

Blackpool Council

8 March 2021

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, 16 March 2021 at 6.00 pm
via 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 9 FEBRUARY 2021 (Pages 1 - 6)

To agree the minutes of the last meeting held on 9 February 2021 as a true and correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED (Pages 7 - 12)

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

4 PLANNING ENFORCEMENT UPDATE REPORT- JANUARY 2021 (Pages 13 - 16)

The Committee is requested to consider the summary of planning enforcement activity within Blackpool, between 1 January 2021 and 31 January 2021.

5 PLANNING ENFORCEMENT UPDATE REPORT- FEBRUARY 2021 (Pages 17 - 20)

The Committee is requested to consider the summary of planning enforcement activity within Blackpool, between 1 February 2021 and 28 February 2021.

6 PLANNING APPLICATION 20/0407- 7 HOLMFIELD ROAD (Pages 21 - 40)

To consider planning application 20/0407 for use of premises as a semi-independent supported living accommodation facility for four young persons aged 16- 17 with non resident carers (retrospective application) at 7 Holmfield Road.

7 PLANNING APPLICATION 20/0751- LAND BOUNDED BY EAST TOPPING STREET, COOKSON STREET, KING STREET AND DEANSGATE (Pages 41 - 84)

To consider Planning Application 20/0751 a hybrid application comprising:

(a) Outline Application with all matters reserved for the erection of a detached building up to 7 storeys in height to provide offices (Use Class E(g)) and medical centre (Use Class E(e)) with associated surface level car park, infrastructure and public realm works following demolition of existing buildings and partial demolition of the locally-listed The Hop Public House.

(b) Full Planning Application for external alterations to The Hop and change of use of the part-retained building to a dental practice within Use Class E(e).

At land bounded by East Topping Street, Cookson Street, King Street and Deansgate.

8 PLANNING APPLICATION 20/0767- 3 SHERBOURNE ROAD (Pages 85 - 98)

To consider Planning Application 20/0767 for the use of premises as a single private dwellinghouse at 3 Sherbourne Road.

9 DATE OF NEXT MEETING

To note the date of the next meeting as Tuesday 13 April 2021

Other information:

For queries regarding this agenda please contact Lennox Beattie, Executive and Regulatory Manager, Tel: (01253) 477157, e-mail lennox.beattie@blackpool.gov.uk

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Present:

Councillor Owen (in the Chair)

Councillors

Baker	Farrell	Jackson	Robertson BEM
D Coleman	Hugo	O'Hara	Stansfield

In Attendance:

Lennox Beattie, Executive and Regulatory Support Manager

Carl Carrington, Head of Planning, Quality and Control

Ian Curtis, Legal Officer

Susan Parker, Head of Development Management

1 DECLARATIONS OF INTEREST

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

Agenda Item 3 - Publication and Use of Residential Care and Semi-Independent Supported Living Accommodation for Children and Young People Advice Note;

Agenda Item 4 - Planning application 20/0219 124 Norbreck Road;

Agenda Item 5 - Planning application 20/0267 77 Lancaster Road;

Agenda Item 6 - Planning application 20/0407 7 Holmfield Road.

The nature of the interest on all Items being that she worked within the industry sector.

2 MINUTES OF THE MEETING HELD ON 20 JANUARY 2021

The Committee considered the minutes of the last meeting held on 20 January 2021.

Resolved:

That the minutes of the meeting of the Planning Committee be approved and signed by the Chairman as a correct record.

3 PUBLICATION AND USE OF RESIDENTIAL CARE AND SEMI-INDEPENDENT SUPPORTED-LIVING ACCOMMODATION FOR CHILDREN AND YOUNG PEOPLE ADVICE NOTE

The Planning Committee considered the Residential Care and Semi-Independent Supported Living Accommodation for Children and Young People Advice Note.

Miss Susan Parker, Head of Development Management, introduced the Item and reminded Members that that previous versions of the Advice Note had been presented to the Committee in August and October 2020. The Advice Note had been further amended to clarify that, following legal advice, it was considered that there was no material difference between Children's Residential Care Homes and Semi-Independent Supported-Living facilities in planning terms, and as such a planning application for a Children's Residential Care Home would not be supported within 400 metres of a Semi-Independent Supported-Living facility and vice versa.

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Members' attentions were drawn to an objection received as presented in the update note but Miss Parker's view was that no amendments to the Advice Note were required as a result of the comments received. She concluded her report by advising that if approved the Advice Note would be published on the Council's website to guide prospective developers as to the Council's expectations and to explain how applications would be considered.

The Committee acknowledged the concise nature of the Advice Note and the benefit of the guidance to applicants and agreed to approve the Advice Note for use.

Resolved: To approve the Advice Note for publication on the Council's website and use as a material consideration in the determination of planning applications.

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

4 PLANNING APPLICATION 20/0219 - 124 NORBRECK ROAD

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

Miss Susan Parker, Head of Development Management, provided an overview of the history of the application and reminded Members that the Committee had previously resolved to approve the proposal in September 2020, however no planning permission had yet been granted due to the requirement for a Section 106 legal agreement to be completed. Subsequent legal advice had concluded that Children's Residential Care Homes, such as that proposed at 124 Norbreck Road, and Semi-Independent Supported-Living facilities both classified as similar specialist use in planning terms, and should not be located within 400 metres of an existing such use.

Miss Parker explained that as the property was within 400 metres of an existing specialist care facility it had been deemed appropriate to refer the matter back before Members for reconsideration as a result of the legal advice received due to the material change in circumstances. She recommended the Committee now refuse the application as it was contrary to Policy BH24 of the Blackpool Local Plan 2001-2016.

Mr Daniel Lee, applicant, spoke in support and asked the Committee to take account of the lengthy application process that had begun in September 2019 during which time all requirements were followed and the application resubmitted as changes to policy became apparent. Members' attentions were drawn to a similar specialist use facility at 66A Norbreck Road, the existing provision of which had resulted in the Officer's recommendation to refuse this application. Mr Lee understood that 66A Norbreck Road had not followed a similar process of application for planning permission and considered that the Committee should grant the application for 124 Norbreck Road based on Mr Lee's adherence to the advice received.

In response, Miss Parker noted Mr Lee's co-operation and patience during what had been a lengthy and challenging process and confirmed that no planning application had been submitted for 66A Norbreck Road. She explained to the Committee that the property had

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been subject to an enforcement investigation which found that the use had existed for sufficient time for it to be lawful in planning terms and there was no obligation by the operators to submit a planning application.

Members acknowledged the disappointment caused to the applicant as a result of the updated understanding of the policy position set out in the Advice Note. The Committee discussed the impact on the effectiveness of the policy as so understood if approval were to be granted, and concerns were raised that a precedent would be set should the application be approved in contravention of that policy. Mr Ian Curtis, Legal Advisor, reminded Members that should the application be approved the Committee would need to provide justification in planning terms as to why a departure from that policy had been made.

The Committee concluded that on balance there were insufficient reasons to depart from the policy and agreed to refuse the application.

Resolved: To refuse planning application 20/0219 due to the property being within 400 metres of an existing specialist care facility falling within Use Class C2 and meeting similar needs. The proposed use would therefore result in an over-concentration of such specialist uses in the immediate vicinity which would be detrimental to the character of the area and contrary to the provisions of Policy BH24 of the Blackpool Local Plan 2001-2016.

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

5 MOTION MOVED, SECONDED, VOTED UPON AND LOST

During deliberation of the preceding Item, planning application 20/0219 124 Norbreck Road, the following motion was proposed, seconded, voted upon and lost:

“That the application be approved subject to the same conditions as agreed at the 1 September 2020 meeting. “

6 PLANNING APPLICATION 20/0267 - 77 LANCASTER ROAD

The Planning Committee considered planning application 20/0267 for use of premises as a residential care home for up to two young persons aged 11 - 17 with non-resident carers (Use Class C2) at 77 Lancaster Road.

Miss Susan Parker, Head of Development Management, provided an overview of the history of the application and reminded Members that the Committee had previously resolved to approve the proposal in September 2020, however no planning permission had yet been granted due to the requirement for a Section 106 legal agreement to be completed. Subsequent legal advice had concluded that Children’s Residential Care Homes and Semi-Independent Supported-Living facilities both classified as similar specialist use in planning terms, and should not be located within 400 metres of such an existing use.

Miss Parker explained that as the property was within 400 metres of an existing specialist care facility it was deemed appropriate to refer the matter back before Members for

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reconsideration as a result of the legal advice received due to the material change in circumstances. She recommended the Committee now refuse the application as it was contrary to Policy BH24 of the Blackpool Local Plan 2001-2016.

The Committee's attention was drawn to the objection received from the applicant's agent as circulated to Members on the update note. With regards to the request for deferral, Miss Parker reported that the applicant was notified on 22 December 2020 that the matter would be heard at the February meeting of the Planning Committee and Members agreed with her view that adequate time had been given to make representations.

Concerns were raised that young persons were already being accommodated in the property and the potential disruption that would be caused if they were asked to leave. In response, Miss Parker advised Members that should the application be refused, the applicant could appeal and any enforcement action would be held in abeyance until the appeal was heard. She added that the Inspector would be mindful of any vulnerable young persons residing at the property and any enforcement action would be managed to take into account the effect on their wellbeing.

The Committee considered the information provided and agreed to refuse the application.

Resolved: To refuse planning application 20/0267 at 77 Lancaster Road due to the property being within 400 metres of an existing specialist care facility falling within Use Class C2 and meeting similar needs. The proposed use would therefore result in an over-concentration of such specialist uses in the immediate vicinity which would be detrimental to the character of the area and contrary to the provisions of Policy BH24 of the Blackpool Local Plan 2001-2016.

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

7 PLANNING APPLICATION 20/0407 - 7 HOLMFIELD ROAD

The Committee considered planning application 20/0407 for use of premises as a Semi-Independent Supported-Living accommodation facility for four young persons aged 16- 17 with non-resident carers (retrospective application) at 7 Holmfield Road.

Miss Susan Parker, Head of Development Management, provided an overview of the application and explained that the property had been used as a Semi-Independent Supported-Living facility for the last three years, and that the application was to permit continued use of the premises.

Members were advised that the applicant had requested the item be deferred to a future meeting to allow additional information to be submitted for consideration by the Committee. The applicant had also requested that comments from the Council's Children's Services Team, which had been removed from the report as they contained confidential content, be included as it was felt they offered some support for the proposal.

Miss Parker stated that she therefore ^{Page 4}wished to change the Officer recommendation to

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one of deferral in order that the additional information could be published and properly considered, and Children's Services re-consulted in order that any decision made was robust and transparent.

The applicant, Mr Patrick Meehan, appeared before the Committee and confirmed his request for a deferral.

The Committee agree to defer the application to a future meeting to enable the additional information submitted to be circulated with the agenda report for a forthcoming meeting.

Resolved: To defer application 20/0407 for 7 Holmfield Road to a future meeting.

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

8 DATE OF NEXT MEETING

To note the date of the next meeting as 16 March 2021.

Chairman

(The meeting ended 6.57 pm)

Any queries regarding these minutes, please contact:
Lennox Beattie Executive and Regulatory Manager
Tel: (01253) 477157
E-mail: lennox.beattie@blackpool.gov.uk

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Report to:	PLANNING COMMITTEE
Relevant Officer:	Susan Parker, Head of Development Management
Date of Meeting:	16 March 2021

PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

1.0 Purpose of the report:

1.1 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.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

4.1 None, the report is for information only.

5.0 Council Priority:

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

6.0 Planning Appeals Lodged

6.1.1 None

7.0 Planning/Enforcement Appeals Determined

7.1 20/0287 37 HODDER AVENUE – Grant of planning permission for use as a residential care home for one young person aged 11 – 17 (Use Class C2). The appeal is against the imposition of a condition which states that: The use hereby approved shall cease to operate no later than one year from the date of this permission.

Appeal Dismissed

A temporary planning permission for one year has been granted to change the use of the property from a dwelling to a residential care home in use class C2. The Inspector considered the main issue was whether the permanent use of the dwelling as a residential care home would comply with Saved Policy BH24 and consequently whether the condition restricting the use to a temporary period of one year was reasonable and necessary. The Inspector agreed with the Council's interpretation of the 400 metre rule within that policy as being as a radius "as the crow flies" rather than as the appellant's view that it should be the distance it takes to walk on foot between the two properties. As there was a property in similar use within a 400 m radius, the proposal did not comply with Policy BH24 and the condition was therefore reasonable and necessary. The Inspector found that the Council's approach to this case has been pragmatic and reasonable, in that the temporary permission has allowed for an unauthorised use that had already commenced to continue during the Covid-19 pandemic for a period of time that would allow the appellant to make alternative arrangements.

The application for award for costs failed. The applicant contended that the Council acted unreasonably in refusing to disclose the location of the nearest other children's home to the appellant or to the committee. This they consider seriously disadvantaged them as they were unable to challenge the officer report at Planning Committee, as they were not able to ascertain the location of the property that was being referenced as the reason for the decision. The Inspector considered that the applicant did not need to know the exact address to put forward their counter argument that the 400 metre separation should be based on walking distance rather than a radius. He considered that even if the Council had disclosed the property address, the outcome would not have been different, and the appeal would not have been avoided. Therefore, the Council did not act unreasonably in refusing to divulge the address in the circumstances of this case and there had been no wasted expense occurred by the applicant in the appeal process.

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

7.2 20/0532(A) AND 20/0533(B) – 150 Lytham Road, Blackpool – Retention of Automated teller Machine and non-illuminated ATM sign

Appeals Dismissed

Appeal A - The Inspector acknowledged that the ATM itself is a relatively modest feature, however, the ATM and the white panel are cumulatively visually obtrusive and incongruous and the development contributes to visual clutter rather to visual harmony. She acknowledged that the ATM was in one of the most deprived Lower Super Output Areas in the country in relation to crime. The Inspector stated that although there is little substantive evidence that ATMs in the area have been targeted by criminals, there is little compelling evidence that the ATM would not encourage crime or fear of crime. She stated that the applicant had insufficient security measures in place and proposed to overcome the concerns.

Appeal B - The Inspector stated that the ATM advertisement is the same as the development of Appeal A and consequently the effects of the advertisement on visual amenity are the same as the effects of the development on the character and appearance of the area. Therefore, the advertisement is harmful to visual amenity.

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

7.3 19/0803 – 47-51 Shaftesbury Avenue – use of no. 51 Shaftesbury Avenue as part of the existing rest home and erection of a two-storey link extension

Appeal dismissed

The Inspector judged the main issues to be the visual impact on the streetscene and the effect on the living conditions of nearby neighbours from noise and disturbance.

He observed that the linking extension would close the gap between the properties, unbalancing the pairs of semis, and be insufficiently subservient to the main buildings. It would add to the overall built mass and the design would be bland and would not respect the form of the existing properties. As such it would have an unacceptable impact on the streetscene.

The Inspector considered that internal noise could be mitigated through the use of insulation, but that an increase in noise would still be perceived. External noise in the back garden and due to the comings and goings of staff and visitors would have a detrimental impact on living conditions. Overall the proposal would have a

unacceptable impact on residential amenity.

The conflict with Policy BH24 of the Local Plan was considered but the Inspector judged that, as the proposal would not increase the number of C2 uses in the immediate area, no undue over-concentration would result.

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

7.4 Does the information submitted include any exempt information? No

8.0 List of Appendices:

None.

9.0 Financial considerations:

9.1 None.

10.0 Legal considerations:

10.1 None.

11.0 Risk Management considerations:

11.1 None.

12.0 Equalities considerations:

12.1 None.

13.0 Sustainability, climate change and environmental considerations:

13.1 None.

14.0 Internal/ External Consultation undertaken:

14.1 None.

15.0 Background papers:

15.1 None.

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Report to:	PLANNING COMMITTEE
Relevant Officer:	Tim Coglan, Service Manager- Public Protection
Date of Meeting:	16 March 2021

PLANNING ENFORCEMENT UPDATE- JANUARY 2021

1.0 Purpose of the report:

1.1 The Committee is requested to consider the summary of planning enforcement activity within Blackpool, between 1 January 2021 and 31 January 2021.

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.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

4.1 Not applicable.

5.0 Council priority:

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

6.0 Background information

6.1 Cases

New Cases

In total, 33 new cases were registered for investigation in January 2021.

As at 31 January 2021, there were 525 “live” complaints outstanding.

Resolved cases

In total, 10 cases were resolved by negotiation without recourse to formal action.

Closed cases

In total, 14 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

- No enforcement notices were authorised in January 2021;
- Two s215 notices were authorised in January 2021;
- Two enforcement notices were issued in January 2021;
- One s215 notice was issued in January 2021.

