premises, the Council could withdraw the placement. There is therefore a very clear motivation for the operator to ensure that the use does not impact unacceptably upon nearby neighbours.

11.2.4 Policy BH24 requires the applicant to submit a Management Plan and this has now been submitted and includes details maximum number of staff on site and explains how change-over periods will be handled and on balance, subject to the implementation and compliance with the Management Plan, no unacceptable impacts on residential amenity arising from noise or activity are anticipated.

### **11.3 Visual amenity**

11.3.1 The outward appearance of the property and its curtilage with car parking to the front and an enclosed garden to the rear will not change as a result of the proposal and it will not therefore impact visually on the residential character of the area remaining residential in appearance.

### **11.4 Access, highway safety and parking**

11.4.1 The application property has an existing paved front garden and vehicle access providing 2-3 off street car parking spaces. There are also unrestricted parking available on street on what is a fairly wide and busy local through road if required. The property is within a sustainable location within walking distance of local schools, shops and other facilities and is located close to the Promenade and Devonshire Road and there is a no 4 bus route on Norbreck Road itself. On this basis, the parking provision is considered to be acceptable.

11.4.2 The home would be run by a competent, OFSTED registered organisation that would work closely with the Council's Children's Services team. This latter team has judged the location of the property to be appropriate and are therefore supportive of this application. As such, and given the reasonable expectation of appropriate management of the premises, there is no reason to suppose that the use would have an unacceptable impact on highway function or safety, or that young people accommodated would be at undue risk arising from traffic or the characteristics of the local highway network.

### **11.5 Other Issues**

11.5.1 There are understandable local concerns regarding potential impact of a children's home, particularly amongst elderly residents. However, many such premises locate within residential areas without any undue impact on the residential character or amenity of an area. The needs of the children also requires due consideration in order to provide appropriate opportunities to develop successfully into adulthood within an appropriate residential environment. Whilst perceived fear of crime is a valid planning consideration, the Inspector who determined the appeal in 2011 acknowledged that local residents concerns relating to potential anti-social behaviour were understandable. However, he went on to conclude that there was no evidence to suggest that young people in care cause demonstrable harm to local amenity. Instead he noted the OFSTED rating of the operator and concluded that the premises would be managed appropriately to avoid undue impact. This case is the same in terms of situation and so the same conclusion must prevail in this instance.

11.5.2 The scheme would not impact adversely upon drainage, flood risk or biodiversity. Air, land and water quality would be also be unaffected.

11.5.3 The application has 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 (as amended).

11.5.4 Under Article 8 and Article 1 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. This application does not raise any specific human rights issues.

## **11.6 Sustainability and planning balance appraisal**

- 11.6.1 Sustainability comprises economic, environmental and social components.
- 11.6.2 Economically, the proposal would create employment in the local area. Service users and staff may also contribute to local shops and amenities.
- 11.6.3 Environmentally, the scheme would have no impact on visual amenity, drainage or environmental quality. The proposal would likely generate more vehicle movements than a typical family home but this does not weigh notably against the proposal.
- 11.6.4 Socially, although the proposal would result in the loss of a family dwelling, the scheme would provide a vital service which would help improve the lives of vulnerable children in Blackpool.
- 11.6.5 In terms of planning balance, the development proposed is considered to constitute sustainable development in terms of the economic, environmental and social components. No other material planning considerations have been identified that would outweigh this view.

## **12.0 CONCLUSION**

- 12.1 As set out above, the scheme is judged to represent sustainable development and no other material planning considerations have been identified that would outweigh this assessment. On this basis, planning permission should be granted.

## **13.0 RECOMMENDATION**

- 13.1 It is recommended that Members resolve to support the application and delegate the Head of Development Management to grant planning permission subject to the following conditions, on receipt of a S106 agreement signed by the applicant which provides that:

*The property shall only be occupied on a residential basis by two young people, either:*  
*(i) placed by Blackpool Council; or,*  
*(ii) placed by another Authority with the prior written agreement of Blackpool Council.*

- 13.2 Conditions:

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

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

- 2 The development 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 including the following plans and information:

Location Plan received by the Council on 06/04/2020

Floor layout received by the Council on 06/04/2020

The development shall thereafter be retained and maintained in accordance with these approved details.

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

- 3 The use hereby approved shall at all times operate in accordance with the Management Plan recorded as received by the Council on 21<sup>st</sup> July 2020.

Reason: In the interests of the residential amenity of the local area and to avoid undue pressure on local on-street parking provision in accordance with the provisions of Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies BH3 and AS1 of the Blackpool Local Plan 2001-2016.

- 4 The accommodation shall be used as a children's care home within Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) only and for no other purpose, including any other use with in Use Class C2 and specifically shall not be used as supported living accommodation for 16 –18 year olds.

Reason: In order to safeguard the living conditions of the occupants of nearby residential properties and the character of the area in accordance with Policies CS7, CS12 and CS23 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies BH3 of the Blackpool Local Plan 2001-2016.

