

Blackpool Council

25 June 2021

To: Councillors Baker, Farrell, Kirkland, O'Hara, Owen, Robertson BEM and Stansfield

The above members are requested to attend the:

PLANNING COMMITTEE

Tuesday, 6 July 2021 at 6.00 pm
Council Chamber, Town Hall, Blackpool FY1 1GB

A G E N D A

1 DECLARATIONS OF INTEREST

Members are asked to declare any interests in the items under consideration and in doing so state:

(1) the type of interest concerned 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 8 JUNE 2021 (Pages 1 - 8)

To agree the minutes of the last meeting held on 8 June 2021 as a true and correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED (Pages 9 - 10)

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

4 PLANNING ENFORCEMENT UPDATE REPORT MAY 2021 (Pages 11 - 14)

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

5 PLANNING APPLICATION 20/0784 84 - 94 CHURCH STREET AND 1 - 3 ABINGDON STREET, BLACKPOOL (Pages 15 - 46)

To consider planning application 20/0784 for the erection of a part three, part four and part five storey building, including commercial and residential basement storage, comprising ground floor retail, restaurant and betting shop (Use Classes E and sui generis) fronting Church Street and Abingdon Street and 19 self-contained (Use Class C3) on the upper floors accessed from Abingdon Street with associated refuse storage accessed from Back Church Street, following the demolition of existing buildings.

6 DATE OF NEXT MEETING

To note the date of the next meeting as 3 August 2021.

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Jenni Cook, Democratic Governance Senior Adviser, [Tel:\(01253\) 477212](tel:01253477212), e-mail jennifer.cook@blackpool.gov.uk

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

Present:

Councillor Owen (in the Chair)

Councillors

Farrell
Kirkland

O'Hara
D Scott

Stansfield

In Attendance:

Carl Carrington, Head of Planning, Quality and Control
Susan Parker, Head of Development Management
Lennox Beattie, Executive and Regulatory Support Manager
Clare Johnson, Principal Planning Officer
Clare Lord, Legal Officer
Jenni Cook, Democratic Governance Senior Adviser
Latif Patel, Network Planning and Projects Manager
Keith Allen, Highways and Traffic Development and Control Officer

1 DECLARATIONS OF INTEREST

There were no declarations of interest on this occasion.

2 MINUTES OF THE MEETING HELD ON 13 APRIL 2021

The Committee considered the minutes of the last meeting held on 13 April 2021.

Resolved:

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

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

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

Resolved:

To note the update.

4 PLANNING ENFORCEMENT UPDATE REPORT MARCH 2021

The Planning Committee considered a report on planning enforcement activity within Blackpool, between 1 March 2021 and 31 March 2021.

Resolved:

To note the update.

5 PLANNING ENFORCEMENT REPORT APRIL 2021

The Planning Committee considered a report on planning enforcement activity within Blackpool between 1 April 2021 and 30 April 2021.

Resolved:

To note the update.

6 PLANNING APPLICATION AND APPEALS PERFORMANCE

The Planning Committee considered a report on the Council's performance in relation to Government targets and performance in the fourth quarter of the 2020/2021 financial year.

The Chair noted that the Planning Department had vastly surpassed Government targets for both major and non-major planning applications and the Committee wished to place their appreciation to the Planning Team on record.

Resolved:

To note the update and to formally record the Committee's appreciation to the Planning Team.

7 PLANNING APPLICATION 20/0564 LAND TO NORTH OF DIVISION LANE, BLACKPOOL

The Planning Committee considered planning application 20/0564 for the erection of a single-storey building to provide changing facilities and social room for use in conjunction with sports pitches; provision of 3G sports pitch; provision of grass pitch; provision of training area; reconfiguration and extension to existing car park; provision of associated hard-standing, fencing and landscaping; improvement works to the access from Common Edge Road/Queensway including the creation of a new footway and cycleway.