Notices authorised

Ref	Address	Case	Dates
20/8463	4 Kirby Road (FY1 6EB)	Poor condition of property	S215 Notice authorised 11/01/2021
20/8447	4 Rigby Road (FY1 5DE)	Poor condition of property	S215 Notice authorised 18/01/2021

Notices issued

Ref	Address	Case	Dates
18/8422	37 Albert Road (FY1 4ED)	Poor condition of property	S215 Notice issued 08/01/2021. Compliance due 12/08/2021
19/8408	55-57 Hornby Road (FY1 4QJ)	Unauthorised material change of use from a hotel to a house in multiple occupation	Enforcement Notice issued 19/01/2021. Compliance due 01/06/2021
20/8111	90-92 Bolton Street (FY1 6AA)	Unauthorised removal of the ground floor shop front and subsequent conversion of the ground floor unit into a flat	Enforcement Notice issued 26/01/2021. Compliance due 09/06/2021

6.2 Does the information submitted include any exempt information?

No

7.0 List of Appendices:

7.1 None.

8.0 Financial considerations:

8.1 None.

9.0 Legal considerations:

9.1 None.

10.0 Risk management considerations:

10.1 None.

11.0 Equalities considerations:

11.1 None.

12.0 Sustainability, climate change and environmental considerations:

12.1 None.

13.0 Internal/external consultation undertaken:

13.1 None.

14.0 Background papers:

14.1 None.

Report to:	PLANNING COMMITTEE
Relevant Officer:	Tim Coglan, Service Manager- Public Protection
Date of Meeting:	16 March 2021

PLANNING ENFORCEMENT UPDATE- FEBRUARY 2021

1.0 Purpose of the report:

1.1 The Committee is requested to consider the summary of planning enforcement activity within Blackpool, between 1 February 2021 and 28 February 2021.

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.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

4.1 Not applicable.

5.0 Council priority:

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

6.0 Background information

6.1 Cases

New Cases

In total, 57 new cases were registered for investigation in February 2021.

As at 28 February 2021, there were 555 “live” complaints outstanding.

Resolved cases

In total, 5 cases were resolved by negotiation without recourse to formal action.

Closed cases

In total, 22 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

- No enforcement notices were authorised in February 2021;
- No s215 notices were authorised in February 2021;
- No enforcement notices were issued in February 2021;
- No s215 notices were issued in February 2021.

6.2 Does the information submitted include any exempt information? No

7.0 List of Appendices:

7.1 None.

8.0 Financial considerations:

8.1 None.

9.0 Legal considerations:

9.1 None.

10.0 Risk management considerations:

10.1 None.

11.0 Equalities considerations:

11.1 None.

12.0 Sustainability, climate change and environmental considerations:

12.1 None.

13.0 Internal/external consultation undertaken:

13.1 None.

14.0 Background papers:

14.1 None.

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Blackpool Council -Development Management

Officer Report to Committee

Application ref: 20/0407
Ward: WARBRECK
Application type: FULL
Location: 7 HOLMFIELD ROAD
Proposal: USE OR PREMISES AS SEMI-INDEPENDANT SUPPORTED LIVING ACCOMMODATION FACILITY FOR FOUR YOUNG PERSONS AGED 16- 17 WITH NON RESIDENT CARERS (retrospective application).
Recommendation: REFUSE
Case officer: MS. PIPPA GREENWAY
Case Officer contact: 01253 476222

1.0 INTRODUCTION

- 1.1 The application was initially presented to Members at the Planning Committee meeting on the 9 February 2021. The original report and recommendation is appended to this report (Appendix 6a) along with the update note containing additional representations (Appendix 6b).
- 1.2 In that meeting, Members of the Planning Committee were advised that the applicant had circulated information to Members and it had been explained to the applicant that the Committee can only take into account information formally submitted as part of a planning application. The applicant confirmed on the date of committee that he would like this information to be considered by Committee. At the time the information was still being checked for personal details and as to content, which has to be done for all submissions that we publish on the website, and was not yet in the public domain. As such it could not form part of the considerations by Committee, as any decision made would not be robust and transparent.
- 1.3 In addition to this, the comments of the Council's Children's Services team had been removed from the officer report because they included some confidential content.
- 1.4 In light of this, the Head of Development Management requested that the application be deferred to enable the information to be published and properly considered; and to allow Children's Services to be re-consulted and provide updated comments.

2.0 ADDITIONAL INFORMATION

- 2.1 The information circulated has now been published on our website, with appropriate redactions and are available for members to consider.
- 2.2 Children's Services comments have been revised and are as follows: Coastal Key are one of our best providers, they received their quality assurance visit the week before Christmas and were outstanding. There are currently 3 looked after children in their care from Blackpool. We do have a need for this accommodation and always strive to place in good quality provision so would like to continue to work with the company.

3.0 DISCUSSION

- 3.1 Officers are mindful that the applicant has operated for some time and enjoys a positive working relationship with the Council's Children's Services team. However, it must be remembered that planning permissions relate to the land and property and not the operator, and so the personal characteristics of the applicant cannot be taken into account.
- 3.2 Officers have also given careful consideration to the potential impact of a refusal on the young people accommodated. It is reasonable to describe any minor as a vulnerable person, but perhaps more so young people in the care system. Should the application be refused, any planning enforcement action would be held in abeyance until all current occupants have turned 18 and left the home.
- 3.3 Nevertheless, the specialist legal advice the Council has received is clear and officers consider it important that the application be determined in accordance with the relevant planning policy and guidance.
- 3.4 It is noted that the adjacent property no. 9 Holmfield Road is in unauthorised use as a semi-independent home, and this is being investigated separately by planning enforcement.

4.0 RECOMMENDATION

- 4.1 It is considered that the information above does not change the professional advice of your planning officers on the application, and reflects the advice given at the previous meeting of the Committee.
- 4.2 It is therefore recommended that Members resolve to refuse the application for the following reason:

The property is within 400 metres of existing children's residential care home and semi-independent supported living homes falling within Use Class C2. The proposed use would therefore result in an over-concentration of such specialist uses in the

immediate vicinity which would be detrimental to the character of the area and contrary to the provisions of Policy BH24 of the Blackpool Local Plan 2001-2016.

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Officer Report to Committee

Application ref: 20/0407
Ward: WARBRECK
Application type: FULL
Location: 7 HOLMFIELD ROAD
Proposal: USE OF PREMISES AS A SEMI-INDEPENDENT SUPPORTED LIVING ACCOMMODATION FACILITY FOR FOUR YOUNG PERSONS AGED 16-17 WITH NON RESIDENT CARERS (retrospective application).
Recommendation: REFUSE
Case officer: MS. PIPPA GREENWAY
Case officer contact: 01253 477222

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 to some extent as it would support vulnerable children in Blackpool, however there would also be a degree of conflict as it would contribute to an over-concentration of such uses in the immediate area of the site.

2.0 SUMMARY OF RECOMMENDATION

- 2.1 The application relates to a mid-terraced property that falls within both the Defined Inner Area and within 400 metres of existing similar specialist uses (3 x Semi-independent supported living [SISL]'s and a children's home). As such, the recommendation is for refusal.

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 proposals involving the establishment of a children's residential care home (CRCH) / semi-independent supported living facility (SISL) and is therefore of wider public interest.
- 3.2 The operators Coastal Key Housing (CKH) state that 7 Holmfield Road has been used since it opened in 2018 as a semi-independent supported facility for children/young

adults between 16-17 years old, in the care of the local authority, ensuring they are prepared for independence in the build up to turning 18. Support includes cooking, budgeting, personal hygiene and finding employment or college opportunities, as well as keeping the residents safe and secure. The premises currently has 4 young people in residence and are due to remain until they turn 18 next year. The level of supervision is what one would expect for older teenagers in a domestic setting and there is a curfew of 23:00 from Sunday to Thursday and midnight on Friday / Saturday and this is supported by CCTV. There is a support worker on the premises most of the time, including overnight. The level of support and supervision and the activity on-site is different to what would be found in a regulated children's care home. The layout of the accommodation is similar in nature to a house in multiple occupation, where residents have their own rooms but share communal spaces. However, because persons under the age of 18 years cannot legally form a household, and because a degree of care is provided (albeit not to the level of requiring regulation under the Care Act), the use is considered to fall within Use Class C2.

- 3.3 There is no requirement for the premises to be regulated by Ofsted. Placement within this and other similar facilities is done via the North West Placement Framework (NWPF) based within Bolton but is undertaken by local authorities on a rota basis. CKH have been informed by officers that planning permission is required for its use within class C2. As such, the 400m restrictive zone applied under Local Plan Policy BH24 and discussed in more detail below applies as well as the Inner Area restriction.

4.0 SITE DESCRIPTION

- 4.1 The application is a mid-terraced, two storey property, with roof space accommodation behind an original pike dormer. On the ground floor there is a communal lounge, staff room/office and to the rear a W.C. and a kitchen/dining room giving access to a small rear yard. The first floor comprises three bedrooms, a bathroom and a W.C. The second floor comprises two bedrooms (including a staff bedroom) and above this is a smaller loft in the roof space used for storage. The front area is a garden behind a low residential wall; and there is no off street car parking available, although vehicles can park on-street immediately outside the property.
- 4.2 The character of the area is one of dense, Victorian residential terraced houses, close to the Promenade and behind an area of hotels and guesthouses. The property is within walking distance of Gynn Gardens, local shops on Dickson Road, schools and other facilities. The application property is located within North Shore Conservation Area (NSCA), within the Defined Inner Area and within flood risk zone 1 (low flood risk).

5.0 DETAILS OF PROPOSAL

- 5.1 The application is retrospective and is for the continued use of the premises (previously Class C3 dwelling house) as a semi-independent supported living facility (SISL) which is considered to be within Use Class C2. The facility accommodates four young people of ages 16 – 17 with three teams of up to two carers on site working 10:00 until 17:00; 17:00 – 23:00; and 23:00 to 10:00 in a shift pattern.
- 5.2 The applicants, CKH, bought the property in 2016 and were accepted by NWPF in June 2018 and opened in 2018. The application is accompanied by a supporting statement/ management plan. In their supporting submission they state that the safety, well-being and progression of their residents and staff is at the heart of their ethos. If the residents feel safe, they are likely to be settled within their placement. They conduct an annual locality risk assessment which is influenced by the crime figures in Warbreck ward. They acknowledge that the property is located in a ‘high crime’ area compared with national statistics, and have taken extra precautions to secure the building and safeguard their residents. The staff are all DBS checked, are employed in line with their company policy and processes. All staff are local to Blackpool and understand local issues and the needs of the residents. They ensure the building is safe and secure each day and have a staff member who is in the house at all times. The property is secured externally by CCTV which allows staff to see who is coming and going, and also serves as a deterrent against crime. The residents have a curfew of 23:00 from Sunday – Thursday, and midnight from Friday – Saturday and, although the residents can come and go, staff ensure that they know their whereabouts.
- 5.3 With regard to the fact that the premises are already established as a SISL, the supporting statement says that they will continue to react robustly to any threat to their business. Their biggest concern is their current residents, who would certainly suffer if the facility ceased to operate. It is widely recognised that young people who have multiple placement breakdowns have worse outcomes than young people who are in long-term placements. All four of the current residents have been in the property since last year and are due to remain until they turn 18 next year. They consider that these are all successful placements with a clear plan to support them into independence. Their further concerns include potential unemployment of staff members and financial losses due to the uncertainty in the property market.
- 5.4 Coastal Key Housing state that they are dedicated to improving the lives of vulnerable local young people, providing a platform for young people to have access to the opportunities that every young person deserves, and to support them as they approach adulthood and beyond. Moving forward, they strive to continue to build on their successes over the last two years, whilst remaining a small, close knit provision with no short term plans to expand their number of properties.

6.0 RELEVANT PLANNING HISTORY

6.1 **14/0885** Use as a single private dwelling house GTD (was previously holiday flats). It is worth noting that a condition was attached to this permission to prevent any change of use from C3 to a C4 HMO. Part of the justification for this condition was the need to safeguard the Council's ongoing efforts to establish more balanced and healthy communities within the Inner Areas of the borough by safeguarding family dwelling-houses.

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 **Police Architectural Liaison Officer:** No comment. As this is a retrospective application it is too late to affect any changes.

8.2 **Blackpool Civic Trust:** We do not feel this type of facility should be located in a holiday/residential area. It is also not an appropriate development for the conservation area. The views of the local residents must be considered when making the final decision.

8.3 **Conservation Officer:** No objection

8.4 **Community and Environmental Services, Highways and Traffic Division:** No objection.

9.0 REPRESENTATIONS

9.1 Site notice posted: 20 July 2020

9.2 Neighbours notified: 20 July 2020

9.3 Objections have been received from Paul Maynard MP (appended to this report), Cllr. Michele Scott and from the following properties:

King Edward Avenue: 5, 7, 12, 14, 18 and 20

Shaftesbury Avenue: 33

Holmfield Road: 22

Empress Drive: 9

9.4 Two letters of support have been received.

9.5 These representations raise the following issues:

- There is already a high concentration of such uses in the area and these cause criminal damage and anti-social behaviour.
- It is in close proximity to hotels that cater for older people who are intimidated by the young adults living at the property.
- Fear of crime and intimidation of local residents.
- Inadequate supervision.
- This is a holiday area and not an appropriate location, businesses are suffering.
- Damage to vacant properties (broken windows, fires etc) has been caused by occupants of this property and a nearby SISL.
- 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 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.

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 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 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)

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 was presented to the Council's Planning Committee at the meeting on 4 August 2020. Committee agreed with the 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 The Advice Note was revised to address the issue with SISL's "Residential care and semi-independent supported-living accommodation for children and young people Advice Note" and published in September 2020. This revision was presented to and agreed by Planning Committee in October 2020.

10.6.3 Following legal advice, further amendments to the Advice Note have been made and a third revision is on this agenda.

10.6.4 In light of specific Blackpool issues, the principal objectives of this guidance are to:

- 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 ability of a Local Authority to meet its own needs within its own area is therefore a material consideration.
- 11.1.2 The Council's Children's Services department consider that there is a local need for this facility. More particularly, the requirement is for the need for a facility such as this within the wider area, rather than this particular location. Children's Services would work with this particular provider wherever they were located in Blackpool. As such, the precise location is not a function of need.
- 11.1.3 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.
- 11.1.4 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.
- 11.1.5 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 residential care homes (CRCH) and semi-independent supported-living facilities (SISL)

and also the boundary of a 400m radius buffer around each. This allows officers to easily assess whether or not a proposed use would be within 400m of an existing use. The site falls within 400m of an existing CRCH and three SISLs so the locational requirements of Policy BH24 are not met. In addition, the property falls inside the defined Inner Area, where the high levels of deprivation makes the placement of vulnerable children undesirable.

- 11.1.6 Notwithstanding the locational issue set out above, were the Council to support the scheme, the applicant would be expected to enter into a S106 legal agreement to give priority to local young people. This agreement would specify that all placements must either be made by or with the written agreement of Blackpool Council. This would mean that young people from outside of Blackpool could only be accommodated at the property if the Council's Children's Services team confirmed that the place was not required at that time to meet a local need, or that the placement was the most appropriate given the particular needs of the young person.
- 11.1.7 Blackpool is a hugely deprived Local Authority area. Out of 317 Local Authority areas the 2019 Indices of Multiple Deprivation ranked Blackpool as the most deprived nationwide in terms of average rank, average score, and local concentration. In terms of deprivation particularly affecting children, Blackpool ranks second in the list. The town's average scores in respect of crime and education rank it as eighth and ninth respectively. Blackpool is the most deprived authority area for health and employment. As such, Blackpool suffers from acute social problems that the Council is working hard to address.
- 11.1.8 The town's ranking as the most deprived in terms of local concentration reflects the extremely high levels of deprivation experienced within the defined Inner Area of the borough. The application property falls within the defined Inner Area, where deprivation rates are highest, and this particular property is within the 1% most deprived out of 32,844 such areas (LSOAs) nationwide. It falls within the first decile of deprivation with regard to income, employment, health, crime, living environment and IDACI (The Income Deprivation Affecting Children Index measures the proportion of all children aged 0 to 15 living in income deprived families).
- 11.1.9 The proposal would result in the loss of a family dwelling. The Council can currently demonstrate a five year supply of housing land and the quantitative loss would be negligible. However, it must be noted that a key element of the Council's regeneration strategy is the provision of good family homes within the Inner Area to encourage the development of more stable, balanced and healthy communities. Traditionally this area has suffered from extremely high levels of transience which has prevented this. It must be acknowledged that the residents of the use would necessarily be relatively transient as they would only be able to stay for a maximum of two years. In addition the staff would view the property as a place of work rather than a home. As such, the use of the property as proposed would not contribute to improved social cohesion in the neighbourhood and would therefore undermine the Council's strategy to some extent. Nevertheless, in relation to housing need itself, the loss of the property as a dwelling carries little weight in the planning balance.

11.2 Residential Amenity

- 11.2.1 The Residential Care and Semi-independent Supported-living Accommodation for Children and Young People Advice Note presented to Committee at the meeting on 20 October 2020 considers detached properties to be preferable for SISL uses but acknowledges the use of terraced properties to be acceptable. In this case four young people would be resident, however the property is of substantial size and so is physically capable of accommodating the number applied for. There would be eleven members of staff in total, with two members of staff present during the daytime (10:00 – 17:00) one or two during the evening (17:00 – 23:00) and one during the night time (23:00 – 10:00) with a shift handover at 10:00 am. These change overs of staff may be noticeable and there may be some limited impact on adjoining property but given it involves up to 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 uses can generate a significant number of additional visits from care, education and therapeutic professionals, although this would be expected to be less for a SISL than a CRCH. 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 terraced and shares a party wall with a currently unauthorised SISL at 9 Holmfield Road and with three flats at 5 Holmfield Road. However, the property is also positioned on a relatively busy through road. 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 properties, if permission was to be forthcoming, the imposition of a condition requiring sound insulation would be appropriate.
- 11.2.3 The application property is located within a residential area where there are some elderly residents and visitors. 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. As any planning permission would be subject to an agreement requiring all placements to be made by or with the agreement of the Council, 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 would not change as a result of the proposal and it will not therefore impact visually on the character of the area remaining residential in appearance.