#### **ADVICE NOTES TO DEVELOPERS**

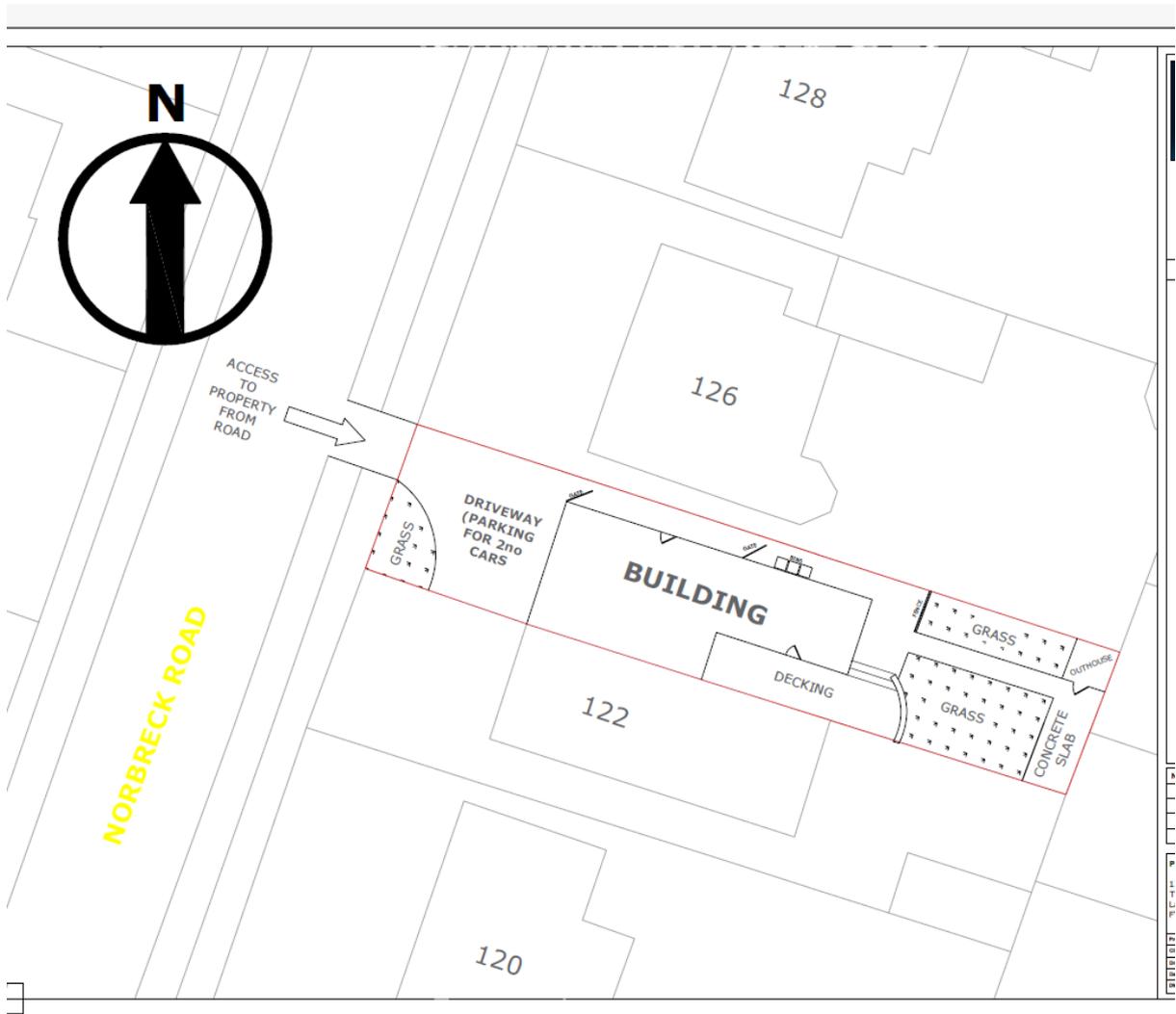
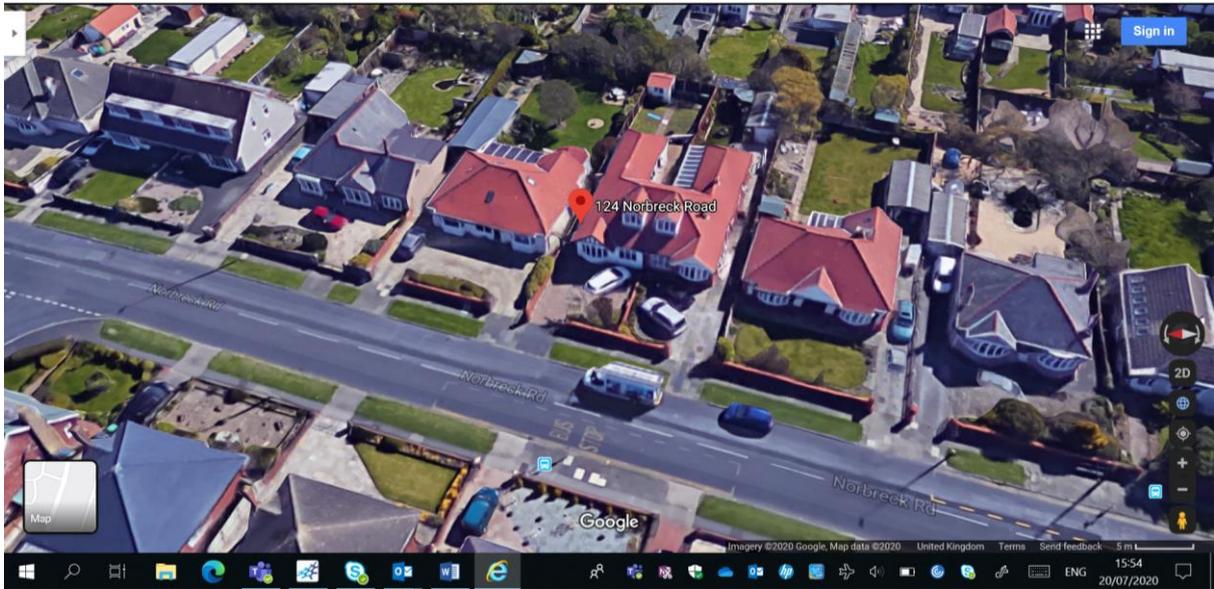
1. This permission is subject a S106 agreement which restricts use of the premises as follows:

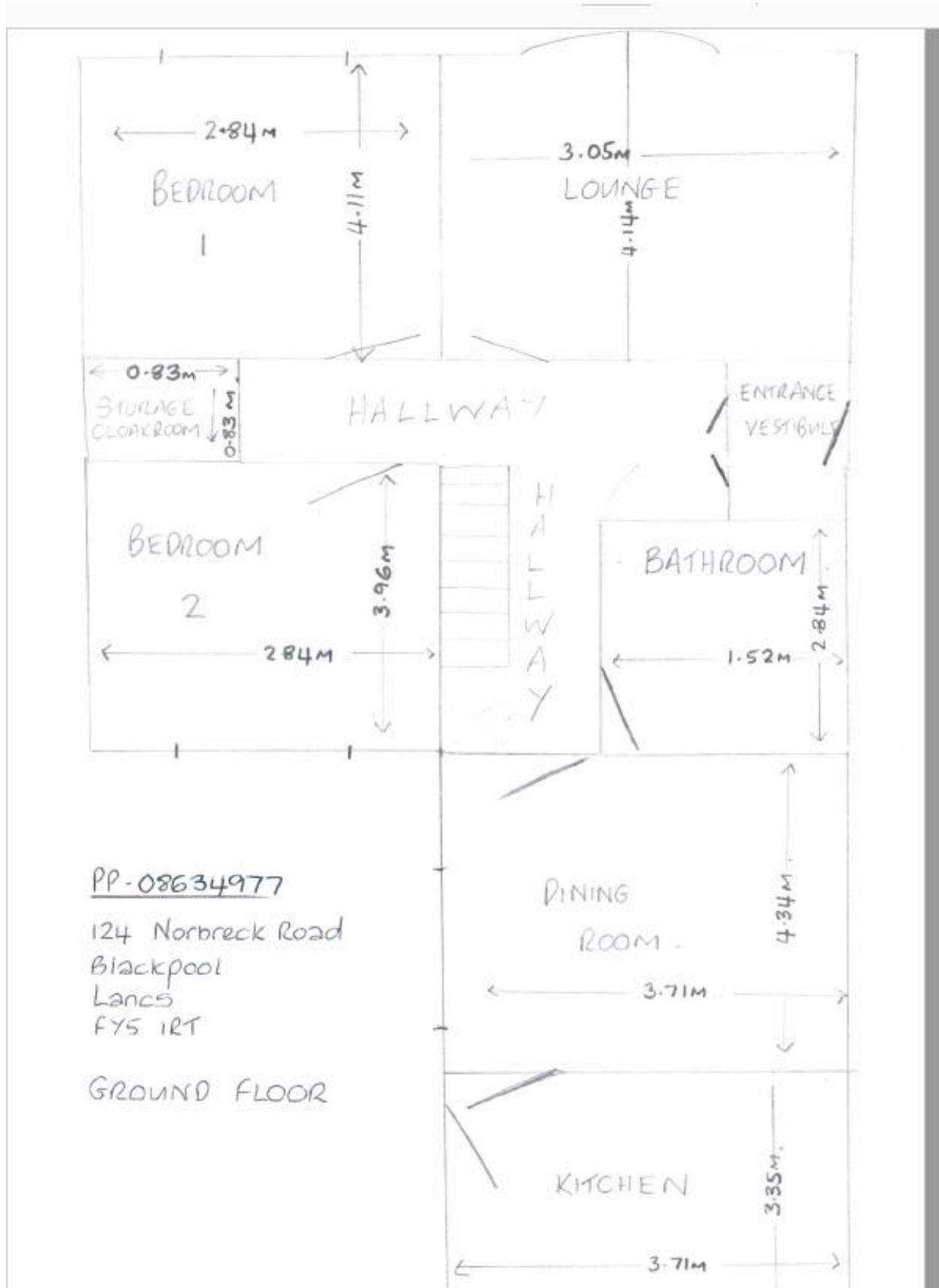
*The property shall only be occupied on a residential basis by no more than 2 children, up to 18 years of age, either:*

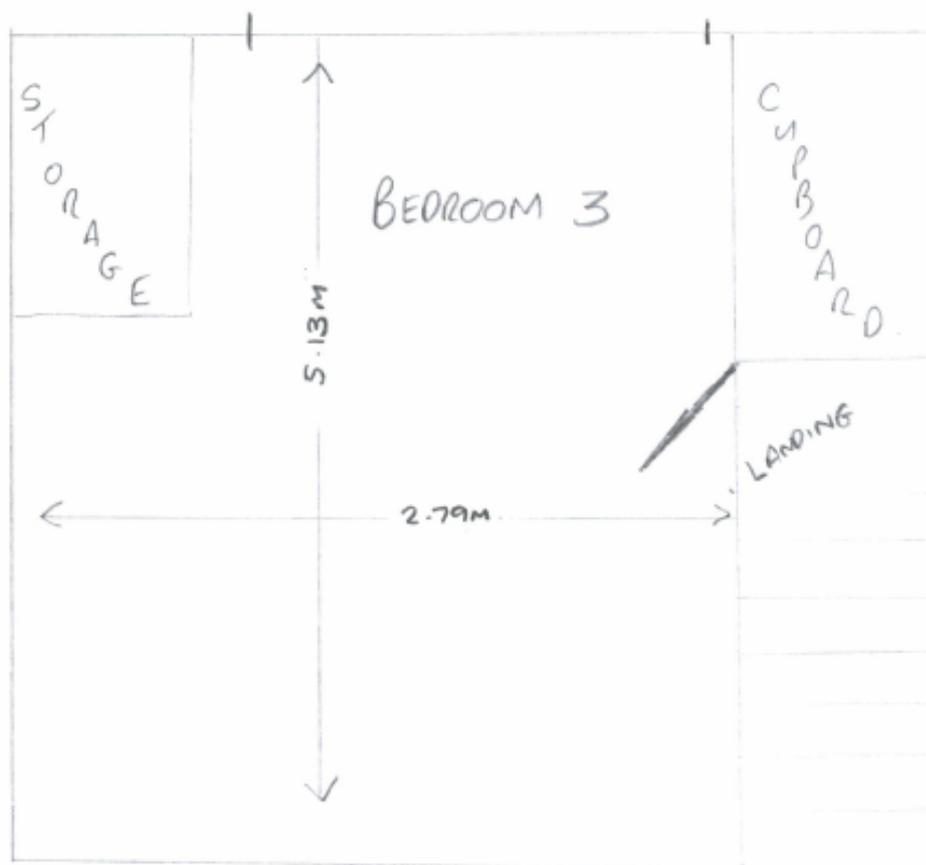
- (i) *placed by Blackpool Council or*
- (ii) *placed by another Authority with the prior written agreement of Blackpool Council.*