Ms Clare Johnson, Principal Planning Officer, provided an overview of the application and outlined the relevant planning history of the site. The application site was currently designated as both green belt and public open space, although these designations were not proposed to be carried forward when the Blackpool Local Plan, Part 2: Site Allocations and Development Management Policies (Part 2) is adopted. Part 2 allocates this site within the Enterprise Zone, flood zone 1 and fell within the designated airport safeguarding zone.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 8 JUNE 2021

The site was within the impact zone of the Ribble and Alt Estuaries Special Protection Area and straddled the Fylde Borough Council boundary, with the site also accessed from the Fylde. Land to the north of the application site was intended for employment used under a third phase planning application.

Ms Johnson outlined the requirements of Paragraph 97 of the National Planning Policy Framework and the criteria under which existing open space, sports and recreational buildings could be built upon. Concerns had been raised by Blackpool Rugby Club/Blackpool Scorpions, who were based at the adjacent South Shore Cricket and Squash Club, regarding the application. The scheme had been amended to slightly re-position the main pitch to accommodate the new footpath and cycleway on the southern boundary.

Sport England had initially objected to the application, however that application had now been withdrawn subject to clarification from the Council as to the status of the current Playing Pitch Strategy and written confirmation from the Rugby Football League that the artificial grass pitch did not need to be rugby compliant. In addition, Sport England had requested conditions relating to pitch specification, technical design and construction of the artificial grass pitch, a Management and Maintenance Plan and a Community Use Agreement. Ms Johnson confirmed that Sport England had been sent the adopted Planning Pitch Strategy and that the Rugby Football League had confirmed that the artificial grass pitch at the Enterprise Zone was required for football only. Written confirmation of this had been requested and the conditions, should the application be approved, had been amended accordingly.

Ms Johnson outlined the responses from statutory consultees. Natural England had removed its objection to the application, following submission of further information and subject to appropriate mitigation to be set out in a Flood Risk and Drainage Strategy, to be secured by condition. Lancashire County Council had made further comments and suggested a number of amended or additional conditions. In terms of parking, the application would provide 194 marked spaces with accessible spaces, coach spaces and cycle stores. To mitigate and discourage ad-hoc parking on the site, an interim policy had been agreed in principle and a Car Parking Management Strategy would be required.

In terms of water management, the site was not served by a foul sewer and the Environment Agency had offered no comment on the proposed surface water drainage system. United Utilities had agreed that foul water could be treated and drained on site until such time that the facilities to connect to a foul sewer, as the site to the north is developed. United Utilities had requested that this be mitigated by a condition requesting submission of a final sustainable drainage scheme. This condition had been incorporated into the report at proposed condition three.

Ms Johnson outlined other objections that had been received which raised concerns regarding litter and increased hire charges; however these were not material planning considerations and a Community Use Agreement would be secured by condition, as requested by Sport England.

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The application was recommended for approval. As the Rugby Football League had not yet confirmed the 3G pitch issue in writing, it was recommended that the Planning Committee resolved to support the application and delegate the Head of Development Management to grant planning permission and if planning permission were granted, this would be subject to the conditions and amended conditions as set out in the committee report and update report.

Ms Claire Parker, who was the applicant's agent, spoke on the application and stated that this was a significant step forward in the development of the Blackpool Enterprise Zone and would enable the replacement of existing sports pitches. She noted that although the land was on green belt and public open space, this was not proposed to be carried forward on adoption of the Blackpool Local Plan Part 2. The concerns of objectors were noted and Miss Parker stated that work had been undertaken to mitigate these issues. Extended discussions had taken place with Lancashire County Council Highways and revised drawings had been submitted with regards to drainage. She stated that the Enterprise Zone Team were keen to push ahead with the proposal to provide new sports facilities to support the future development of the area.

Members discussed the item and noted that concerns regarding congestion on Common Edge Road would be mitigated by the provision of a detailed Car Park Management Strategy.