11.4 Access, highway safety and parking

11.4.1 The application property has a small front garden behind a residential boundary wall and no space for off street car parking. There is 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 The Gynn/Dickson Road and there are bus routes and a tramway in near proximity. As such, and although pressure on local on-street parking can be significant, it is not felt that the proposal could reasonably be resisted on parking grounds.

11.4.2 As stated previously, there is no requirement to be registered with OFSTED, however the operator works within the NWPF. 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 It is acknowledged that the property currently accommodates young people who are in need of care. The fact that these young people are in Local Authority care makes it far more likely that they have experienced some degree of trauma, neglect or instability in their lives. This makes them more vulnerable and therefore any further disruption to them should be avoided if at all possible. It is understood that the four young people currently resident will all turn 18 years of age within the next 12 months. Whilst the recommendation is for refusal of this application, it should be noted that no enforcement action would be taken that would require cessation of the use until all of the current residents have turned 18 and vacated the property.

11.5.2 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. Although these premises are not OFSTED registered, they do work within an acknowledged framework and so the same conclusion must prevail in this instance.

- 11.5.3 The scheme would not impact adversely upon drainage, flood risk or biodiversity. Air, land and water quality would be also be unaffected.
- 11.5.4 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).
- 11.5.5 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 some 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, the proposal would result in the loss of a family dwelling within the defined Inner Area where the focus is on the establishment of less transient and more balanced and healthy local communities. Although the use would meet an identified local need, in this location it would be within 400m of four other facilities meeting similar specialist needs (one of which is unauthorised and subject to separate enforcement investigation). As such it would contribute to an over-concentration of such uses in this area to the detriment of its character, function and general amenity.
- 11.6.5 In light of the above and in terms of planning balance, the development proposed is not 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 not 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 refused.

13.0 RECOMMENDATION

- 13.1 It is recommended that Members resolve to refuse the application for the following reason:
- 13.2 The property is within 400 metres of existing children’s residential care home and semi-independent supported living homes falling within Use Class C2. The proposed use would therefore result in an over-concentration of such specialist uses in the immediate vicinity which would be detrimental to the character of the area and contrary to the provisions of Policy BH24 of the Blackpool Local Plan 2001-2016.

Planning Committee:

9 February 2021

Planning Application Reports – Update Note

Listed below are changes to the planning reports made as a result of additional information received since the publication of the agenda for this meeting.

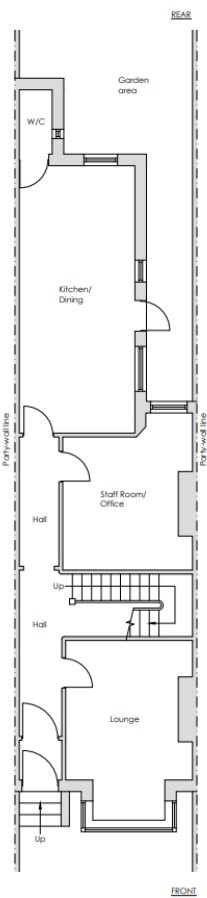
Case:	Address:	Update:
20/0407	7 Holmfield Road	<p>An objection has been received from the applicant raising the following issues:</p> <ul style="list-style-type: none"> • Inadequate notice has been provided of the Committee meeting • The application has been submitted on the advice of the Council • As an outstanding established provider we were confident of support • The application was made to protect the children accommodated and the operation from the (SISL) use established in the neighbouring property • The operation has existed for 3yrs and has delivered consistently outstanding service, as evidenced in the latest report produced by the Council in late 2020 • Can an exception be made based on the quality of provision or the fact that the operation is existing? • Planning advice was given in 2016 to state that planning permission was not required. • An application was made as soon as it was understood to be necessary • Although there is a children’s residential care home within 400m, there is mutual acceptance (between the applicant and that care home) that the uses are different and meet different needs, and that they pose no threat to one another • What support will be provided if the right to operate is lost? <p>The applicant has requested that the application be deferred to a future meeting.</p> <p>Officer response:</p> <p>The application was invited because the use was considered to require planning permission. The applicant was advised</p>

		<p>that the application may be refused and that he would have the right to appeal.</p> <p>The operator’s excellent working relationship with the Council’s Children’s Services team is recognised. However, the planning system is primarily considered with matters of land use. As such, the identity and quality of the operator are not material planning considerations.</p> <p>The potential impact of a refusal on the young people in care is a material consideration. Officers would work with the applicant to minimise this as far as is possible. As is set out in the report, any enforcement action would be held in abeyance until the young people currently accommodated have left the premises.</p> <p>The matter of the ‘400m rule’ is addressed above, the legal advice to the Council is that the two uses are similar in planning terms as they both care for minors under the age of 18yrs.</p> <p>The applicant would have the right of appeal to the independent Planning Inspectorate.</p>
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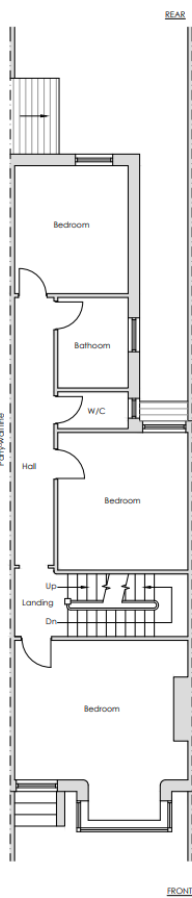
Appendix 6c 20/0407 – 7 Holmfield Road



Site Location Plan (1:500)



Existing Ground Floor Plan



Existing First Floor Plan



Existing Second Floor Plan



Existing Loft Plan

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**Blackpool Council
Development Management**

Officer Report to Committee

Application ref: 20/0751
Ward: TALBOT
Application type: HYBRID

Location: Land bounded by East Topping Street, Cookson Street, King Street and Deansgate, Blackpool.

Proposal: Hybrid Application comprising:
(a) Outline Application with all matters reserved for the erection of a detached building up to 7 storeys in height to provide offices (Use Class E(g)) and medical centre (Use Class E(e)) with associated surface level car park, infrastructure and public realm works following demolition of existing buildings and partial demolition of the locally-listed The Hop Public House.
(b) Full Planning Application for external alterations to The Hop and change of use of the part-retained building to a dental practice within Use Class E(e).

Recommendation: APPROVE
Case officer: Miss. Susan Parker
Case officer contact: 01253 476228

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 would accord with the first priority as it would introduce new office floorspace into the Town Centre to support its wider function and would be a key driver in the regeneration aspirations for the Talbot Gateway area.

2.0 SUMMARY OF RECOMMENDATION

- 2.1 The recommendation is for approval subject to the conditions listed at the end of this report.
- 2.2 The development proposed is substantial in scale and would therefore have an inevitable impact upon the townscape of Blackpool. Consideration has been given to this visual impact and the impact on heritage assets. It is also recognised that the

proposal could have an impact on highway capacity and function and town centre parking. The scale of the development would result in some overshadowing and overlooking of the properties fronting Topping Street. All of these considerations weigh against the application. However, the scheme would bring around 2,000 workers into the town centre who would support local shops and services. The investment would support and enhance the existing regeneration projects in and around Talbot Gateway and could attract further investment in the future. Highway improvement works and high quality design would help to mitigate the impacts identified. On balance, the benefits of the proposal are considered to be sufficient to outweigh the harmful impacts that would result. As such, officers are in support of the proposal and the recommendation is for approval.

3.0 INTRODUCTION

- 3.1 This application is before Members because it is a major scale proposal of general public interest.

4.0 SITE DESCRIPTION

- 4.1 The 1ha site is bound by Deansgate to the north with the Talbot multi-storey car park beyond. East Topping Street lies to the west with Cookson Street to the east. Both streets have commercial character although there are some residential units, particularly at upper floor level. The Council's Bickerstaff house offices lie to the north-east. King Street enters the site to the east and bends to the south and there are existing commercial premises and a car park bounding the site to the south. At present the land is occupied by a public surface car park, The Hop public house and a number of commercial premises.
- 4.2 The site is within the defined Blackpool Town Centre boundary and within relatively close proximity to the iconic Grade I Listed Blackpool Tower Building. The Hop is Locally Listed for its heritage value and the Blackpool Town Centre Conservation Area lies immediately to the east of the site. The site falls within an Air Quality Management Area. No other constraints have been identified.

5.0 DETAILS OF PROPOSAL

- 5.1 This 'hybrid' planning application seeks outline planning permission for the erection of a new office building up to 7 storey in height including a medical centre within Use Class E(g) with associated public realm, surface car park and other infrastructure. This building would run along the western boundary of the site and it is proposed that the area of surface car parking would be located to the rear (south) of The Hop PH. The outline element of proposal would require the demolition of a number of existing buildings including partial demolition of The Hop Public House.
- 5.2 The 'full' element planning application relates to The Hop Public House building and proposes the change of use of the partially retained building as a dental surgery within Use Class E(e).

5.3 The application has been supported by:

- Planning statement
- Design and access statement
- Daylight and sunlight amenity statement
- Air quality assessment
- Noise assessment
- Ecological appraisal
- Bat survey
- Transport assessment
- Framework travel plan
- Flood risk assessment and drainage strategy
- Geo-environmental assessment
- Environmental Statement

5.4 The proposal classifies as an ‘infrastructure project’ under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and so the applicant has submitted an Environmental Statement (ES). By agreement with the Council, this ES focuses on heritage matters.

6.0 **RELEVANT PLANNING HISTORY**

6.1 The planning history for the wider Talbot Gateway area is set out in the table below:

Ref	Location	Description of Development	Appn Type	Status
11/0842	Talbot Road Multi-Storey Car Park	Re-cladding, refurbishment and re-modelling of Talbot Road multi-storey car park to provide a total of 653 parking spaces utilising existing vehicle access/ egress from Deansgate and new pedestrian entrance from Talbot Road and provision of 6 retail units on ground floor with new servicing area accessed from Deansgate (Application for Approval of Reserved Matters pursuant to outline planning permission 09/1582 (as amended)).	Reserved matters	Approved 29/11/2011
11/0843	Land Bounded by Cookson Street, Swainson Street, Talbot Road and George Street, Blackpool (Talbot Gateway Block 2A)	Erection of five storey office building plus rooftop plant level, including 3 retail units at ground floor level, following demolition of existing buildings (Application for Approval of Reserved Matters pursuant to outline planning permission 09/1582 (as amended)).	Reserved matters	Approved 29/11/2011
11/0961	Land bounded by George Street, Buchanan Street, Cookson Street,	Erection of Class A1 retail foodstore with mezzanine level and two levels of car parking above providing a total of 609 spaces, associated ramped vehicular access from Talbot	Full Permission	Approved 20/12/2011

	Talbot Road and New Larkhill Street	Road, service access from Buchanan Street, service egress onto George Street and associated public realm, plant and landscaping works.		
13/0519	Land Bounded by Cookson Street, Swainson Street, Talbot Road and George Street, Blackpool (Talbot Gateway Block 2A)	Use of two ground floor units in approved office building with ground floor retail as a gymnasium within Use Class D2 (amendment to previously approved planning application ref 11/0843).	Section 73	Approved 20/09/2013
14/0654	25, 27, 29 & 31 Deansgate, FY1 3AU	Demolition of premises	Prior Approval	Prior Approval not required 12/11/2014
14/0653	23 High Street, 58, 60-62 Springfield Road, FY1 2BA	Demolition of premises	Prior Approval	Prior Approval not required 12/11/2014
17/0276	Site of Wilkinson's Store, bounded by Queen Street, High Street, Talbot Road and Dickson Road, FY1 2LF	Erection of a six storey building to form a new 142 bedroom Class C1 hotel incorporating restaurant, bar and conference accommodation, together with Class A1 retail uses at the lower ground floor, rooftop plant with associated external works, including hard-surfacing, temporary public car parking with vehicle access from Queen Street, a widened pedestrian underpass to Blackpool North Railway Station and replacement pedestrian steps and ramp between the Station and High Street following demolition of existing buildings and subway.	Full Permission	Approved 05/07/2017

7.0 MAIN PLANNING ISSUES

7.1 The main planning issues in respect of both the outline and full elements of the application are considered to be:

- principle of development
- amenity impact
- visual impact
- heritage impact
- highway impact
- social benefits

8.0 CONSULTATION RESPONSES

- 8.1 **Historic England** – no comment offered. It is recommended that you seek the views of specialist conservation and archaeological advisors.
- 8.2 **Lancashire County Council Archaeology Service** – The Hop is a designated heritage asset that was built in 1873 as part of the rapid expansion of the town that occurred throughout the 1860s. Much of the application site was subject to a desk-based assessment for the wider Talbot Gateway proposal in 2009 which determined archaeological potential and interest to be low. However, poorly preserved remains of terraced housing that once fronted East Topping Street may survive. The Heritage Statement submitted does not include internal images of The Hop and this makes assessment difficult. As such the building should be subject to an appropriate level of archaeological recording to level 2 or 3 should be conducted. Level 1 records of the other properties to be demolished should be made. A condition is recommended for imposition on any permission granted.
- 8.3 **Blackpool Civic Trust** – the application is supported as it will see the listed features of the Hop retained and a modern facility built to assist the redevelopment of the wider areas.
- 8.4 **Built Heritage Manager** – the height and scale of the building would have a particular impact on views of Blackpool Tower from George Street. It would also impact the view to the north-east from St. John’s Square. Except for the landmark public buildings, most of the historic buildings in the town centre are no more than three-storeys tall. The loss of the view of the Tower from the west end of George Street, and the harmful impact on views from St. John's Square, are regrettable. However, this should be weighed against the public benefit of the proposal. Partial demolition of the locally listed Hop is also proposed to allow for internal remodelling to meet NHS requirements. The new extension proposed has been designed to complement the retained section to mitigate the loss of original fabric and is therefore acceptable.
- 8.5 **Local Highway Authority**
- 8.5.1 A Transport Assessment (TA) and subsequent addendum have been submitted. Given the extent of reserved matters, these documents cover most of the ground that is possible at this point in time. More detail will, however, be required in relation to impact on travel patterns, parking demand and the highway network.
- 8.5.2 The Transport Assessment deals comprehensively with the quantification of trip generation and distribution. This is achieved using conventional techniques and appropriate data and is acceptable. However, further clarification is required in relation to modal split percentages which will affect projected traffic figures.
- 8.5.3 A good framework Travel Plan has been submitted and a travel audit has been carried out. Nevertheless, a condition should be attached to any permission granted to require details of staff numbers and shift patterns. A staff travel plan should also

address car parking availability and provide information in relation to key car parks and sustainable travel options. Appropriate provision for cyclists such as changing, shower, drying and locker facilities should be included. Post code mapping of staff should be undertaken.

- 8.5.3 The town centre road network has been modified in recent years to achieve greater resilience and accommodate development. In the short term, further network management and implementation of a cycling strategy is anticipated. Future improvements would widen Deansgate. A 2.6m wide strip would be required for this and the footprint would accommodate this. Closure of the upper part of King Street is proposed and is not expected to be significantly detrimental to the operation of the network. It is proposed that the building would be largely accessed from East Topping Street via Deansgate. Future works may affect the accessibility of the buildings for vehicles.
- 8.5.4 The Transport Assessment assesses the projected impact of the proposal on a number of junctions agreed to be most relevant. The present distortions on traffic patterns arising from the pandemic restrictions have precluded the collection of a comprehensive base data set. Base traffic flows have therefore been derived from previous Council records, adjusted appropriately, although it is not clear how some of the data has been sourced. The assumptions on projected flows have been made on an agreed, conservative, basis. The study concludes that the development would not require material highway mitigation works, and that significant impending changes (such as the operation of the tramway extension) would need to be adjusted. Further analysis of some key junctions is required before this position could be agreed.
- 8.5.5 Overall, the Transport Assessment is unclear in some respects and assumptions and modelling should be reviewed and repeated/amended where necessary. Town centre parking demand and supply should be considered in the context of the modal split which should be revisited. Junction modelling should then be reviewed and amended as appropriate. This may indicate that works to the network are required such as improvements to signal operation.
- 8.5.6 Details of parking provision would be the subject of later agreement but it is clear that the scheme would not provide a large number of spaces and that a greater amount of existing parking would be lost. This provision is important in this area of the town centre. In combination with the loss of the former Wilkinsons car park, it would represent a very significant loss of car parking in the immediate area. The office block would bring more staff to the area increasing parking demand that would rely on remaining public car parking provision. In total it is estimated that around 500 spaces would be lost and an additional 2000-2400 people brought into the locality. Further work is required to quantify the extra demand and establish how the remaining provision would cope or could be adapted to cope. Although the site is accessible it is inevitable that many staff will drive. There is a danger that staff parking would displace shoppers which would impact on town centre spend and the Council may need to reconsider tariff structures to mitigate impact.