The S106 can be viewed in full online at: <https://idoxpa.blackpool.gov.uk/online-applications/>

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PP-08634977

124 Norbreck Road  
Blackpool  
Lancs  
FY5 1RT

UPPER FLOOR (DORMER)



## Blackpool Council - Development Management

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### Officer Report to Committee

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**Application ref:** 20/0352  
**Ward:** WATERLOO  
**Application type:** FULL  
**Location:** 595-601 PROMENADE, BLACKPOOL, FY4 1NG  
**Proposal:** 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.

**Recommendation:** APPROVE  
**Case officer:** MS. P. GREENWAY  
**Case officer contact:** 01253 476222

#### **1.0 BLACKPOOL COUNCIL PLAN 2019-2024**

- 1.1 The Council Plan sets out two priorities. The first is ‘the economy: maximising growth and opportunity across Blackpool’, and the second is ‘communities: creating stronger communities and increasing resilience.
- 1.2 This application accords with priority one in that it represents major investment in the tourism industry and supports regeneration.

#### **2.0 SUMMARY OF RECOMMENDATION**

- 2.1 The proposal is acceptable in principle. The main issue is parking, which can be controlled through the use of a managed car park and Travel Plan and prevention of vehicular access via the rear residential road. The issue of considerate construction can similarly be addressed through preventing HGV’s from using that alley to access the building site. The proposal accords with the policies in the Local Plan and the recommendation is for approval.

#### **3.0 INTRODUCTION**

- 3.1 This application is before Members because of the level of public objection and because it’s a major scheme of general public interest.

#### **4.0 SITE DESCRIPTION**

- 4.1 Bourne Crescent fronts onto New South Promenade, from Burlington Road West in the north to Harrowside West in the south and is bisected by Wimborne Place. The Hampton by Hilton (HbH) occupies approximately one quarter of the Crescent, immediately south of Wimborne Place. This 0.3 hectare site is a temporary car park between the HbH and the Headlands Hotel and was previously occupied by the

Warwick Hotel. Bourne Crescent is located to the south of Blackpool Pleasure Beach and comprises three/four storey holiday accommodation premises and was built around 1920 /1930 in a uniform terraced arc, set back behind a service road, to the front of which is a walled area of Public Open Space directly on the Promenade frontage. To the rear of the existing hotels is a service road which links Burlington Road West to Harrowside West and to the east, across the service road, are two storey houses and flats fronting onto Clifton Drive.

- 4.2 The site was previously located in a resort neighbourhood, but that designation has been removed in the Core Strategy. It is now within a Main Holiday Accommodation Promenade Frontage (Pleasure Beach Promenade Frontage) within the HAA SPD; the site is within flood zone 1.

## **5.0 DETAILS OF PROPOSAL**

- 5.1 The proposal is for the erection of a four storey extension to the existing 130 bedroom HbH hotel to form an additional 74 bedrooms with a new meeting room, staff ancillary area; a single storey rear extension to form a service corridor linking to the existing back of house services, plant room on the roof; and additional parking spaces to the rear, with new access and egress to the car park.

- 5.2 The application has been supported by:
- Design and Access Statement, incorporating a Planning Statement
  - Framework travel Plan and Transport Assessment
  - Surface Water Drainage Proposals
  - Construction Method Statement

## **6.0 RELEVANT PLANNING HISTORY**

- 6.1 17/0194 Erection of six 8 metres high lighting columns and use of land as a temporary car park for a period of 3 years for 110 vehicles. Granted.  
The car park was not considered particularly sustainable as it did not encourage transport by modes other than car. However it was felt to be an asset for visitors to the attractions in the south of Blackpool, so temporary permission was considered acceptable pending redevelopment when the economy picked up.
- 6.2 15/0831 Demolition of hotel. Permission not required.
- 6.3 15/0271 Erection of a four storey building to form a 130 bedroom hotel with associated car park for 38 vehicles, cycle/ motorcycle parking, bin store, sub-station and servicing arrangements, following demolition of the existing buildings. Granted.

## **7.0 MAIN PLANNING ISSUES**

- 7.1 The main planning issues are considered to be:
- the principle of holiday accommodation