Resolved:

That planning application 20/064 is approved in principle, subject to written confirmation from the Rugby Football League regarding the 3G pitch, and that the Head of Development Management is delegated to grant planning permission subject to the conditions and amended conditions set out in the committee report and update report.

8 PLANNING APPLICATION 20/0633 LAND BOUND BY ADELAIDE STREET, LEOPOLD GROVE AND ALFRED STREET, BLACKPOOL

The Planning Committee considered application 20/0633 for the erection of a five-storey hotel to provide up to 160 bedrooms and two-storey car park for a minimum of 94 vehicles access from Adelaide Street and Alfred Street. This was an outline application for scale, layout and access located at land bound by Adelaide Street, Leopold Grove and Alfred Street, Blackpool.

Ms Clare Johnson, Principal Planning Officer, provided an overview of the application and noted that it was situated within the Town Centre Conservation Area and formed part of the setting of the Winter Gardens, a Grade 2* listed building. The planning history of the site was outlined, along with previous approvals for a hotel in 2010 and 2016. Two thirds of the current application site was operating as a temporary 80 space public pay and display car park.

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The proposed application would provide 94 spaces for use by the hotel, with a better hotel bedroom to car park ratio than previously approved, along with a vehicle drop-off point. It was reiterated that this was an outline application for scale, layout and access. It was noted that the principle of the hotel development had already been established with the granting of previous planning permissions and accorded with national and local policy.

Ms Johnson noted that the application made reference to a potential bridge link at second floor level which would connect to the conference centre of Leopold Grove, however the bridge did not form part of the application and was indicative only. The proposed hotel would be approximately 19 metres tall at its highest point to the south fronting Adelaide Street and approximately 16 metres tall to the north adjacent to properties fronting Church Street. This was around 5 metres taller than a previously approved scheme.

Ms Johnson outlined the impact on amenity, in particular the apartments at 115 Church Street where the south elevation facing the hotel contained windows to a study in the basement, 1 bedroom on the ground floor (a second bedroom) and an en-suite bathroom at first floor. However it was noted that a study is not considered a habitable room and there was no requirement for a bathroom to have natural light. Conditions to protect neighbour amenity were proposed, should the Committee approve the application.

The proposed hotel was considered to have a positive impact on the setting of the Winter Gardens and the Town Centre Conservation Area. The hotel lounge/café would face the rear of the Winter Gardens and Conference Centre and would provide an active frontage. The Design and Access Statement alluded to the use of good quality materials and that the designed would be influenced by Blackpool's art deco heritage. The landscaping was an opportunity to soften the appearance of the building and enhance the setting of the heritage assets, with the possibility of a green roof to be incorporated.

Ms Johnson outlined the impact on highways and the resulting loss of 80 public parking spaces and five spaces on Alfred Street, however it was not thought that the development itself would increase parking pressure and the proposed parking was considered sufficient. To provide vehicle access drop-off points on Adelaide Street and Alfred Street, works would be required to alter the footpaths to provide access and dropped crossings and resurfacing. A Traffic Regulation Order and Stopping Up Order would be required and agreed by the Highway Authority.

Ms Johnson highlighted that the site was largely hard surfaced, with no habitat features for protected species. The applicant had demonstrated that the site can be adequately drained subject to further detailed design which would be agreed by condition. The proposed scheme was considered to be sustainable and would provide economic benefits and employment opportunities in the form of a major investment from the hotel industry. The outline application was recommended for approval.

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Mr Ian White, a member of the public, spoke on the application and asked that, if the scheme was approved, that the ratio of car park spaces to rooms be controlled by condition and noted increased parking pressures around the medical centre and South King Street and Alfred Street. He requested that the car parking ratio was not downsized when the full planning application came forward to mitigate any negative impact on existing hotel and bed and breakfast stock.

Miss Parker responded to Mr White's comments and clarified that the access layout and scale was agreed at this outline stage and a reserved matters application would not alter or affect the parking ratio.

The Committee discussed the application and it was clarified that the car park would be for sole use by the hotel. The front entrance sign, cladding, windows and green roof were for illustrative purposes only and would be agreed via reserved matters.