- 8.5.7 With regard to traffic on-site, this would be limited to service access and the small car park. The increase in trip generation would, however, place additional pressure on the local network exacerbating existing queuing and delays. A contribution should be sought towards the Town Centre Access Scheme to mitigate this.
- 8.5.8 Subject to detailed design, the car park would not raise any serious issues although it would increase traffic on Charles Street and the closures of northern King Street would affect traffic movements. Emergency access is indicated from Cookson Street at the point of a pedestrian crossing. This is not acceptable. Emergency access should be taken from the public realm area subject to detailed design.
- 8.5.9 The scheme should clarify how access to the remaining car park would be provided both during and post construction. East Topping Street would be the key point of access but no information has been provided to demonstrate how this would be managed. It is recommended that the road be widened and a clear servicing area established. The applicant must demonstrate how HGV and fire appliances would access the site. Consideration should be given to the aesthetics of East Topping Street.
- 8.5.10 Pedestrian access to the site is relatively good from the south and west but it is likely that improved crossing provision would be required on Deansgate. Further consideration of pedestrian routes and facilities is required.
- 8.5.11 Demolition and Construction Management Plans would be required through a pre-commencement condition. The plan(s) would need to include the management of works to provide utilities connections as such works can have significant effects on traffic management over a wide area. The necessary highway improvement works would be secured through a S278 legal agreement amongst other administrative measures. A plan detailing the areas of public highway to be stopped-up and areas of new highway should be provided. The potential adoption of the public realm area requires further discussion. Close communication with the Council throughout construction will be essential. All construction access should be taken from King Street. Temporary off-site schemes may be required dependent upon the timing of the Town Centre Access Scheme.
- 8.6 **United Utilities** – the submitted drainage strategy is unacceptable as the potential to utilise infiltration or drainage to a nearby highway drainage system has not been sufficiently investigated. It has also not been demonstrated that the car parking area is positively drained to the public sewer network. If connection to the public sewer is necessary, a fixed discharge rate would have to be agreed. It is recommended that three conditions are imposed on any permission granted. These would (i) require foul and surface water to be drained separately; (ii) require agreement of a surface water drainage scheme; and (iii) require agreement of a management plan for that scheme. Any wastewater assets proposed for UU adoption must meet UU standards and early consultation is recommended. UU should also be consulted over the potential to provide a water supply. All fittings must be to modern standards. A water main and a sewer cross the site and access to these must be maintained at all times. Either an easement must be incorporated into the layout or the developer

would have to cover the cost of diversion. Construction and landscaping must take account of these assets. If an unmapped sewer is discovered during construction, a Building Control body should be consulted.

- 8.7 **Lead Local Flood Authority** – the standard drainage condition should be imposed.
- 8.8 **Council Drainage Officer** – a drainage strategy and flood risk assessment have been submitted. The FRA is acceptable. The strategy is reasonable but lacks sufficient detail for it to be approved. The hierarchy of sustainable drainage options has not been adequately addressed although the expectations are acknowledged. The applicant recognises that surface water should be removed from the network if possible. Where this is not achievable the rate of run-off should be restricted to greenfield rates and if this is not practicable a 30% reduction is required. Exceedance flows and routes will also need to be addressed. The applicant requires further information from investigation to finalise their scheme but concludes that underground storage tanks will be needed to satisfy the requirements. They have acknowledged that additional SuDS features may assist. Overall, the strategy submitted is practicable but requires further detailing. It is proposed that a 30% reduction in discharge will be delivered for those areas to be developed. As such the standard conditions should be imposed.
- 8.9 **Environmental Protection Manager (amenity)** - the noise survey used was done a few years ago as obviously background noise levels now are significantly less than they were pre-covid and so a noise survey carried out now would not be representative. As such there are no concerns in relation to this development and the Management Plan can be agreed with regard to noise, dust etc in due course.
- 8.10 **Environmental Protection Manager (environmental quality)** – the main areas of concern are the potential for asbestos and the need to identify the materials used to fill the former basements on what is now the car park. A methodology to pursue these matters has been agreed in principle.
- 8.11 **Greater Manchester Ecology Unit** – the only potential ecological impacts are to roosting bats and nesting birds. There is no likely significant effect on the nearby Special Protection Area. The buildings to be demolished have low bat potential. Normally an emergency survey would still be required but in this case the consultants consider Reasonable Avoidance Measures (RAMs) to be acceptable. Given the number of buildings to be demolished, bat use is hard to rule out but it is agreed that they are very isolated from even low value foraging habitat with no habitat connectivity. There is more than 400m of dense urban development on all sides with the nearest open space being the beach. As such it is accepted that RAMs are a reasonable approach in this case. Internal assessments should be carried out prior to demolition and, should works be delayed beyond March 2021, buildings with low roost potential should be subject to emergence surveys. It is recommended that the site be clerked by an ecologist during demolition. It is recommended that a detailed plan of works be secured prior to determination and that a detailed bat mitigation strategy be secured prior to commencement by condition. A condition should also be applied to prevent demolition during the bird nesting period unless a suitably qualified and experienced ecologist has confirmed the absence of nesting birds. Suitable ecological enhancement, in the form of planting and provision for roosting bats and nesting birds should be secured through condition.

- 8.12 **Police Architectural Liaison Officer** – planting should not impede natural surveillance or create hiding places. Tree positioning should take account of CCTV. Thorny shrubs can be used to deter access. Street furniture should be robust and resistant to vandalism and should be securely fixed where it would not give access to a building. Litter bins should be securely fixed with lockable lids and sited well away from buildings due to fire risk. The site should be covered by appropriate CCTV and consideration should be given to use of ANPR in the car park. The car park should be clearly marked and signage minimal and clear. The buildings should be appropriately alarmed and illuminated with suitable access controls in place. Bicycle and motorcycle storage should be covered and secure. Glazing, door and shutters should be to appropriate standards. Consideration should be given to the incorporation of anti-terrorism measures and provision should be made to reduce the risk of theft during construction.
- 8.13 **Head of Estates and Asset Management** - 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.
- 8.14 **Commercial Waste** - 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.
- 8.15 **NATS Safeguarding** – no objection
- 8.16 **Defence Estates Safeguarding (RAF Warton)** – no objection
- 8.17 **Blackpool International 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.

9.0 **REPRESENTATIONS**

- 9.1 Press notice published: 15/12/20 and 02/02/21
- 9.2 Site notices displayed: 15/12/20 and 03/02/21
- 9.3 Neighbours notified: 11/12/20 (Campaign for Real Ale notified 15/12/20) and 02/02/21
- 9.4 One representation has been received from no. 66B Topping Street raising the following issues:
- Loss of light
 - Loss of privacy
 - Increased noise
 - Loss of parking provision
 - Increased traffic and congestion

- The medical facilities should be guaranteed
- Inadequate/disingenuous consultation

9.5 The application has been publicised in accordance with the statutory requirements and the comments received are addressed in the assessment below.

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 7 – Ensuring the vitality of town centres
- Section 8 - Promoting healthy and safe communities
- 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
- Section 16 – Conserving and enhancing the historic environment

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 (hereafter referred to as Core Strategy)

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

- CS3: Economic Development and Employment
- CS4: Retail and Other Town Centre Uses
- CS5: Connectivity
- CS7: Quality of Design
- CS8: Heritage
- CS9: Water Management
- CS15: Health and Education
- CS17: Blackpool Town Centre
- CS19: Central Business District (Talbot Gateway)

10.3.2 The associated Policies Maps document adopted in January 2016 is also relevant and Map 02: Town Centre Strategic Sites shows the application site.

10.4 Blackpool Local Plan 2011-2016 (saved policies) (hereafter referred to as Local Plan)

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
- LQ2: Site Context
- LQ3: Layout of Streets and Spaces
- LQ4: Building Design
- LQ5: Public Realm Design
- LQ6: Landscape Design and Biodiversity
- LQ9: Listed Buildings
- LQ10: Conservation Areas
- BH3 Residential Amenity
- BH4: Public Health and Safety
- BH21: Protection of Community Facilities
- AS1: General Development Requirements (Transportation)
- AS2: New Development with Significant Transport Implications

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 allocations/designations and policies in Part 2 are most relevant to this application:

- DM18: Tall Buildings and Strategic Views
- DM20: Landscaping
- DM21: Public Health and Safety
- DM25: Public Art
- DM26: Listed Buildings
- DM27: Conservation Areas
- DM28: Locally Listed Buildings and Other Non-Designated Heritage Assets
- DM29: Archaeology
- DM33: Biodiversity
- DM36: Community Facilities
- DM39: Transport Requirements for New Development

10.6 Other Relevant Policy Guidance

10.6.1 Talbot Gateway Planning Brief – this document was adopted in November 2006. It sets out the Council’s vision for the future of the area and key objectives for development. The strategy sets out the need for a comprehensive approach to the

area and identifies appropriate uses. Particular attention is given to access and accessibility and to design principles and parameters.

11.0 ASSESSMENT

OUTLINE ELEMENT OF THE APPLICATION

11.1 Principle

- 11.1.1 The application site falls within the defined Town Centre Boundary. The area covered by the outline element of the proposal straddles three designations as shown on the Proposals Map to the Blackpool Local Plan. These designations related to Policies SR3, SR3A and SR4 of the Local Plan, none of which have not been saved as part of the adoption of the Core Strategy. As such, these historic designations no longer apply. Instead they have been replaced by Policy CS19 of the Core Strategy and the boundary to which this policy relates is shown on Map 02: Town Centre Strategic Sites of the accompanying Policies Maps document to the Core Strategy
- 11.1.2 Policy CS19 of the Core Strategy promotes the comprehensive redevelopment of the Central Business District. The policy envisages a mixed-use area that will become an important anchor for the north of the town centre and provide a welcoming arrival experience that connects into the wider town centre offer. The development of offices and improved car parking provision for the wider town centre is identified as appropriate. Proposals to improve the appearance of existing buildings will also be supported.
- 11.1.3 The site is also within the boundary identified in the Talbot Gateway (TG) Planning Brief which was adopted in 2006 and is a material planning consideration. The brief envisaged Talbot Gateway being transformed from one of the most decayed, unsightly and under-utilised areas of the town centre, into a prestigious gateway and arrival point where complementary retail, civic, commercial and residential uses would enhance vitality and act as a catalyst for regeneration. The brief was founded on now-deleted Policies SR3, SR3A and SR4. However, it still remains relevant in the context of Policy CS19 of the Core Strategy and the design principles it sets out continue to be applicable.
- 11.1.4 The development of office floorspace on the site would accord with planning policy and is therefore considered to be acceptable in principle.
- 11.1.5 The application also proposes a medical centre. This use is not specifically advocated by Policy CS19. However, this type of development would not conflict with the general thrust of the policy or create tensions with any of the other uses listed. The provision would accord with the overall objective of transforming Talbot Gateway into a civic hub of mixed uses as set out in the Talbot Gateway Development Brief. As such, this element of the proposal is considered to be acceptable in principle.
- 11.1.6 The provision of car parking accords with Policy CS19 but it is acknowledged that the development proposed would result in a net loss of car parking on the site as a

whole. This aspect of the scheme will be considered in more detail in section 11.5 below.

- 11.1.7 There are no planning policy considerations that would safeguard the buildings or specific uses fronting King Street that are proposed for demolition as part of this application. As such, this demolition is considered to be acceptable in principle.

11.2 Amenity impacts

- 11.2.1 The site falls within the defined Town Centre boundary where general levels of activity, noise and disturbance are higher than would typically be expected in a more traditional residential area. As such, local residents will be accustomed to a more dynamic living environment, and it is reasonable to assume that future residents would take this characteristic into account as part of their decision to live in this area. The information submitted has been considered by the Council's Environmental Protection team and, subject to the agreement of a Construction Management Plan, no concerns have been raised in relation to noise or disturbance. There is no reason to suppose that the proposal would be a source of odour nuisance.
- 11.2.2 The building proposed would have a maximum footprint of some 92m by 49m and would be seven storeys in height up to a maximum of 32m. As such it would be a large and imposing building and would inevitably have an impact on the surrounding properties in terms of over-shadowing. The applicant has submitted a daylight and sunlight amenity impact statement in support of the scheme. The buildings to the north that would ordinarily be most affected by the scheme are in use as offices with retail at ground floor to the north-west, and Talbot Road multi-storey car park directly to the north. By virtue of their nature, these uses would not be unacceptably affected by the proposal.
- 11.2.3 As part of the proposal, the properties on the western side of King Street up to the Royal British Legion would be demolished. The building proposed would therefore sit to the north of no. 33 King Street at a distance of some 12m at the closest point. By virtue of its position to the north, it would not have an unacceptable impact in terms of over-shadowing. The property would otherwise enjoy open aspects to the east and west and would have no windows facing northwards. As such the building would not have an unduly over-bearing impact on this property. Windows in the southern elevation of the building proposed would allow a view over the rears of the properties fronting King Street. However, the majority of these are in commercial use with the closest residential property some 42m distant. As such, no unacceptable loss of privacy would result to these properties.
- 11.2.4 The building proposed would sit to the east of The Hop, which is proposed for use as a dental surgery, and a surface car park. It would have no unacceptable amenity impact by virtue of over-shadowing, over-looking or an over-bearing presence on these uses. The building would be separated from the properties on the eastern side of Cookson Street by around 48m at the closest point. This is considered sufficient to prevent any unacceptable impact. The building would sit to the north-west of the

properties fronting the corner of Church Street and King Street at a 19m distance at the closest point. Given the uses of these properties, the relative positions and the oblique angle between them, no unacceptable amenity impacts are anticipated.

11.2.5 The building proposed would sit to the east of the properties fronting Topping Street (nos. 12-68) at a distance of around 15m at the closest point. A number of these properties have residential accommodation at upper floor level. It is noted that the only objection to the proposal has been received from a resident at no. 66 Topping Street. Whilst the separation distance would be sufficient to provide acceptable outlook, it is inevitable that levels of daylight, sunlight and privacy would be affected as a result of the scheme. As the properties fronting Topping Street are only two-storeys in height, this would be the case even if the proposed building were to be substantially reduced in scale. Although the applicant does not consider this impact to be significant, it is nevertheless detrimental to residential amenity and this weighs against the proposal.

11.2.6 The extent and duration of demolition and construction involved in a development of this scale has the potential to impact on residential amenity. It is considered that this could be adequately managed through the agreement of a Construction Management Plan secured through condition.

11.3 Visual impact

11.3.1 It is inevitable that a development of the scale proposed will have a significant visual impact upon its surroundings. To help support the assessment of this impact, a Townscape and Visual Impact Appraisal (TVIA) has been submitted alongside a Heritage Statement, and both of these topics are covered in detail in the Environmental Statement.

11.3.2 The assessments undertaken by the applicant are based on viewpoint locations that were agreed with officers prior to submission. The viewpoints reflect local knowledge and are considered to represent those most important in terms of their significance to visitors and locals (i.e. key arrival points, gateways and well-travelled routes), and their relevance in relation to the key local heritage assets of the Tower, the Hop and the Town Centre Conservation Area including the listed buildings therein.

11.3.3 The submitted TVIA has been carried out to appropriate standards and in accordance with accepted methodologies. It identifies the key character areas in relation to the site, their value, their susceptibility to change and their sensitivity. With regard to each of the viewpoints, the TVIA also identifies their value for receptors, the susceptibility to change of the visual receptors, and their sensitivity. For each area, the TVIA assesses the extent, magnitude and significance of the visual effect. As part of their TVIA, the applicant has produced a number of visuals to illustrate the impact of the scheme from the agreed vantage points.

11.3.4 The information submitted has been considered by Historic England, Blackpool Civic Trust and by the Council's Built Heritage Manager. Historic England has raised no

objection and has referred the matter to the Council's local heritage advisors. The Blackpool Civic Trust supports the scheme. The Council's Built Heritage Manager has acknowledged that the proposal would have an impact on local heritage assets and noted that this must be weighed in the planning balance.

- 11.3.5 It is recognised that the character of the area has changed over time as part of the evolution of the town and resort. The application site is located towards the edge of the town centre in a transitional zone between the commercial core and the residential areas beyond. The key considerations are considered to be the visual impact for local residents and businesses; the visual impact for visitors travelling into Blackpool; and the impact on the setting of Blackpool Tower, the Hop and the Town Centre Conservation Area and the listed buildings therein.
- 11.3.6 In terms of general visual impact, the scale of the building would naturally have a significant impact. Although the outline application is made with all matters reserved, the building proposed would be up to 7 storeys or 32m in height. The contrast with the traditional two-storey properties to the west and south and further to the east would inevitably be clear. However, this juxtaposition, as with the contrast between modern and traditional architecture, is a recognisable feature of town and city centres and is important to establish identity and legibility between different zones. The masterplan for the Talbot Gateway area is the creation of a commercial, business and civic hub. Already the Sainsbury's, Bickerstaffe House (5 storeys) and Talbot multi-storey car park (6 storeys) buildings establish a scale that reads differently to the wider surroundings, and planning permission has also been granted for a six-storey development on the former Wilkinsons site.
- 11.3.7 From many viewpoints, including those on Talbot Road, Church Street and within the Conservation Area, the building would have a presence as part of the townscape backdrop. This presence on the skyline may be significant in places but it is not considered that it would have an unacceptably over-bearing visual impact. The most significant impact would be experienced to the east as the building would block views of Blackpool Tower from within the Talbot Gateway area and from George Street. From Charles Street the building would clearly be a prominent feature that would compete with views of the Tower and St. John's Church. This visual impact and loss of view would be significant, but it should be noted that any building of the scale envisaged in the Talbot Gateway masterplan would block views of the Tower to some extent. George Street is a local distributor route and Charles Street a secondary road. As such they make little contribution to the visitor arrival experience. Although residents and businesses may enjoy the existing views of the Tower, for locals it is a familiar presence in the townscape which can be glimpsed from multiple locations. As such, whilst the loss of a view of the Tower is a detrimental impact, assuming this impact could be mitigated to a significant extent through high-quality design, its weight against the application is limited.
- 11.3.8 Although the exact position, scale and appearance of the office block are not matters for this application, it is clear that the development could be sufficiently spaced from the existing properties to be viewed as a landmark building. The public realm around it would create an appropriate setting and enable movement and connectivity. It is

understood that the top floor would be set back to avoid an overly monolithic appearance. As the building would be highly visible from all angles, a high-quality detailed design treatment would be required to all elevations. It is considered that this could be adequately secured at reserved matters stage. Suitable materials that suit the design of the building whilst also referencing the local materials palette could equally be agreed at detailed design stage.