- impact on residential amenity
- visual impact
- parking/highway impact

## **8.0 CONSULTATION RESPONSES**

- 8.1 **NATS:** The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.
- 8.2 **Blackpool Airport:** No comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note.
- 8.3 **Police Architectural Liaison Officer:** Crime figures for this locality indicate that the hotel must have adequate security measures to keep people safe and feeling safe and to reduce the opportunity for crimes such as burglary, criminal damage and assault. The project should be built to achieve the Secured by Design award. The car park should be developed to the standards within the Park Mark Safer Parking scheme in order to reduce the opportunities for vehicle related crime.
- 8.4 **United Utilities PLC:** Requests two conditions to include foul and surface water drainage details.
- 8.5 **Environmental Protection:** This complies with the original noise assessment carried out, and as the plant is located on the roof it won't pose a problem in relation to noise affecting the nearest sensitive receptor. A condition could restrict the times that deliveries can take place from a noise perspective.
- 8.6 **Environmental Protection (Contaminated Land):** The information provided shows that there are elevated concentrations of Benzopyrene. This is a carcinogenic and has long term health impacts, therefore this needs to be resolved prior to the development of the hotel. A remediation strategy is to be submitted to the Local Authority for approval, prior to the commencement of works.
- 8.7 **Local Highway Authority:** I have no objection to the proposal from a highway point of view. I have no issue with the Transport Assessment. The closure of the existing access point will require highway works and a separate permission, covered by an advisory comment and need not be conditioned. The CMP is comprehensive, but should include a highway dilapidation survey prior to commencement of any works. The rear access road is highway but not adopted, as such maintenance is the landowners' responsibility. I would support a condition that no contractors' vehicles, plant, deliveries etc should use the rear access road. I would also support a requirement for remediation on the access road if appropriate. In the parking issue, given that they are very substantially reducing the parking capacity and ratio of cars/rooms I would support requiring the spaces to be controlled to allow only

guests and staff – whether they continue to charge or not.

8.8 **Lead Local Flood Authority** - I note that the drainage proposal has been submitted. In order to avoid the imposition of a condition requiring a detailed assessment and scheme can we ask for the assessment that led to the proposal please - including the infiltration tests?

8.9 **Head of Strategic Asset and Estate:** no comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note.

8.10 **Waste (commercial):** no comments have been received in time for inclusion in this report. If any comments are received in advance of the Committee meeting they will be reported through the update note.

## 9.0 **REPRESENTATIONS**

9.1 Press notice published: 02/07/2020

9.2 Site notice published: 25/06/2020

9.3 Neighbours notified: 24/06/2020

9.4 Nineteen representations have been received from the following:

- Scott Benton M.P.
- Councillor Derek Robertson
- Councillor David O'Hara
- New South Promenade: 579, 591-593 and 583
- Clifton Drive: 33, 50, 57, 60 (flats 1 & 4), 62 (flats 1, 2 and 3), 66B, 68 and 70
- Harrowside West: 4 and 6

9.5 These representations raise the following issues:

- Inadequate parking currently exists, particularly April – November, this will exacerbate it. HbH guests use up all the free parking in the crescent before they will pay £12/night in the hotel car park; which means other hotels lose out.
- Loss of public car park
- Use of the residential alley behind the development by heavy service vehicles has left it in a poor state and damaged the drains
- Inconsiderate construction at all hours, damage to property
- Anti-social behaviour and late night noise
- Loss of trade

9.6 The Committee are respectfully reminded that issues relating to loss of trade and the behaviour of the existing hotel guests are not valid planning considerations.

## **10.0 RELEVANT PLANNING POLICY**

### **10.1 National Planning Policy Framework (NPPF)**

10.1.1 The NPPF was adopted in February 2019. It sets out a presumption in favour of sustainable development. The following sections are most relevant to this application:

- Section 6 – Building a strong, competitive economy
- Section 9 – Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change

### **10.2 National Planning Practice Guidance (NPPG)**

10.2.1 The NPPG expands upon and offers clarity on the points of policy set out in the NPPF.

### **10.3 Blackpool Local Plan Part 1: Core Strategy 2012-2027**

10.3.1 The Core Strategy was adopted in January 2016. The following policies are most relevant to this application:

- CS1 Strategic Location of Development
- CS3 Economic Development & Employment
- CS5 Connectivity
- CS7 Quality of Design
- CS9 Water Management
- CS10 Sustainable Design and Renewable and Low Carbon Energy
- CS21 Leisure and Business Tourism
- CS23 Managing Holiday Bed Spaces

### **10.4 Blackpool Local Plan 2011-2016 (saved policies)**

10.4.1 The Blackpool Local Plan was adopted in June 2006. A number of policies in the Local Plan have now been superseded by policies in the Core Strategy but others have been saved until the Local Plan Part 2: Site Allocations and Development Management Policies has been produced. The following saved policies are most relevant to this application:

- BH3 Residential Amenity
- LQ1 Lifting the Quality of Design
- LQ2 Site Context
- LQ4 Building Design

- LQ14 Extensions and Alterations
- AS1 General Development Requirements
- AS2 New Development with significant Transport Implications
- AS7 Aerodrome Safeguarding

## **10.5 Blackpool Local Plan Part 2: Site Allocations and Development Management Policies (emerging policies)**

### **10.6 Other Relevant Policy Guidance**

10.6.1 Holiday Accommodation SPD – adopted November 2017 In order to safeguard the strongest clusters of holiday accommodation in sustainable locations, designated Holiday Accommodation Areas are defined, where restrictions on change of use apply.

## **11.0 ASSESSMENT**

### **11.1 Principle**

11.1.1 The site is within the Pleasure Beach Promenade Frontage Main Holiday Accommodation Area. Policy CS21 is supportive of the provision of new visitor accommodation in this location. It is a key strategy of the Local Plan to promote redevelopment and change where it is most needed and, specifically, to raise the quality of Blackpool's holiday accommodation. The principle of replacing poor hotel accommodation with that of higher quality has already been accepted here with the approval of the HbH. The extension to existing holiday accommodation with a similar high quality offer is in accordance with CS21.

11.1.2 A report produced by CABE and English Heritage in 2003 "Shifting Sands - Design and the changing image of English Seaside Towns" points to the need for change and looks at a number of ways in which seaside resorts are developing, changing or reinventing themselves. It also looks at the positive role that new high quality buildings and open spaces that make the most of their seaside context can have in these changes. Successful regeneration can provide an incentive to other developments and the replacement of the temporary car park with an extension to the hotel shows that the economy seems to be recovering locally. The proposal would improve the quality of the built environment and give this area a much needed boost.