Resolved:

That outline planning application 20/0633 is approved subject to the conditions in the committee report.

9 PLANNING APPLICATION 20/0674 LAND AT SQUIRES GATE INDUSTRIAL ESTATE, SQUIRES GATE LANE

The Planning Committee considered planning application 20/0674 for the use of land as a contractor's depot, incorporating land levelling, vehicle storage for up to 67 waggons, staff and customer parking, erection of workshop, concrete batching plant and aggregate bays at land at Squires Gate Industrial Estate, Squires Gate Lane. This was a retrospective application and was recommended for refusal.

Miss Susan Parker, Head of Development Management, outlined the report and the planning history of the site. The proposal would compromise the aims of the Enterprise Zone and was in close proximity to residential accommodation and sports facilities.

Miss Parker outlined the objections to the application and noted that the Environment Agency had made a significant objection with regards to foul drainage facilities and treatment of waste, alongside operational concerns. The Environment Agency noted that the applicant had sought to use the existence of an environmental permit as evidence that the impact of the waste operations was acceptable; however the Environment Agency had clarified that applications for permits could not be refused on amenity grounds. The Council's Environmental Protection Team had raised concerns in relation to noise and the need for acoustic screening and restrictions on operating hours. The applicant had indicated that these restrictions were not suitable for their operating.

Miss Parker outlined the objections from the Lead Local Flood Authority with regards to site discharges and the Enterprise Zone Manager's objections and concerns were also noted. Objections had been received from 42 properties which raised concerns regarding light, noise, environmental quality, traffic and impact on the Enterprise Zone.

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Miss Parker informed the Committee that the proposal would compromise the aims of the Enterprise Zone to attract new, modern, hi-tech companies into the area, would cause significant issues for local residents and have an adverse social and environmental impact, which were considered to outweigh the potential economic benefits. The proposal was, therefore recommended for refusal.

Members discussed the application and it was noted that there had been high levels of community objection and that Miss Parker had clearly laid out grounds for refusal.

Resolved:

That planning application 20/0674 is refused for the following reasons:

1. The proposal does not constitute redevelopment to modern business/industrial facilities supporting the Blackpool Business Park/Enterprise Zone. As such it has a detrimental impact on the area's potential to attract modern, hi-tech industries, due to noise and dust pollution generated on site. The proposal is thereby contrary to Policy CS24 of the Blackpool Local Plan Part 1: Core Strategy 2021-2027 and Policy DE2 of the Blackpool Local Plan 2001-2016.
2. The proposal would have a significant adverse impact on residential amenity in terms of noise (HGV engines, concrete crusher etc) air (dust, diesel fumes) particularly at unsociable times – late evening and early morning. As such the proposal would be contrary to Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policy BH3 of the Blackpool Local Plan 2001-2016.
3. The proposal would result in off-site pollution of the water environment and increased risk of flooding, to the detriment of the environment and residential amenity. As such, the proposal would be contrary to Policy CS9 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies BH3 and BH4 of the Blackpool Local Plan 2001-2016.

10 DATE OF NEXT MEETING

Resolved:

To note the date of the next meeting at 6 July 2021.

Chair

(The meeting ended at 6.49 pm)

Any queries regarding these minutes, please contact:
Jenni Cook Democratic Governance Senior Adviser
Tel: (01253) 477212
E-mail: jennifer.cook@blackpool.gov.uk

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Report to:	PLANNING COMMITTEE
Relevant Officer:	Susan Parker, Head of Development Management
Date of Meeting:	6 July 2021

PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED

1.0 Purpose of the report:

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

2.0 Recommendation(s):

2.1 To note the report.

3.0 Reasons for recommendation(s):

3.1 To provide the Committee with a summary of planning appeals for information.

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

3.2 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 21/0011 – 28 Links Road, Blackpool, FY1 2SE - Erection of two storey side extension and part single, part two storey rear extension.