11.3.9 Overall, and subject to agreement of a detailed design, it is considered that the proposal would have a positive visual impact upon the townscape. This weighs notably in favour of the scheme. The impact on views of the Tower weigh against the application. It is acknowledged that some detrimental visual impacts would inevitably arise during construction, but these would be short-term and so are considered to carry relatively little weight in the planning balance.

11.4 Heritage impact

11.4.1 The applicant has submitted a heritage statement and impact assessment and these are contained within the Environmental Statement. The information has identified relevant heritage assets in the area and assessed their heritage value, the scale of the likely impact on them and the significance of that impact. These findings are generally agreed.

11.4.2 It is acknowledged that the development would have a minor to moderate adverse effect on heritage assets during the demolition and construction phase. As this would be temporary and as (with the exception of the Hop which will be assessed separately) the buildings affected have no heritage status, this is considered to carry relatively little weight in the planning balance.

11.4.3 The outline element of the development would clearly have an impact on the setting of nearby heritage assets, most particularly the Town Centre Conservation Area, Blackpool Tower, St. John's Church and the Hop and Talbot Road multi-storey car park which are locally listed. The views of the site from the Conservation Area, particularly St. John's Square would place the office block in the context of the wider Talbot Gateway area which is characterised by modern buildings. Given the separation distance, the office block would appear as part of the backdrop and, as such, would not have an unduly over-bearing impact or detract unacceptably from the characters of the assets themselves. The greatest impact would be on the Hop and the multi-storey car park due to their proximity. However, both are locally rather than statutorily listed and already sits within an area of taller, more modern buildings.

11.4.4 The loss of and impact on views of the Tower from certain vantage points is a significant consideration. The Tower was designed to be an iconic feature of the Blackpool skyline and this is an inherent element of its character and value. Strategic views of the Tower have long been safeguarded through local planning policy. The Tower is primarily a visitor attraction. The office building proposed would primarily affect views from local distribution routes and residential streets. The scheme would also result in the loss of and impact on views of St. John's Church. Again these would

primarily affect local residential streets and distributor routes rather than main public vantage points.

- 11.4.5 The conclusions of the heritage appraisal submitted are accepted. The impact on heritage assets could be mitigated to some extent through the use of quality hoardings during construction and high quality design and material finishes on the development. The provision of attractive public realm would help to connect the area to the Conservation Area and other heritage assets.
- 11.4.6 Overall, the scheme would have a minor to moderate adverse impact on local heritage assets and this weighs notably against the proposal. The NPPF makes it clear that 'less than substantial' harm to a designated heritage asset must be weighed against the public benefits of the scheme. A similar balanced judgement is required in respect of the harm to non-designated assets. The overall planning balance of the scheme will be considered under section 11.10.

11.5 Access, highways and parking

- 11.5.1 The development would create up to 24,000sqm of office floorspace and a 500sqm health centre in addition to the conversion of the Hop. The office floorspace alone could support 1,735 employees. The Head of Highways and Traffic Management Services has estimated that the development could bring an additional 2000-2400 people into this area of the town centre. The scheme would result in the loss of around 128 car parking spaces. Some new spaces, estimated at 23, would be created to the south of the Hop, but overall the scheme would increase parking demand and result in a loss of car parking.
- 11.5.2 The road network immediately surrounding the site is well-established but has seen substantial change in recent years in response to earlier phases of the Talbot Gateway Development. These changes have included the introduction of roundabouts and new/amended signalised junctions, new surfacing materials and an amended one-way system. Nevertheless, the road layout is historic and it is recognised that the volumes of traffic experienced prior to covid resulted in queuing and delay.
- 11.5.3 The applicants have submitted a Transport Assessment (TA) and then an addendum to that initial TA to provide further information. This has been reviewed by the Head of Highways and Traffic Management Services. It is considered that further information is required to enable a robust understanding of the impact the development would be likely to have on local junctions and the surrounding road network. A multi-stage condition is therefore proposed. This would enable the additional investigation to be carried out and the data and conclusions to be considered and agreed. Appropriate mitigation measures would then be developed, agreed and implemented through the condition.
- 11.5.4 Use of a condition like this is somewhat unusual, but is considered to be appropriate in this case as the development is a Council-driven scheme that would be brought forward alongside other projects and in the context of a wider town centre access

strategy. The overall intention is to improve capacity and traffic flow and build resilience into the network. Whilst it is inevitable that a development of this scale would increase traffic levels, the conditions recommended would aim to manage this as effectively as possible. Although the potential impact cannot be quantified at present, the Head of Highways and Traffic Management Services notes that necessary mitigation is likely to be limited to improving the operation of existing signalised junctions. This would indicate that the impact would be relatively limited in nature and extent. Nevertheless, any increase in congestion and delay would weigh notably against the proposal.

11.5.5 With regard to parking, the development is likely to significantly increase demand whilst further reducing supply. Careful consideration will need to be given to the management of existing car parks to ensure that shoppers are not dissuaded from visiting the town centre. In the longer term, new multi-storey parking provision is envisaged in the area but, in the short term and despite any effective management, it is likely that the scheme would have a significant impact on town centre parking provision. This weighs notably against the proposal.

11.6 Drainage and flood risk

11.6.1 The site falls within flood zone 1. As such there is no requirement for the applicant to demonstrate compliance with the sequential or exceptions tests. A site-specific flood risk assessment and drainage strategy has been submitted and this has been considered by the Council as Lead Local Flood Authority and by internal drainage officers. No objections are raised.

11.6.2 The existing site is hard-surfaced but there is an expectation that new developments reduce the amount of surface water entering the combined system if possible. Where this is not possible, developments are expected to achieve betterment in terms of surface-water run-off rates. This should be restricted to greenfield rates where possible but, if this is not practicable, a 30% reduction should be delivered.

11.6.3 The applicant has submitted an outline drainage strategy. Whilst this is considered to be reasonable, it lacks sufficient detail for it to be agreed as part of this application. Further work is required and so the standard drainage conditions should be imposed on any permission granted. Subject to these conditions, the development is not anticipated to have any unacceptable impacts relating to drainage or flood risk.

11.7 Ecology and environmental quality

11.7.1 The application site is fully developed and hard-surfaced and so does not include any habitat features other than the existing buildings themselves. The roof-spaces of these buildings could support roosting bats or nesting birds, both of which are protected. As the Council is a Responsible Authority with regard to protected species, it must be satisfied that no undue harm would result before any planning decision could be granted. No significant likely effects on nearby Special Protection Areas are anticipated.

- 11.7.2 To protect bats, and where demolition is proposed as part of a development, emergence surveys would usually be required. However, these can only be carried out during certain months of the year. As the application site is surrounded on all sides by dense urban development, the site is isolated from even low quality foraging habitat and offers no habitat connectivity. As such and in this case, Reasonable Avoidance Measures are considered to be appropriate in place of emergence surveys.
- 11.7.3 It is recommended that internal assessments be carried out prior to demolition and that, should demolition occur after March, buildings with low roost potential be subject to emergence surveys. This could be secured through condition. It is further recommended that a detailed plan of works be secured prior to determination. At the time of writing, this information has been submitted and is currently being assessed by GMEU. Any comments will be reported through the update note. A detailed bat mitigation strategy should also be secured through condition prior to commencement.
- 11.7.4 To protect nesting birds, a condition would be imposed on any permission granted to prevent demolition during the usual bird nesting period unless the absence of nesting birds has been confirmed by an ecologist.
- 11.7.5 New development should provide net gains for biodiversity. It is therefore recommended that a condition be imposed on any permission granted to require agreement of an ecological enhancement scheme. This would include provision of appropriate planting as part of the landscaping of the site, and provision of roosting and nesting opportunities for bats and birds.
- 11.7.7 Subject to the conditions proposed, no unacceptable ecological impacts are anticipated.

11.8 Employment and regeneration

- 11.8.1 The scheme proposes up to 24,500sqm of new office floorspace and a medical centre of up to 500sqm on existing brownfield land within the town centre. Talbot Gateway has long been a regeneration focus for Blackpool and this is reflected in the adopted Local Plan and Core Strategy.
- 11.8.2 It is understood that the development is being driven by demand from an operator seeking a single building in a town centre location. The potential for job creation is significant. Established guidance exists to enable floorspace to be translated into full-time positions and it is understood that the scheme proposed would potentially support up to 1,735 jobs. These are roles that are not currently based in the town centre. Bringing new office floorspace into Talbot Gateway would have associated knock-on benefits for other town centre businesses, including patronage of shops, cafes and leisure facilities, and use of public car parks. The development could also bring people into Blackpool who may not ordinarily visit, and this could lead to further positive impacts on tourism and the visitor economy.

- 11.8.3 The provision of a health facility in a central and easily accessible location would offer clear benefits for local residents, particularly as those residential areas immediately surrounding the town centre are some of the most deprived, including in relation to health indicators. The medical centre would also offer new employment opportunities. Although the demolition and construction phase would be temporary, these works would also offer potential for job creation.
- 11.8.4 The proposal would help to establish the Talbot Gateway as the northern anchor to the town centre. It would enhance the character of this area as a modern place for commerce and civic functions. Developing this area of the town centre as an attractive, well connected and vibrant hub for business has the potential to serve as a catalyst, encouraging other organisations and operators into the town centre. The scheme therefore supports wider ambitions to re-establish Blackpool as the sub-regional hub for the Fylde Coast, and this weighs heavily in favour of the proposal.

11.9 Other

- 11.9.1 The application has been accompanied by an Environmental Statement (ES). The topics covered by this ES are discussed under their own headings within this report. The ES has been considered on behalf of the Council by consultants with relevant experience and professional expertise. The methodology and conclusions of the ES are generally agreed and judged to be appropriate and proportionate. The adverse impacts on heritage assets and the overall visual impact are acknowledged. There is, however, scope to mitigate these impacts through appropriate design. The cumulative effect of scheme as a whole combined with other developments is considered to deliver public benefit. The requirements of the relevant legislation are considered to be met.
- 11.9.2 The proposal has been considered by the Lancashire County Council Archaeology Service. It is noted that a desk-based appraisal was carried out for the wider Talbot Gateway area in 2009 and this determined archaeological potential to be low. Poorly preserved remains of terraced housing may still survive and the LCC Archaeology Service recommends a condition to require a programme of archaeological site investigation. However, the late 19th century properties that would have existed on the site would have been developed as part of the wider urbanisation of this area. Not only are historic photographic records available but examples of such properties remain. On this basis it is considered that the information that could be learned or preserved through the investigation requested would not be of sufficient benefit to justify the increased costs of construction. As such no condition is proposed.
- 11.9.3 The site falls within an Air Quality Management Area. The Council's Environmental Protection team has been consulted but has raised no concerns relating to air quality. There is no reason to suppose that the development proposed would have an unduly detrimental impact or undermine the management objectives of the designation.
- 11.9.4 There is potential for asbestos contamination on the site. As such a condition to require site assessment, investigation and potential remediation is proposed.
- 11.9.5 It is considered that water quality could be adequately safeguarded through the

agreement of a Construction Management Plan and drainage scheme for the site.

11.9.6 The applicant has confirmed that the scheme would target a BREEAM 'Excellent' rating for the new office building. It is likely that energy efficiency measures to include renewable energy sources, heat recovery methods, intelligent lighting and electric vehicle charging points would be incorporated into the development. A scheme of sustainability measures could be secured through condition.

11.9.7 The proposal has been considered by Lancashire Constabulary's Police Architectural Liaison Officer. It is recommended that a condition be attached to any permission granted to require agreement of a security plan for the site.

11.10 Sustainability and planning balance appraisal

11.10.1 Sustainability comprises economic, environmental and social considerations.

11.10.2 Economically, the potential benefits of the scheme are significant. The development could support over 1,750 jobs and would bring a major new operator and new staff into the town centre. This would be expected to have a knock on effect on local businesses and would have the potential to attract new development through consolidation and enhancement of the Talbot Gateway area. The loss of the properties proposed for demolition would not result in significant job loss and would not materially harm the character or function of the area. It is accepted that disruption during construction could detrimentally affect existing businesses. However, such impact is inevitable in relation to major schemes and could be minimised as much as possible through agreement of a construction management plan. The loss of car parking could equally have a detrimental impact but this could be limited through changes to the way in which other car parks are managed. In the longer term, proposals for new car parking provision are expected in the area. Overall, the scheme is expected to deliver very substantial economic benefits and this weighs heavily in favour of the proposal.

11.10.3 Environmentally, although details of appearance are reserved for later consideration, it is inevitable that the proposal would have a significant visual impact. The office building would obscure or impinge on some views of the Tower and St. John's Church and would be clearly visible from the Conservation Area. The scheme would, however, introduce a high quality new development into an area targeted for regeneration and this in itself would deliver positive visual impacts. Nevertheless, the impact on the townscape weighs against the proposal. The scheme is not expected to have unacceptable impacts on drainage or land or water quality. Green-energy features are proposed. The proposal would attract new traffic to the town centre although this would likely be dispersed between distributor routes and car parks. Environmental Protection have raised no concerns relating to air quality. Given the nature of the site, it is considered that biodiversity and protected species could be adequately safeguarded. Overall the environmental impact is considered to weigh against the proposal to a limited extent.

11.10.4 Socially, the scheme would deliver regeneration and provide jobs in an accessible location. It would support the town centre as a sub-regional focus for the Fylde Coast delivering wider regeneration and community benefits. The provision of a new health facility in a central location would offer direct community benefits. The scheme could be made safe from flood risk and would not exacerbate flood risk off site. No unacceptable highway safety impacts are anticipated but the scheme could increase traffic, congestion and parking demand within the town centre. This weighs notably against the proposal but should be considered against wider Council proposals for improvements for the town centre network. The development would have a detrimental impact upon the setting of heritage assets and this weighs against the scheme. By virtue of its scale, the building would result in loss of daylight, sunlight and privacy from the properties fronting Topping Street and this also weighs against the scheme. Overall, whilst the proposal would deliver some notable social benefits, the detrimental impacts would weigh notably against the application.

11.10.5 In terms of planning balance, significant consideration must be given to the long-identified role of Talbot Gateway in regenerating the town centre and establishing itself as a hub to attract new investment and development. It is not possible to deliver a scheme of this scale without some detrimental impacts arising, but these must be judged against the benefits in the context of the site. Town centres are dynamic locations that are increasingly characterised by a juxtaposition between old and new. In order to be successful, town centres must be responsive to positive development opportunities and adaptive to change. The economic benefits that would be expected from this scheme are judged to be substantial and are considered to outweigh the detrimental aspects identified.

11.10.6 In light of the above and on balance, the scheme is judged to constitute sustainable development and no other material planning considerations have been identified that would outweigh this view.

FULL ELEMENT OF THE PROPOSAL

11.12 Principle

11.12.1 The acceptability in principle of the full element of the proposal rests on two key considerations; the acceptability of the loss of the Hop as a public house, and the acceptability of a dental surgery in this location.

11.12.2 The supporting text to Policy BH21 identifies public houses as community facilities. As such, their loss will only be permitted where either the facility is appropriately replaced, or where it can be demonstrated that there is no longer a need for the facility to meet a community need. As the proposal does not include a replacement facility, the need for the Hop is the primary consideration.

11.12.3 The application does not specifically address this issue. However, it is understood that the three consecutive attempts to run the premises as a public house have failed in recent years. Initially the premises was operated by a national chain which ultimately sold the building to the Council. It was then operated unsuccessfully in

conjunction with the Winter Gardens and finally by a private operator before being handed back to the Council. CAMRA, the Campaign for Real Ale, has been notified of the proposal but has not commented on the application.

11.12.4 The considerations set out above suggest that the use of the Hop as a public house is not financially viable. As the building has long been identified as an option to enable the relocation of an existing dental surgery to facilitate the wider scheme, as part of the ongoing Talbot Gateway redevelopment, alternative community uses of the premises have not been investigated. This in itself conflicts with Policy BH21. However, the application as a whole must be considered in the context of Policy CS19 of the Core Strategy which is a more recent expression of policy and which sets out the aspirations for the Talbot Gateway area. The change of use of the Hop directly supports the objectives of this policy. Nevertheless, the loss of the Hop as a community facility weighs to a limited extent against the application.