### **11.2 Impact on residential amenity**

11.2.1 The windows in the rear elevation would be sufficiently distant from the houses on Clifton Drive, such as to not cause any significant issues with overlooking of the residents. There are also private garages between the houses and the backstreet, which would also afford privacy to their gardens.

- 11.2.2 The hotel would operate a 24 hours on site presence and a CCTV system would be installed to cover the extension and monitor and record both internally and externally. It would include all entrances, communal rooms, management areas, back of house and the rear car park, which would pick up any unusual late night activity and provide additional security for residents.
- 11.2.3 The Solar Study in the D&AS includes a number of sun path diagrams which demonstrate the shading effect of the proposed extension in comparison to the existing hotel. The sun's orientation and shading is shown at 9am, 12 Noon and 3pm on the longest and shortest days on the year as well as the spring equinox. These dates reflect the extreme variations in the sun's annual path. The proposed massing has minimal effect on the natural light of the surrounding properties, with the exception of the windowless garages to the east of the site in mid-winter.

### 11.3 Visual impact

- 11.3.1 The proposed massing of the extension continues the crescent of the original building whilst respecting the proportions of the surrounding hotels. The design respects the original concept of Bourne Crescent, following the previous building footprint along the crescent's radius. In keeping with the massing of the neighbouring properties the proposal aims to replicate in a contemporary manner the composition of the existing crescent, with a fixed a top, middle and bottom proportion. Some discussion remains ongoing regarding the join between the existing and proposed parts of the building and any amendments to the submitted plans will be reported through the update note.
- 11.3.2 The extension seeks to maintain the language of the existing hotel by using a similar elevational treatment and the same palette of materials for continuity. The external walls would be in a buff brick with matching mortar. The windows would be ordered to follow the curtain walling pattern of the elevation and the window frames would be slim and finished to match the existing windows in colour. The materials are sufficiently robust to stand up to the severe weathering effect of the prevailing sea wind. To inhibit weather damage as much as possible, the front elevation is relatively flush, with only a limited recess to the curtain walling.
- 11.3.3 The existing hotel's gable is blank and it is intended that the extension would add an active south gable end elevation (through the insertion of a line of corridor windows), which would be visible when approaching the hotel from the South.
- 11.3.4 The existing hotel, which sits on the route of the illuminations, incorporates a number of illuminated elements within its facade. The curtain wall directly above the main entrance and the parapet along Bourne Crescent and Wimbourne Place are fitted with LEDs that are programmable to change colour. It is proposed that the LED strip lighting along the building's parapet would be continued along the New South Promenade facade of the extension.

11.3.5 The landscape surrounding the proposed extension would be planted to soften its appearance and form a more welcoming environment than the existing car park. Raised planters would be used along the front of the extension to create a buffer zone between guest bedrooms and the street. There would also be areas of planting at the ends of the parking bays to break up and soften the car park and increase the area of permeable surface for drainage.

#### 11.4 Access, highway safety and parking

11.4.1 The site is currently in use as a temporary car park with 106 spaces. The temporary car park was granted consent in 2017 for a period of three years and is operated by Pay and Display. The temporary car park is generating traffic onto the highway network.

11.4.2 The existing HbH hotel has 130 bedrooms and the main entrance to the hotel is from the front north-west corner of the building, with a secondary entrance from the rear car park, which is accessed from the service road. The surface level car park has 34 standard, 4 disabled and 4 motorcycle parking spaces. Parking Eye manages the use of the car park using an ANPR solution. Cycle parking is provided in a sheltered location in the car park. Service and refuse collection occurs from the service road to the rear of the site.

11.4.3 The proposed development of a further 75 bedrooms includes an extension to the car park to provide 52 standard, 5 disabled and 3 Electric Vehicle spaces (i.e. 60 spaces). The total combined provision on site would amount to 86 parking spaces, 9 disabled spaces and 3 EV spaces. In addition, it would provide 4 motorcycle parking spaces and 20 cycle parking spaces (the cycle spaces are more likely to be used by staff, due to the problems with luggage for guests). The proposal combined with the existing provision would result in an overall provision of 0.42 spaces per bedroom. While this is beneath the maximum hotel parking standard, a reduction is considered acceptable due to the sustainable location of the site. Regarding the parking situation, the Council's Head of Transportation considers that, given the ratio of cars/rooms, the spaces should be controlled to allow only guests and staff. This would be actioned through the continued management of the car park by Parking Eye using an ANPR solution. In addition, the existing hotel Travel Plan has been updated to include the development proposals and has been adopted in order to encourage sustainable travel and ensure the site is accessible by a variety of modes of travel. It should also be noted that the proposals to link Blackpool North train station with the tram network running along the Promenade, including past this site, are progressing. This would further reduce dependence on access by private-car.

11.4.4 Once guests are parking in the car park, they are less likely to use their vehicles for day trips as the hotel is within easy reach of key resort core destinations, including being only 700m from the Pleasure Beach and 1km from South Pier. Blackpool Tower, and tourist areas to the north are slightly in excess of desirable walking distances, however hotel users are more likely to walk further as part of a leisure trip than is the case for standard utility trips, particularly given the compact and flat

nature of Blackpool. Local tram and bus services also provide good connections to key destinations. There are bus and tram stops on the Promenade and a bus route to the rear on Clifton Drive. The closest train station is a six minute walk from the site at the rear of the Pleasure Beach. The site is easily accessible by public transport, with existing services providing good coverage of local areas and train services providing connections to the wider region, and beyond. Access to the hotel using public transport is possible for both staff and guests.