11.12.5 Policy CS19 does not specifically identify health-related uses as being appropriate within Talbot Gateway. However, the wider scheme is dependent upon the existing dental surgery being successfully relocated from its current location. The Hop building is considered to be suitable. It is centrally located and highly accessible, and would enable the existing surgery to remain local and continue serving its patients. As such, its use as a dental surgery would support the thrust of Policy CS19 and is therefore considered to be acceptable in principle.

11.13 Amenity impact

11.13.1 There is no reason to suppose that the use of the Hop building as a dental surgery would have a greater impact on residential amenity in terms of noise, odour or general disturbance from activity than its use as a public house. A part two, part three-storey extension is proposed to the rear of the Hop to facilitate the conversion. The existing rear part of the Hop and the buildings beyond are proposed for demolition to make way for a surface-level car park as part of the outline element of the application. The rear extension proposed would therefore be significantly separated from the nearest remaining buildings. Overall the revised Hop building would have no greater impact on residential amenity through over-looking or over-shadowing.

11.14 Visual and heritage impact

11.14.1 As the Hop is a locally listed building, the visual and heritage impacts are closely intertwined. The loss of a part of the original Hop would have a detrimental impact on its value as a heritage asset, but this could be mitigated to some extent by securing a photographic record of the building through condition. The change of use in itself would have an impact on the character of the property.

11.14.2 The external alterations have been carefully designed to respect the architectural character and detailing of the original building. The two-storey element would be faced in brick to match and the existing horizontal art-stone bands would be continued. Notwithstanding the submitted plans, the windows would match those

existing in size and design and amended plans are expected to better illustrate this. The parapet to the two-storey section would be significant and would extend up to the existing decorative band beneath the eaves. It would have a 'shoulder' cut out on either side to replicate those evident at ground floor level on the main building. The three storey section would be well set-back from the sides of the building and so would only be visible from a distance. At the rear the two-storey parapet would again be shaped to conceal the three-storey element and continue the architectural style of the building.

11.14.3 As part of the conversion works, the existing chimney towards the back of the building would be removed. The existing windows would also be replaced with different glazing proportions to accommodate ventilation louvres. These works are unfortunate but the chimney to the rear may not be original and it is considered that the main chimney to the front is of greatest heritage value. This chimney would be dismantled and reconstructed as part of the works to the roof. Although the window glazing would be differently proportioned, the frames would be timber and of appropriate conservation standard.

11.14.4 Overall it is considered that the works would have some detrimental impact on heritage value, but this has been and would be minimised through careful design and the imposition of appropriate conditions. The detrimental impact is therefore considered to carry limited weight in the planning balance.

11.15 Other issues

11.15.1 The Head of Transportation has reviewed the scheme and has raised no objection to this element of the proposal. It should be noted that the existing dental surgery does not benefit from significant off-street parking provision. The impact of this element of the scheme on the local highway network and wider parking provision would be very limited in relation to the outline element, and could be adequately addressed through that process.

11.15.2 The site is already hard-surfaced. Proper drainage of the wider site would be addressed as part of the outline element of the proposal. As such and subject to the imposition of appropriate conditions, there is no reason to suppose that the scheme would have any unacceptable impacts on drainage or flood risk.

11.15.3 As above, where demolition is proposed as part of a development, bat emergence surveys would usually be required. However, the site is surrounded on all sides by dense urban development and is isolated from even low quality foraging habitat. As such, Reasonable Avoidance Measures are considered to be appropriate. It is recommended that internal assessments be carried out prior to demolition and that, should demolition occur after March, an emergence survey should be carried out. This could be secured through condition. A detailed plan of works has been requested and submitted and is currently being considered by GMEU. Any further comments will be communicated through the update note. A detailed bat mitigation strategy should also be secured through condition prior to commencement.

11.15.4 To protect nesting birds, a condition would be imposed on any permission granted to prevent demolition during the usual bird nesting period unless the absence of nesting birds has been confirmed by an ecologist. New development should provide net gains for biodiversity. It is therefore recommended that a condition be imposed on any permission granted to require agreement of an ecological enhancement scheme. For the Hop building this could include the provision of roosting and nesting opportunities for bats and birds.

11.15.5 Given the scale and nature of the proposal, it would have no unacceptable impact on air quality and there are no land contamination concerns. Water quality could equally be safeguarded through condition.

11.16 Sustainability and planning balance appraisal

11.16.1 Sustainability comprises economic, environmental and social considerations.

11.16.2 Economically, the relocation of the existing dental surgery would enable the wider development that would deliver significant economic benefit. Some limited employment would also be created during the demolition and construction works.

11.16.3 Environmentally, there would be some limited detrimental visual impact. Subject to the imposition of appropriate conditions, no unacceptable impacts on drainage, biodiversity or environmental quality are anticipated.

11.16.4 Socially, the proposal would result in the loss of a community facility and would have an adverse impact on the Hop building as a heritage asset. Otherwise no unacceptable impacts on residential amenity, flood risk or highway safety would result.

11.16.5 On balance, the benefits the scheme would deliver in enabling the wider development of the site are considered sufficient to outweigh the loss of the community facility and the heritage impact that would result. On this basis this element of the scheme is considered to constitute sustainable development. No other material planning considerations have been identified that would outweigh this view and so planning permission should be granted.

12.0 GENERAL CONSIDERATIONS

12.1 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).

12.2 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.

13.0 FINANCIAL CONSIDERATIONS

- 13.1 The scheme could generate business rates income for the Council and a capital receipt from land sale. However, this is not a planning consideration and carries no weight in the planning balance.

14.0 CONCLUSION

- 14.1 In light of the above, the proposal is judged to constitute sustainable development and no material planning considerations have been identified that would outweigh this view. As such, the application is considered to be acceptable and planning permission should be granted.

15.0 RECOMMENDATION

- 15.1 In light of the above, Members are respectfully recommended grant planning permission subject to the conditions listed overleaf:

OUTLINE PLANNING PERMISSION

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

- Layout
- Scale
- Appearance
- Access
- Landscaping

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

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

- 2 (a) 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:

Hybrid application boundary plan ref. 1667-MAK-P006 Rev P00

Proposed parameters plan ref. 1667-MAK-P004 Rev P01

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

(b) The building hereby approved shall not exceed 31.9m in height AOD.

Reason: For the avoidance of doubt, so the Local Planning Authority can be satisfied as to the details of the permission, and to safeguard the amenities of nearby neighbours in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy BH3 of the Blackpool Local Plan 2001-2016.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) the building hereby approved shall provide up to 24,500sqm of office floorspace that shall be used within Use Class E(g) and up to 500sqm of medical/health service floorspace for use within Use Class E(e) and for no other purposes.

Reason: In order to ensure that the development accords with the regeneration objectives for Talbot Gateway in accordance with the specified goals and Policy CS19 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

- 4 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.

- 5 (a) Notwithstanding the information submitted, and prior to the commencement of any development, a surface water drainage strategy, 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.

(b) Prior to the commencement of any development, the design for a surface water drainage scheme, based on the approved strategy and in compliance with 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 the following:

(i) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;

(ii) Surveys and appropriate evidence to establish the position, capacity, ownership and interconnection of all bodies of water, watercourses, drains and sewers within

the application site and those outside of the site into which a direct or indirect connection is proposed;

(iii) A determination of the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change - see EA advice 'Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development and as appropriate during construction), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in metres AOD;

(iv) A demonstration that the surface water run-off would not exceed a rate evidenced to be first agreed in writing by United Utilities.

(v) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing watercourses, culverts and headwalls or removal of unused culverts where relevant);

(vi) Flood water exceedance routes, both on and off site;

(vii) Existing and proposed ground and other surface levels demonstrating that run-off to adjacent land and highways will not occur except in the exceedance conditions and the exceedance routes as approved;

(viii) A timetable for implementation, including phasing where applicable;

(ix) Details of water quality controls.

(c) Unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the adopted sewerage system or to any privately owned sewerage either directly or indirectly.

(d) The scheme agreed pursuant to part (b) 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.

(e) The developer shall provide as built drawings and certification of the completion of the drainage system as approved by a competent person.

Reason: To promote sustainable development, secure proper drainage of sewage and 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 and the Blackburn, Blackpool and Lancashire Flood Risk Management Strategy. This scheme must be agreed prior to the commencement of works on site in order to ensure that appropriate drainage is put in place before above ground development takes place.

- 6 Prior to commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
- a) The arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a Site Management Company;
 - b) Evidence of arrangements to transfer responsibility to other parties in the event of the demise of any management company, for example by means of covenants;
 - c) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) to include elements such as:
 - (i) on-going inspections relating to performance and asset condition assessments
 - (ii) operational costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
 - d) Means of access for maintenance and easements where applicable.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan. The developer shall provide to the Planning Authority, if requested, certification of the condition of the drainage system by a competent person.

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development in accordance with Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027. This scheme must be agreed prior to the commencement of works on site in order to ensure that appropriate management exists for the approved drainage scheme.

- 7 (a) Notwithstanding the information submitted, and prior to the commencement of development, a further Transport Assessment shall be submitted to and agreed in writing by the Local Planning Authority. This further Transport Assessment shall demonstrate/confirm:
- (i) data sources for traffic flows
 - (ii) building occupation numbers, times and days
 - (iii) parking demand and distribution
 - (iv) pedestrian routes and facilities
 - (v) modal split proportions and implications for traffic flows
 - (vi) resulting junction loadings and assessments as appropriate based on the review of data and modal split

- (vii) assessment of mitigation requirements
- (viii) necessary mitigation measures for junction capacities

(b) Notwithstanding the information submitted, and prior to the commencement of development, a detailed scheme for the implementation of mitigations measures identified and agreed pursuant to part (a) shall be submitted to and agreed in writing by the Local Planning Authority;

(c) Prior to the building hereby approved being first brought into use, the scheme of mitigation measures agreed pursuant to part (b) shall be completed in full and in full accordance with the approved details.

Reason: In the interests of highway safety and to ensure that the development would not have an unacceptable i in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016. This scheme must be agreed prior to the commencement of works on site in order to ensure that appropriate access is available once the scheme is operational.

- 8 (a) Prior to the commencement of development, a scheme of public realm and off-site highway works shall be submitted to and agreed in writing by the Local Planning Authority. This scheme shall detail:

- (a) Proposed extents of public highway
- (b) Proposed extents and status of other public space
- (c) Proposed extents of privately controlled space
- (d) Associated methods of control for parking and public realm spaces
- (e) Pavement resurfacing
- (f) Provision of any planters or soft landscaping
- (g) Changes to existing ground levels
- (h) Provision of street furniture or new structures
- (i) Provision of any boundary treatments
- (j) Provision of traffic regulation orders
- (k) Provision of signage

(b) Prior to the development hereby approved being first brought into use, the highway improvement works and traffic regulation measures agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details. Those aspects that are not adopted by the Local Highway Authority shall thereafter be retained and maintained as such.

Reason: In the interests of highway safety and to ensure safe and convenient access to the site in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016. This scheme must be agreed prior to the commencement of works on site in order to ensure that appropriate access is available once the scheme is operational.

- 9 (a) Notwithstanding the information submitted, the development hereby approved shall not be occupied until a travel plan has been submitted to and agreed in writing by the Local Planning Authority. The travel Plan shall include:

- appointment of a travel co-ordinator
- proposals for surveying
- production of travel audits
- establishment of a working group
- an action plan
- timescales for implementation
- targets for implementation

(b) The development hereby approved shall then proceed and be operated in full accordance with the approved Travel Plan.

Reason: In order to encourage travel to and from the site by sustainable transport modes in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

10 (a) Prior to the commencement of development, a Demolition and Construction Strategy shall be submitted to and agreed in writing by the Local Planning Authority. This strategy shall specify:

- (i) Proposed demolitions
- (ii) Building construction
- (iii) External works on and off highway
- (iv) Associated utility works
- (v) The programming of the various related works
- (vi) Traffic management and interim arrangements including compounds

(b) Prior to the commencement of any demolition, construction or utility works, a Demolition and/or Construction Management Plan compliant with the strategy agreed pursuant to part (a) shall be submitted to and agreed in writing by the Local Planning Authority. This plan shall specify:

- (i) dust mitigation measures during the demolition and/or construction period
- (ii) means to prevent contamination of land or any surface and sub-surface water bodies or sewers from surface-water run-off during demolition and/or construction
- (iii) control of noise emanating from the site during the demolition and/or construction period
- (iv) hours and days of demolition and/or construction work for the development
- (v) contractors' compounds and other storage arrangements
- (vi) provision for the secure storage of materials and equipment
- (vii) provision for all site operatives, visitors and demolition/construction loading, off-loading, parking and turning within the site during the demolition and/or construction period
- (viii) arrangements during the demolition and/or construction period to prevent the deposit of mud and other similar debris on the adjacent highways
- (ix) the routing of demolition and/or construction traffic
- (x) External works on and off highway
- (xi) Associated utility works

- (xii) The programming of the various related works
- (xiii) Traffic management
- (xiv) Interim arrangements for any aspect of the project

(c) The demolition works and the construction of the development hereby approved shall proceed in full accordance with the approved Demolition and/or Construction Management Plan(s) agreed pursuant to part (b).

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. This information is required prior to commencement to ensure that the demolition and construction works are appropriately managed.

- 11 Prior to the building hereby approved being first brought into use, a Servicing Plan shall be submitted to and agreed in writing by the Local Planning Authority. This agreed plan shall detail;

- (i) loading and unloading arrangements for servicing vehicles
- (ii) manoeuvring provision for servicing vehicles
- (iii) hours of servicing, collections and deliveries
- (iv) mitigation measures to prevent noise nuisance

The development shall thereafter operate in full accordance with the approved Servicing Plan.

Reason: In the interests of the character and function of the area, the amenities of nearby neighbours and highway safety, in accordance with Policies LQ1, BH3 and AS1 of the Blackpool Local Plan 2001-2016 and Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

- 12 (a) Prior to the commencement of above ground construction or works, a Parking Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. This Plan shall be compatible with the highway works and traffic regulation measures required pursuant to conditions 7 and 8 attached to this permission.

(b) Prior to the building hereby approved being first brought into use, the parking provision proposed within the area hatched in grey on plan ref. 1667-MAK-P004 Rev P01 shall be provided and shall thereafter be retained as such and operated in full accordance with the plan agreed pursuant to part (a).

Reason: In order to ensure that adequate parking provision is available to meet the needs of the development in the interests of the character 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.

- 13 Before the development hereby approved is first brought into use:
- (a) details of cycle storage provision to include the type of cycle stand and the form and materials of a waterproof cover and enclosure shall be submitted to and agreed in writing by the Local Planning Authority; and
 - (b) the cycle storage agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details.

Reason: In order to encourage travel to and from the site by a sustainable transport mode in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

- 14 Notwithstanding the information submitted and prior to the commencement of development;
- (a) a phase 1 geo-technical study into potential land contamination shall be submitted to and agreed in writing by the Local Planning Authority; and
 - (b) should the phase 1 report required by part (a) of this condition indicate a need for site investigation, a methodology for a phase 2 geo-technical site investigation into potential land contamination shall be submitted to and agreed in writing by the Local Planning Authority; and
 - (c) the phase 2 investigation approved pursuant to part (b) of this condition shall be carried out in full and the results of this investigation shall be submitted to and agreed in writing by the Local Planning Authority; and
 - (d) any scheme of remediation shown to be required by the investigation undertaken pursuant to part (c) shall be submitted to and agreed in writing by the Local Planning Authority; and
 - (e) the remediation agreed pursuant to part (d) of this condition 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.

- 15 Prior to the commencement of development, a scheme of mitigation measures to safeguard bats shall be submitted to and agreed in writing by the Local Planning Authority, and the demolition and development shall thereafter proceed in full accordance with this approved scheme.

Reason: In order to safeguard and enhance biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ6 of the Blackpool Local Plan 2001-2016.

- 16 No demolition shall take place during the main bird nesting season (March to September inclusive) unless written confirmation of the absence of nesting birds by a suitably qualified and experienced ecologist has been submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to safeguard biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ6 of the Blackpool Local Plan 2001-2016.

- 17 Prior to the commencement of any above ground construction, a scheme of ecological enhancement shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with this approved scheme. For the purpose of this condition, the scheme of ecological enhancement shall include:

- Native tree and shrub planting
- Provision of bird and bat boxes

Reason: In order to safeguard and enhance biodiversity in accordance with Policy CS6 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy LQ6 of the Blackpool Local Plan 2001-2016.

- 18 Prior to the commencement of above ground construction, a Sustainability Strategy shall be submitted to and agreed in writing by the Local Planning Authority. This strategy shall;

- (i) specify energy efficiency measures to be used within the building
- (ii) specify renewable energy features
- (iii) specify measures to reduce water consumption
- (iv) demonstrate that the building would achieve a BREEAM rating of 'very good'

The development hereby approved shall proceed and the building thereafter operated in full accordance with this strategy.

Reason: In order to ensure that the development contributes to sustainability and supports the Council's wider objectives and commitments relating to environmental quality and climate change in accordance with Policy CS10 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

19 Prior to the commencement of above ground construction, a Security Plan for the site shall be submitted to and agreed in writing by the Local Planning Authority. This strategy shall detail;

- (i) measures to prevent vehicle attack
- (ii) measures to ensure appropriate natural surveillance of all areas
- (iii) CCTV coverage of the site
- (iv) lighting to adequately illuminate the building and all external areas
- (v) measures to mitigate against anti-social behaviour and vandalism
- (vi) provision of street furniture including means of installation
- (vii) alarm provision and access arrangements/controls
- (viii) use of security materials such as laminated glazing

The development hereby approved shall proceed and the building thereafter operated in full accordance with this strategy.

Reason: In order to ensure that the development is secure in the interests of the appearance and the character of the area in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, BH3 and BH4 of the Blackpool Local Plan 2001-2016.

20 Before the development hereby approved is first brought into use:
(a) details of refuse storage provision to include location, size and management/collection arrangements shall be submitted to and agreed in writing by the Local Planning Authority; and
(b) the refuse storage agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details.
No refuse shall be stored outside of the building other than as agreed pursuant to part (a) of this condition.

Reason: In the interest of the appearance of the site and locality and to safeguard the amenities of nearby residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), no enlargement of the building the subject of this permission shall be carried out without the written approval of the Local Planning Authority.

Reason: In order to safeguard the appearance and character of the development and area and the amenities of nearby residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

FULL PLANNING PERMISSION

- 22 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).

- 23 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:

Proposed elevation plan ref. 10633 P04 Rev P4
Proposed layout plan ref. 10633 P02 Rev P3

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.

- 24 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), no enlargement of the building the subject of this permission shall be carried out without the written approval of the Local Planning Authority.

Reason: In order to safeguard the character, heritage value and appearance of the property in accordance with Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, LQ4 and LQ14 of the Blackpool Local Plan 2001-2016.

- 25 No works to the building, including any clearance/demolition or preparation works, shall take place until the applicant, or their agent or successors in title, has:

(a) submitted and agreed in writing a methodology for archaeological building recording with the Local Planning Authority;

(b) undertaken the recording agreed pursuant to part (a) and

(c) submitted and received written confirmation from the Local Planning Authority as to the acceptability of the recording required by this condition.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site.

Note: The works brief must be carried out by an appropriately qualified and experienced professional contractor in accordance with the standards and guidance set out by the Chartered Institute for Archaeologists. Relevant archaeological standards and lists of potential contractors can be found on the ClfA web pages: <http://www.archaeologists.net> and the BAJR Directory: <http://www.bajr.org/whoseWho/>.

- 26 The external materials to be used on the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any above ground construction and the development shall thereafter proceed in full accordance with these approved details.

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.

- 27 The windows, doors and features of architectural detailing hereby approved shall project or be recessed behind the front face of the elevation in which they are set by the same degree as the existing windows, doors and features of architectural detailing on the original building.

Reason: In order to secure appropriate visual articulation and interest in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and LQ14 of the Blackpool Local Plan 2001-2016.

- 28 No bins or refuse shall be stored outside of the building other than on the day of presentation for collection.

Reason: In the interest of the appearance of the site and locality and to safeguard the amenities of nearby residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

- 29 Before the development hereby approved is first brought into use:

(a) details of cycle storage provision to include the type of cycle stand and the form and materials of a waterproof cover and enclosure shall be submitted to and agreed in writing by the Local Planning Authority; and

(b) the cycle storage agreed pursuant to part (a) of this condition shall be implemented in full and in full accordance with the approved details.

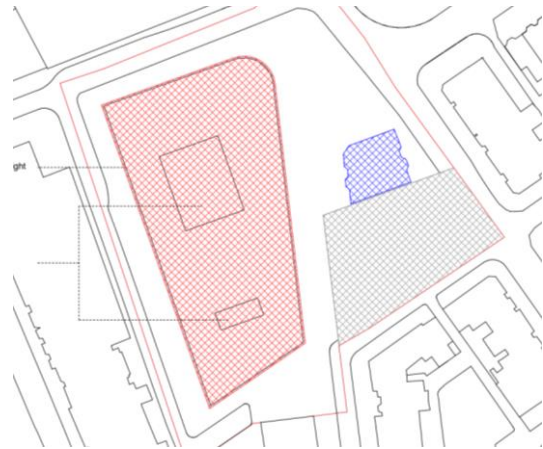
Reason: In order to encourage travel to and from the site by a sustainable transport mode in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

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Appendix 7a: 20/0751 – Talbot Gateway Plans



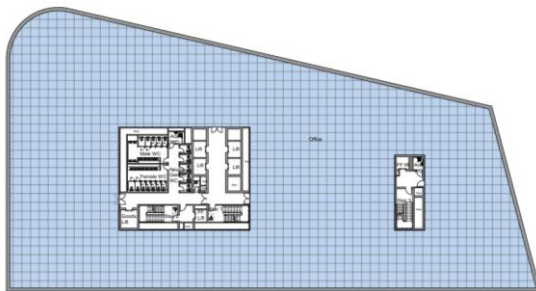
Location plan



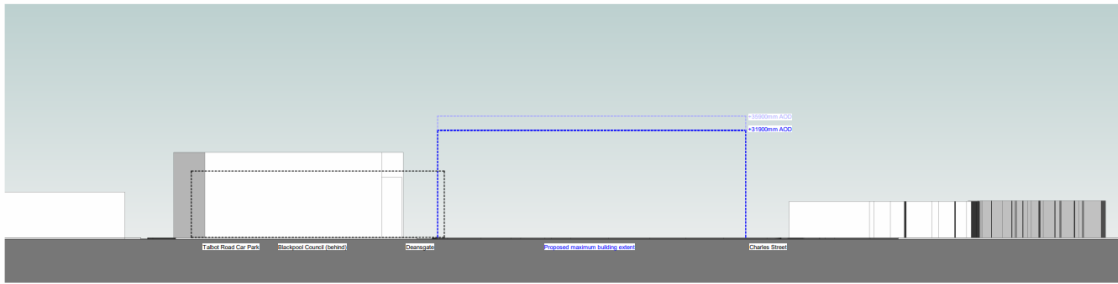
Parameters plan



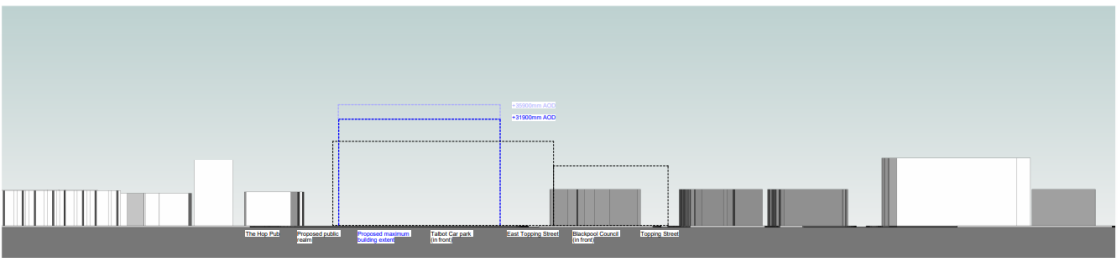
Indicative office building internal layout: ground floor (above) and upper floors (below)



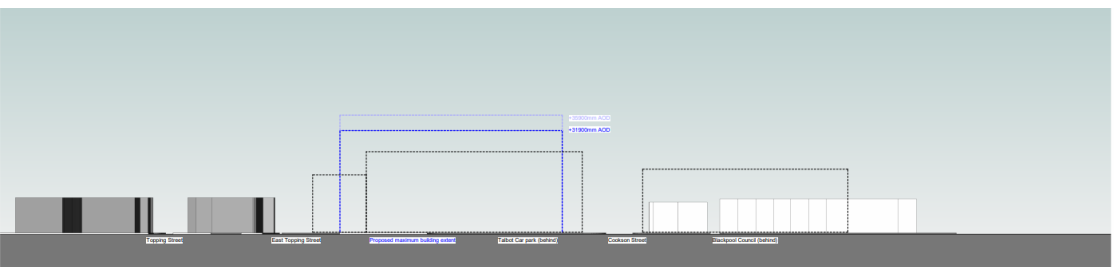
Indicative streetscene drawings of the proposed office building:



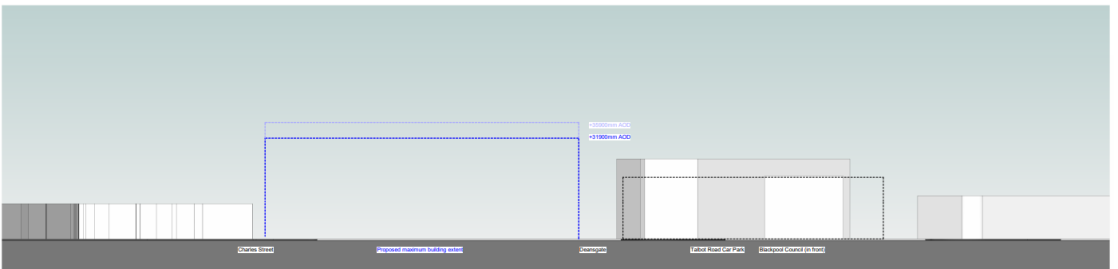
Indicative West Elevation.
1:500



Indicative North Elevation.
1:500



Indicative South Elevation.
1:500



Indicative East Elevation.
1:500

Modelled view along George Street:





View along George Street with and without the building



Anticipated view of the building from the south of Sainsburys. This is where the impact on the view of the Tower is most significant

Anticipated view along Talbot Road:



Anticipated view from Church Street over Stanley Buildings



Anticipated view from St. John's Square within the Town Centre Conservation Area



Anticipated view from Talbot Square, the building would be just visible in the background:

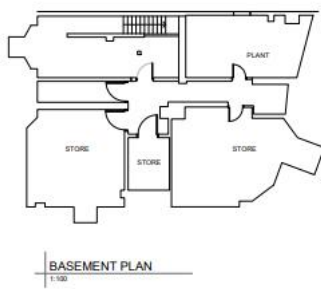
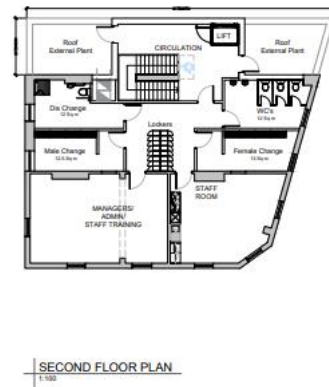




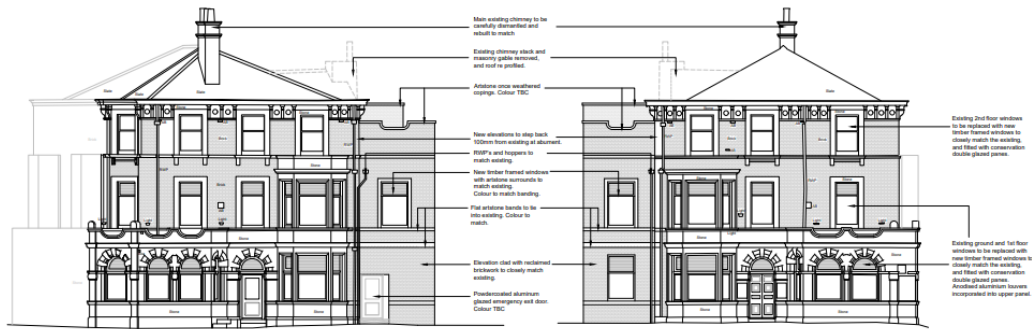
Enlargement 100% at A1 sheet size

View along Charles Street with the building in situ. The Tower and St. John's Church can be seen in the background along with the impact the development would have on those views

Proposed internal layout of 'The Hop':



Proposed elevations and visuals of 'The Hop':

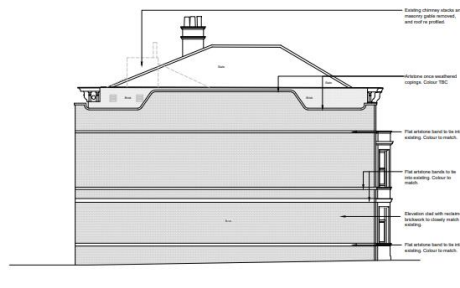


West Elevation

East Elevation



North Elevation



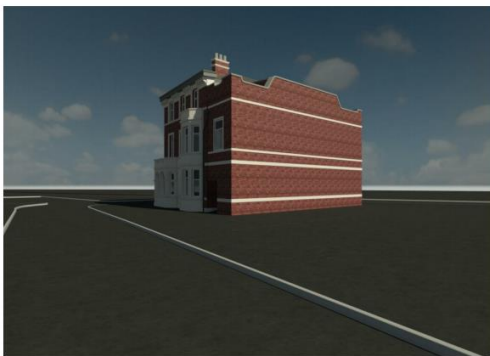
South Elevation



3D NORTH



3D EAST



3D SOUTH



3D WEST

**Blackpool Council
Development Management**

Officer Report to Committee

Application ref: 20/0767
Ward: CLAREMONT
Application type: FULL
Location: 3 SHERBOURNE ROAD, BLACKPOOL, FY1 2PW
Proposal: USE OF PREMISES AS A SINGLE PRIVATE DWELLING HOUSE
Recommendation: APPROVE
Case officer: MR CAMERON HIRST
Case officer contact: 01253 476195

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 the provision of quality housing in Blackpool.

2.0 SUMMARY OF RECOMMENDATION

- 2.1 The application is for the use of the premises as a single private dwelling house. The property was historically and unlawfully used as a care home and this application would reinstate the use of the property as a single dwelling. There are no planning policies that would preclude the development in principle. No material planning considerations have been identified that would weigh sufficiently against the application as to warrant refusal. As such, the Committee is respectfully recommended to grant planning permission subject to the conditions listed at the end of this report.

3.0 INTRODUCTION

- 3.1 This application is before Members because the applicant is Councillor Jane Hugo who is the Chief Executive Officer of the Streetlife Trust. Councillor Hugo is also a member of the Council’s Planning Committee.

4.0 SITE DESCRIPTION

- 4.1 The property is a two storey, red brick property on the corner of Sherborne Road and St Pauls Road. The property is bounded by a low brick wall with a landscaped garden that wraps around the front perimeter and a tarmacked driveway accessed

from Sherbourne Road. At the rear is an enclosed yard accessed by a concrete ramp. On the corner elevation is a bay window with a semi-circular feature above. A bay window is also found on the Sherbourne Road elevation serving the kitchen. A conservatory is located at the rear with access into the rear yard. Internally, the property has an entrance hall leading to stairs and a w/c, a dining room, office, conservatory, kitchen, lounge and bedroom with ensuite. At first floor are 6 bedrooms, a store room and a bathroom.

- 4.2 The site is located within the Defined Inner Area, but is not subject to any other constraints.

5.0 DETAILS OF PROPOSAL

- 5.1 The scheme would change the use of the property from a care home to a single residential dwelling with internal alterations. A minor external alteration to change a door to a window would also form part of the work. The scheme resembles a single family dwelling. At ground floor, the internal layout would be altered to provide a lounge/conservatory, a kitchen and laundry area, a dining room, a second lounge, store room and downstairs bedroom with ensuite. At first floor, the layout would be altered to provide 5 bedrooms (2 with ensuites) and a main bathroom. Externally, landscaped areas would be retained at the front and an enclosed rear garden would also be retained.

- 5.2 Whilst the layout and appearance of the property would resemble a single family home, the use of the property in the first instance would be for staff working for the homeless charity Streetlife. It is understood that staff would reside in this property whilst volunteering for the charity, including some staff who come to work for the charity from other countries and stay for set amounts of time. However, the occupants would live together as a single household. Based on the intended nature of the use, it is considered that the property would fall within the C3 (c) use class which allows for groups of people (up to six) to live together as a single household.

- 5.3 No supporting documentation has been submitted with the application.

6.0 RELEVANT PLANNING HISTORY

- 6.1 20/8435 – Enforcement: Change of use from care home to homeless shelter/ hostel – case not yet closed
- 6.2 06/0669 – Erection of a single storey side/rear extension to form offices – refused
- 6.3 97/0166 – Use of premises as a dwellinghouse – approved
- 6.4 85/1033 – Use of premises as aged person’s rest home – approved

7.0 MAIN PLANNING ISSUES

7.1 The main planning issues are considered to be:

- the principle of the use
- impact on residential amenity
- visual impact
- highway impact/ traffic generation/ car parking

8.0 CONSULTATION RESPONSES

8.1 **Head of Highways:** no objection.

9.0 REPRESENTATIONS

9.1 Press notice published: N/A

9.2 Site notice published: 07/01/2021

9.3 Neighbours notified: 07/01/2021

9.4 No third party representations have been received in time for inclusion in this report. Any that are received in advance of the Committee meeting will be reported through the Update Note.