- 11.4.5 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this instance the Transport Assessment shows that the proposal meets national policy requirements with regard to sustainable travel and will not result in a significant impact on the operation of the local highway network.
- 11.4.6 As originally submitted, access to the car park extension was to be provided from the rear alley, with egress onto Bourne Crescent. However, as a result of neighbour concerns regarding the constant use of this residential rear road, the applicant has agreed to an amended proposal whereby all access/egress would be from Bourne Crescent, and a solid barrier would close off and prevent any access to this car park from the rear. In addition, highways officers are looking into the potential of making the presently free parking on Bourne Crescent into limited parking or “scratch card” parking for surrounding hotels. Further information on these matters shall be reported through the update note.
- 11.4.7 Neighbours were concerned regarding inconsiderate construction and the use of the rear alley by HGV’s. The Construction Management Plan (CMP) would cover that detail and the poor state of the service road. However, officers are negotiating with the developer, so that all construction traffic would service the site from Bourne Crescent. The rear site boundary would be fenced off to prevent any access into the site from the alley. The CMP would also require a dilapidation survey and the repair of the service road would be considered as part of this. This will be reported on further on the Update Note.

## **11.5 Other issues**

- 11.5.1 The scheme would not impact upon biodiversity. Air, land and water quality would be unaffected and the site would not be expected to be at undue risk from such. No additional hard-standing would be created and so there would be no impact on surface water drainage. The development would not impact upon flood risk.
- 11.5.2 The application has 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 (as amended).
- 11.5.3 Under Article 8 and Article 1 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. This application does not raise any specific human rights issues.

## **11.6 Sustainability and planning balance appraisal**

11.6.1 Sustainability comprises economic, environmental and social components.

11.6.2 Economically, although hotels are accepted as main town centre uses, in the Blackpool context they are equally to be directed to the defined Holiday Accommodation Areas. As such, the scheme would not have an unacceptable impact on the established retail hierarchy and would maintain and enhance employment opportunities on the site.

11.6.3 Environmentally the proposal would not be expected to significantly increase private car use over and above the existing situation. No impacts on biodiversity, drainage or environmental quality would result. The proposed alterations to the building would be visually acceptable.

11.6.4 Socially, and subject to the recommended conditions, the scheme would not have an unacceptable impact on residential amenity and, subject to the agreed works to the junction, would not have an unacceptable impact on highway safety or function. Flood risk would not be affected.

11.6.7 In terms of planning balance, the development proposed is considered to constitute sustainable development in terms of the environmental and social components. No other material planning considerations have been identified that would outweigh this view.

## **12.0 CONCLUSION**

12.1 As set out above, the scheme is judged to represent sustainable development and no other material planning considerations have been identified that would outweigh this assessment. On this basis, planning permission should be granted.

## **13.0 RECOMMENDATION**

13.1 Approve subject to the following conditions:

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

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

- 2 The development 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 including the following plans and information:

Location Plan 1024\_02000;  
Proposed site layout plan 1024-TGA-XX-ZZ-DR-A-02001 Rev D;  
Car parking plan 1024-TGA-XX-ZZ-DR-A-02003;  
Proposed ground floor plan 1024-TGA-XX-ZZ-DR-A-03000 Rev A;  
Proposed first to third floor plan 1024-TGA-XX-ZZ-DR-A-03001 Rev B;  
Proposed east elevation 024-TGA-XX-ZZ-DR-A-05001;  
Proposed south elevation 024-TGA-XX-ZZ-DR-A-05002;  
Proposed west elevation 024-TGA-XX-ZZ-DR-A-05003; and,  
Proposed drainage strategy 19-1080-200 P2 & P4;

The development shall thereafter be retained and maintained in accordance with these approved details.

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

- 3 The external materials to be used on the development hereby approved shall be as specified on proposed east elevation plan ref. 024-TGA-XX-ZZ-DR-A-05001, proposed south elevation plan ref. 024-TGA-XX-ZZ-DR-A-05002 and proposed west elevation plan ref. 024-TGA-XX-ZZ-DR-A-05003 unless otherwise first submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any above ground construction.

Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and LQ4 of the Blackpool Local Plan 2001-2016.

- 4 Prior to the commencement of any above ground construction, a scheme for the provision of boundary treatments to include their position, height, materials and design, shall be submitted to and agreed in writing by the Local Planning Authority. These agreed boundary treatments shall then be provided in full and in full accordance with the approved details before the proposal hereby approved is first brought into use.

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

5 Prior to the first occupation or use of the development hereby approved:

(a) a landscaping scheme shall be submitted to and agreed in writing by the Local Planning Authority. This scheme shall include a full planting schedule detailing plant species and initial plant sizes, numbers and densities;

(b) the landscaping scheme agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details; and

(c) Any trees or plants planted in accordance with this condition that are removed, uprooted, destroyed, die or become severely damaged or seriously diseased within 5 years of planting shall be replaced within the next planting season with trees or plants of similar size and species to those originally required unless otherwise first submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that 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 in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and LQ6 of the Blackpool Local Plan 2001-2016.

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

Reason: In order to ensure that adequate parking provision is available to meet the needs of the development in the interests of the appearance of the area and highway safety in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and AS1 of the Blackpool Local Plan 2001-2016.

7 Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

8 (a) Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance and in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards shall be submitted to and approved in writing by the Local Planning Authority.

This scheme shall include:

(i) Measures to achieve a reduced rate of discharge of surface water agreed with the Local Planning Authority and a timetable for its implementation.

(ii) Evidence of an assessment of the site conditions to include site investigation and test results to discount infiltration or to confirm infiltrations rates;

(iii) Surveys and appropriate evidence to establish the position, capacity and interconnection of all watercourses and surface-water sewers within the application site and those outside of the site into which a direct or indirect connection is proposed;

(b) Unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

(c) The scheme agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details before the development hereby approved is first brought into use.