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 11 - Making effective use of land
- 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. The following policies are most relevant to this application:

- CS2 Housing Provision
- CS7 Quality of Design
- CS12 Sustainable Neighbourhoods
- CS13 Housing Mix, Density and Standards

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
- LQ14 Extensions and Alterations
- HN5 Conversions and subdivisions
- BH3 Residential Amenity

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

10.5.1 The Blackpool Local Plan Part 2 is currently undergoing the Regulation 19 publication consultation which will last from 19 February 2021 to the 2 April 2021. 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 DM5: Residential Conversions and Sub-divisions
- Policy DM17: Design Principles
- Policy DM20: Extensions and Alterations
- Policy DM39: Transport Requirements for New Development

10.6 Other Relevant Policy Guidance

10.6.1 New Homes from Old Places SPD – this document was adopted in March 2011 and sets out the Council’s minimum design and amenity standards for new homes created through conversion.

10.6.2 DCLG National Technical Housing Standards – this document was published in March 2015 and sets out the national minimum standards for new homes. This partially supersedes some of the standards in the Council’s New Homes from Old Places SPD guidance.

11.0 ASSESSMENT

11.1 Principle

- 11.1.1 The property was previously used as a care home for the elderly. Planning permission was granted for use as a dwelling in 1997 but it is unknown if this was ever implemented. An application for an extension in 2006 was refused but the officer notes record the property as being in use as a care home, however the use was not understood to be lawful, as an application to change the use to a single dwelling house was approved under application reference 97/0166. It is noted that under application reference 06/0669, the property was in use as an unlawful care home, but no further action appears to have been taken. The last CQC (Care Quality Commission) report from 26 October 2017 confirms the property was known as Sherborne Lodge, ran by Pro-Care Dispersed Housing Ltd and provided care for a maximum of six people living with mental health conditions. The CQC report stated the home 'required improvement' and it is understood that the location was archived by the CQC on 25 May 2018.
- 11.1.2 The property is to be used to accommodate volunteers and staff of the homeless charity Street life. Streetlife offers work placements at their day centres and night shelters for volunteer staff. Staff include students at college or university who are required to complete a placement as part of their studies. The property would not be used to accommodate homeless people served by the charity. The use would not fall within the C4 (small HMO) use class as the occupants are considered to form a single household. As such, the property would instead fall within the C3(c) use class. Conditions have been applied restricting the use to permanent C3 and removing permitted development rights for C3 to C4, providing control over future occupancy.
- 11.1.3 The site is not subject to any constraints and the area is predominantly residential. As such, there are no planning policies that would preclude the use of the property for residential in principle. The proposed layout of the property is considered to be consistent with that of a typical family home and as such complies with policy HN5. The property would meet the required floorspace set out in the Technical housing standards – nationally described space standard of 123sqm, (6 bedrooms, two stories, 7 people) measuring at 209sqm. The scheme is considered to comply with policy CS13 which requires conversions to provide quality living accommodation meeting the standards set out in the New Homes from Old Places Supplementary Planning Document. The dwelling would contribute towards meeting the boroughs housing requirement but, as the level of contribution would be negligible and as the Council can demonstrate a 5yr housing land supply, this carries little weight in the planning balance.

11.2 Amenity

- 11.2.1 The scheme would not require any extensions to accommodate the use of the property as a single dwelling and as such no separation distances would be affected. One door at the rear would be replaced with a window, but this is not considered to

have any greater impact on amenity. Therefore, there would be no perceived overbearing, overshadowing, loss of light or loss of privacy for neighbours. The property would be residential, with similar comings and goings expected from a comparable family home. Therefore, the use is not perceived to have any greater impact than the historic use of the property as a care home. Overall and on balance, the use of the property as a single dwelling is not considered to have any perceived impact on neighbouring amenity and no third party representations have been received.

11.2.2 The property is a good size and offers a good amount of internal amenity space for future occupants. The total kitchen/ dining/ lounge areas would measure 72.1sqm which complies with the Supplementary Planning Document requirement of 34sqm. All bedrooms meet or exceed the minimum standard for a single bedroom and each offers access to natural light from existing windows. Meaningful outdoor amenity space is retained at the rear. Overall and on balance, no issues are raised with regard to internal amenity for future occupants.

11.3 Visual impact

11.3.1 There are no proposed external changes proposed to accommodate the proposed use other than the replacement of a door with a window on the rear elevation which serves the proposed ground floor bedroom. This minor amendment would not compromise the appearance of the property in the streetscene nor would it be noticeable from any public vantage points. The alteration is therefore considered acceptable and the materials and profile for the new window can be conditioned.

11.3.2 Meaningful green landscaping was observed as retained on site and no issues are raised.

11.4 Access, highway safety and parking

11.4.1 Access to the site would not be affected by the proposal. No additional parking is proposed other than the existing 2 spaces nor is there any opportunity to create any. The scheme is in the defined inner area and close to a bus stop on Sherbourne Road with access to the no.3 and no.4 bus services. The location is considered sustainable and cycles could be safely stored in the enclosed rear yard. There is no reason to assume occupants would be reliant on use of private cars. As such, the scheme is not considered to have any detrimental impact on parking, access or highway safety and the Head of Highways has raised no objection.

11.5 Other

11.5.1 No drainage or flood risk issues identified.

11.5.2 No ecological impacts would result and no trees would be affected.

11.5.3 Air, land and water quality would be unaffected and the site would not be expected to be at undue risk from such.

11.5.4 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).

11.5.5 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 scheme would have a very limited impact but the creation of new residential units would help to support local shops and services.

11.6.3 Environmentally, although environmental quality and biodiversity would not be materially affected, there would be a significant detrimental impact on drainage or bio-diversity.

11.6.4 Socially, the scheme would provide good quality accommodation that would make a contribution towards the housing stock in the local area. The scheme would contribute towards the borough's housing provision albeit to a negligible extent.

11.6.5 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 FINANCIAL CONSIDERATIONS

12.1.1 Not applicable.

13.0 CONCLUSION

13.1 In light of the above, the proposal is considered to represent sustainable development. As no material planning considerations have been identified that would outweigh this view, planning permission should be granted.

14.0 RECOMMENDATION

14.1 Members are respectfully recommended to grant planning permission 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 recorded as received by the Council on 1st December 2020
Proposed drawing numbers: A020/081/P/01 and A020/081/P/02 REVISION C*

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 new window in south elevation hereby approved shall match those of the main building in colour, size, texture and design 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 LQ14 of the Blackpool Local Plan 2001-2016.

- 4 The new window in south elevation hereby approved shall be recessed behind the front face of the elevation in which they are set by the same degree as the existing windows and doors in that elevation.

Reason: In order to secure appropriate visual articulation and interest in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and LQ14 of the Blackpool Local Plan 2001-2016.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) no change of use from Use Class C3 to Use Class C4 shall take place without the written approval of the Local Planning Authority.

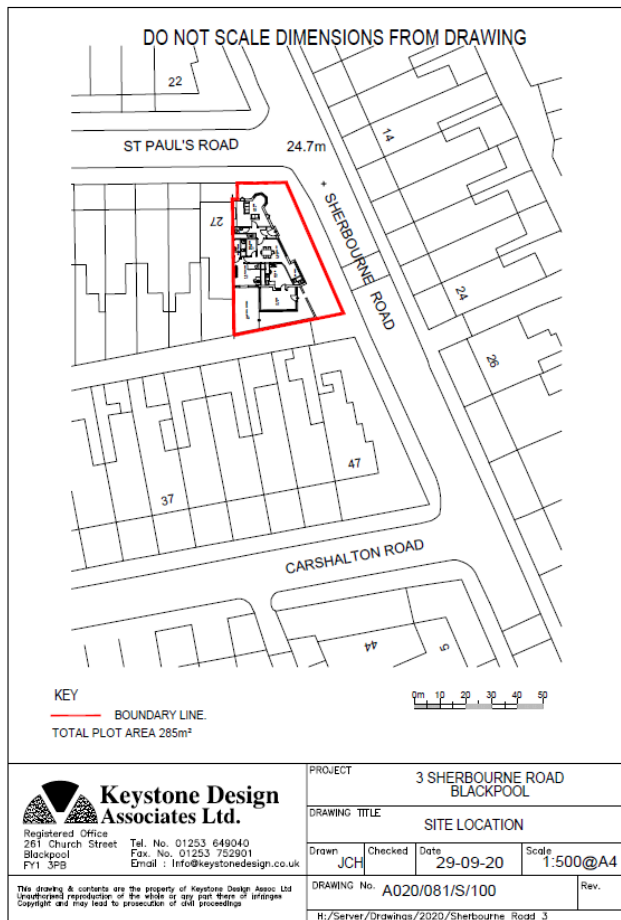
Reason: To safeguard the living conditions of the occupants of nearby residential premises and to prevent the further establishment of Houses in Multiple Occupation which would further increase the stock of poor quality accommodation in the town and further undermine the aim of creating balanced and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

- 6 The accommodation shall be used for permanent residential occupation within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) only and for no other purpose.

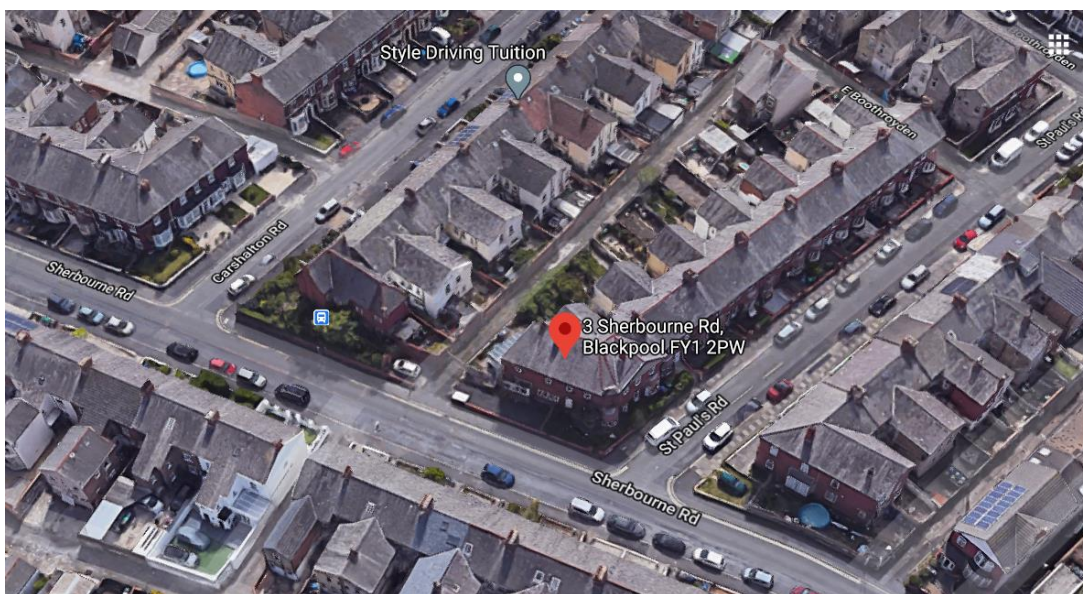
Reason: In order to safeguard the living conditions of the occupants of nearby residential properties and the character of the area in accordance with Policies CS7, CS12 and CS23 of the Blackpool Local Plan

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Appendix 8a: 3 Sherbourne Road – 20/0767



Location Plan/ site layout



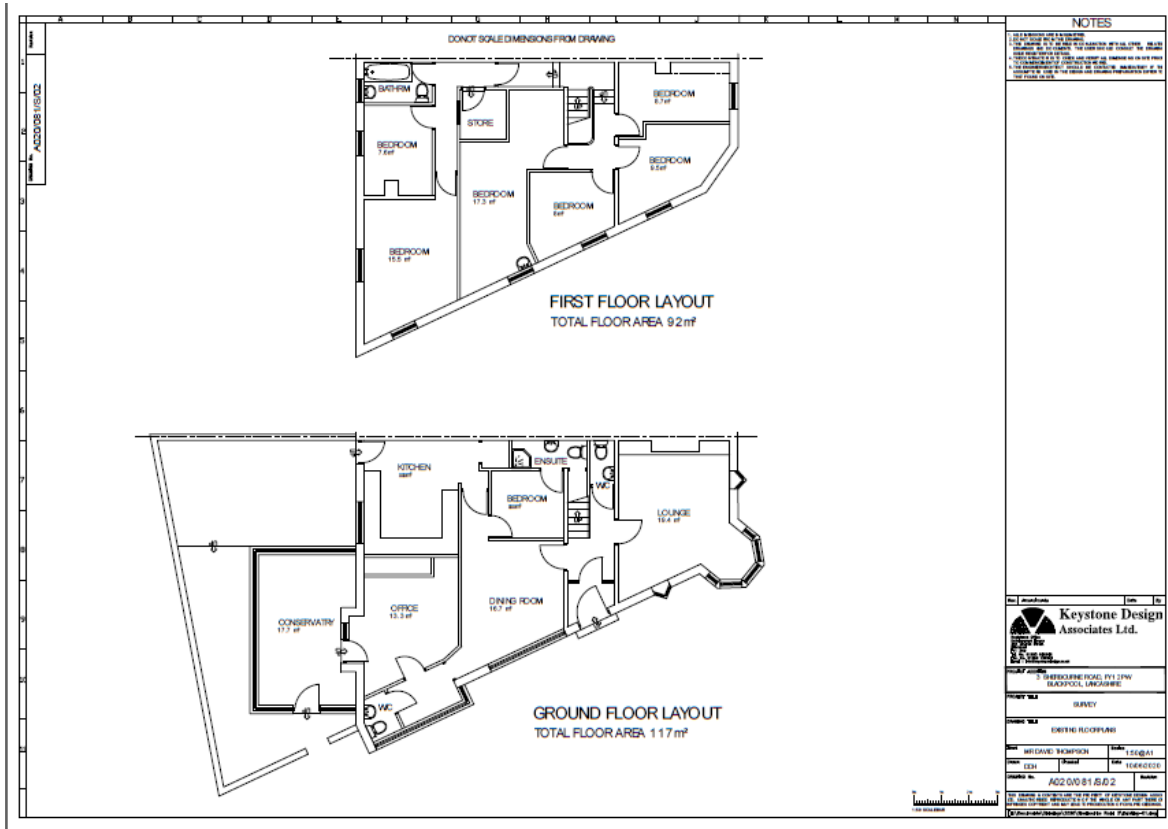
Ariel Photo



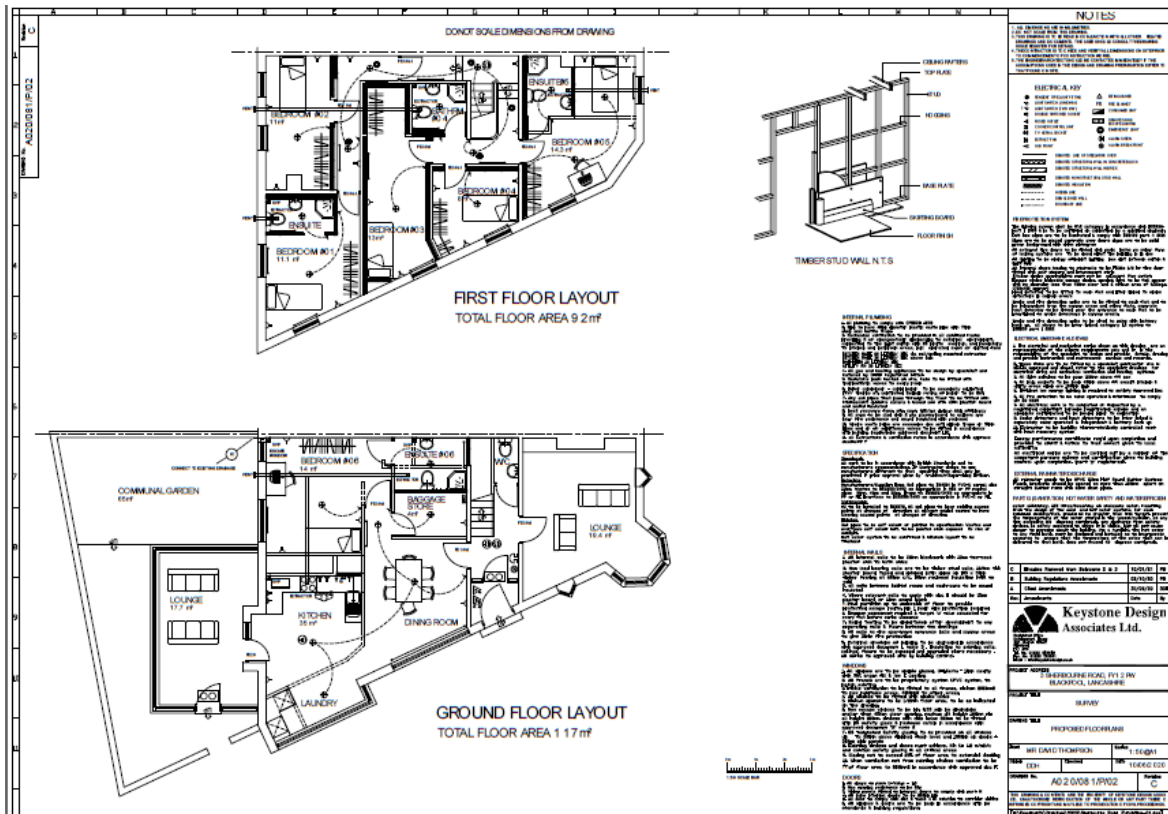
Existing elevations



Proposed elevations



Existing floor plan



Proposed floor plans

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