Reason: To promote sustainable development, secure proper drainage of surface water and to manage the risk of flooding and pollution in accordance with the provisions of the NPPF and NPPG and Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027. This information must be agreed prior to the commencement of development in order to ensure appropriate drainage of the site as the development proceeds.

9 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:

- a dilapidation survey for the highway to the front and rear of the site
- 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
- measures to prevent contamination of surface and sub-surface water bodies during the construction period
- routing of construction traffic

The construction of the development shall then proceed in full 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.

- 10 The development shall not be occupied until an updated Travel Plan for the hotel has been submitted to and approved in writing by the Local Planning Authority. Such Travel Plan shall include the appointment of a travel co-ordinator and a format that consists of surveying, travel audits, a working group, action plans with timescales and target setting for the implementation of each element.

No part of the development shall be occupied prior to the implementation of the Approved Travel Plan (or implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation). Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable therein and shall continue to be implemented as long as any part of the development is occupied.

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

- 11 Deliveries and service vehicles shall only access / egress the hotel site between 0800 hours and 2100 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no other times.

Reason: In the interests of the residential amenity of neighbouring residents and in accordance with Policy BH3 of the Blackpool Local Plan 2001 - 2016.

- 12 The contaminated land report shows that there are elevated concentrations of Benzopyrene, which is a carcinogenic and has long term health impacts. Therefore, prior to commencement of development a scheme of remediation shall be submitted to and agreed in writing by the Local Planning Authority; and the remediation agreed shall be carried out in full and a validation report confirming the works shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure a safe form of development that poses no unacceptable risk of pollution to water resources or to human health and in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027. This information is required to be submitted and agreed prior to commencement in order to ensure that the development hereby approved proceeds safely.

#### **ADVICE NOTES TO DEVELOPERS**

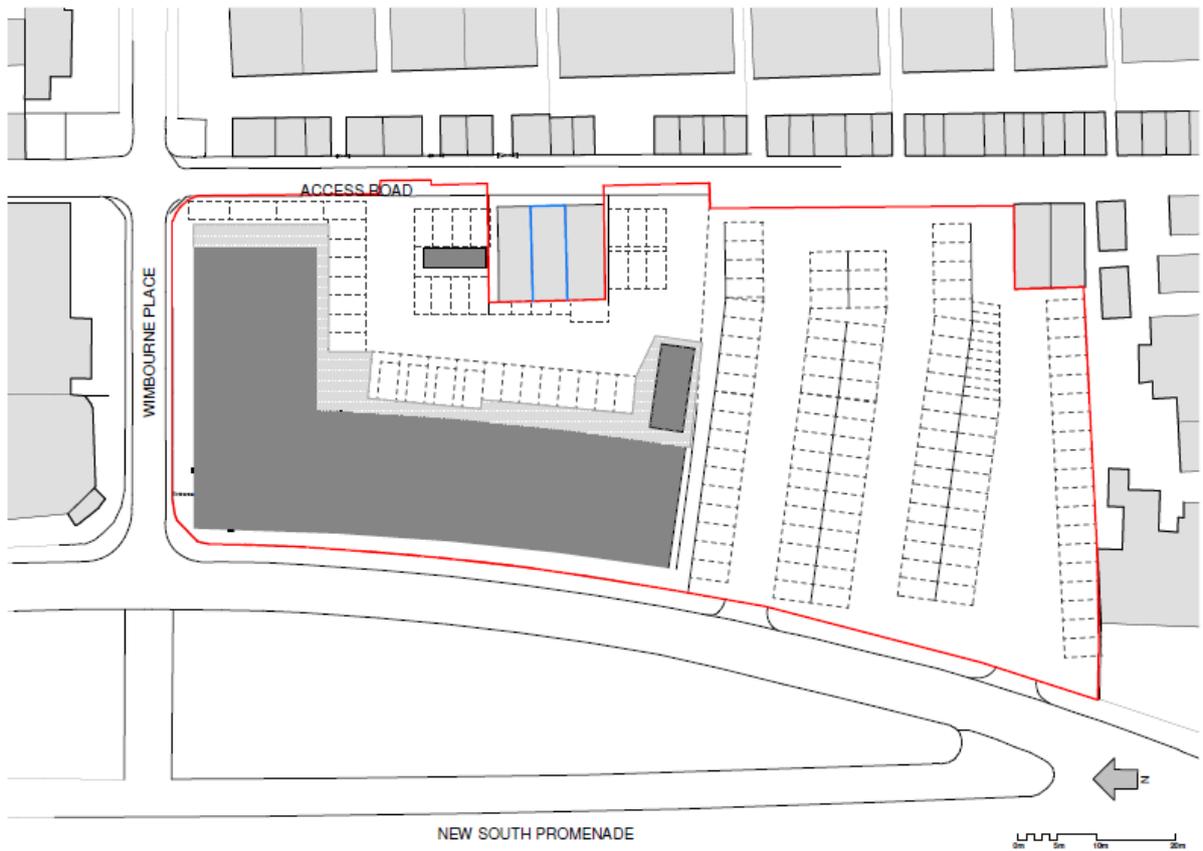
1. This site falls within the identified safeguarding area for Blackpool Airport. As such, your attention is drawn to the following advice notes:
- <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-1-Aerodrome-Safeguarding-An-Overview-2016.pdf>
  - <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-2-Lighting-2016.pdf>

- <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-3-Wildlife-Hazards-2016.pdf>
- <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-4-Cranes-2016.pdf>
- <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-5-Renewable-Energy-2016.pdf>

For further information and advice, please contact [safeguarding@blackpoolairport.com](mailto:safeguarding@blackpoolairport.com).

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Appendix 6a







② West Elevation (New South Promenade) Contextual  
1:200



① South Elevation Contextual  
1:200



③ East Elevation Contextual  
1:200

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