An appeal has been lodged by Mr and Mrs Ponnudurai Kumar against the Council's refusal of planning permission.

7.0 Planning/Enforcement Appeals Determined

7.1 None

7.2 Does the information submitted include any exempt information? No

8.0 List of Appendices:

8.1 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 Ethical considerations:

15.1 None

16.0 Background papers:

16.1 None

Report to:	PLANNING COMMITTEE
Relevant Officer:	Tim Coglan (Service Manager, Public Protection)
Date of Meeting:	6 July 2021

PLANNING ENFORCEMENT UPDATE

1.0 Purpose of the report:

1.1 The Committee is requested to consider the summary of planning enforcement activity within Blackpool, between 1st May 2021 and 31st May 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, 41 new cases were registered for investigation in May 2021.

As at 31st May 2021, there were 562 “live” complaints outstanding.

Resolved cases

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

Closed cases

In total, 25 cases were closed. These cases include those where there was no breach of planning control found, no action was appropriate, or where it was considered not expedient to take action.

Formal enforcement notices / s215 notices

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

Notices authorised

Ref	Address	Case	Dates
20/8495	UNIT 7, SQUIRES GATE INDUSTRIAL ESTATE (FY4 3RN)	Unauthorised erection of a building for use as a car wash and valeting business	Enforcement Notice authorised 26/05/2021
21/8091	18 GLOUCESTER AVENUE (FY1 4EJ)	Poor condition of property	S215 Notice authorised 12/05/2021

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: 20/0784

Ward: Talbot

Application type: Application for full planning permission.

Location: 84-94 Church Street and 1-3 Abingdon Street, Blackpool

Proposal: Erection of a part three, part four and part five storey building, including commercial and residential basement storage, comprising ground floor retail, restaurant and betting shop (Use Classes E and sui generis) fronting Church Street and Abingdon Street and 19 self-contained (Use Class C3) on the upper floors accessed from Abingdon Street with associated refuse storage accessed from Back Church Street, following the demolition of existing buildings.

Recommendation: Approve subject to conditions and a Section 106 legal agreement

Case officer: Clare Johnson

Case officer contact: 01253 476224

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 The proposal for residential development and a refreshed retail offer in the Town Centre, adjacent to St Johns Square would accord with both priorities and would support the wider regeneration efforts in and around the Town Centre.

2.0 SUMMARY OF RECOMMENDATION

- 2.1 This proposal is a positive step towards the regeneration of the area and the site is in a key location opposite the Winter Gardens and fronting St Johns Square.
- 2.2 It is considered that the proposal is in accordance with national and local planning policies and the proposal would further regenerate and enhance the Town Centre Conservation Area and provide good quality residential accommodation above retail uses on the ground floor which would support the town centre. Accordingly, the Officer recommendation is to grant planning permission subject to appropriate conditions and the signing of a Section 106 agreement to secure health and public open space contributions.

3.0 INTRODUCTION

- 3.1 The application is for full planning permission for a part three, part four and part five storey building with basement storage, comprising ground floor retail, restaurant and betting shop fronting Church Street and Abingdon Street and 19 self-contained apartments on the upper floors accessed from Abingdon Street with associated refuse storage accessed from Back Church Street, following the demolition of existing buildings. This application is before Members because it is a regeneration scheme of general public interest within the Town Centre Conservation Area and forms part of the setting of the Winter Gardens, which is a Grade 2* listed building and the former Post Office building and St Johns Church, both of which are Grade 2 listed buildings.
- 3.2 A planning application for the erection of a part six/part seven storey building comprising ground floor retail and 29 residential apartments above (reference 20/0018) was submitted and withdrawn in 2020 following case officer, consultee and public concerns over the design, scale and massing of that development and its relationship with listed buildings and the Town Centre Conservation Area.

4.0 SITE DESCRIPTION

- 4.1 The application site measures approximately 0.05ha (500 square metres) and is within the Town Centre boundary and Principal Retail Core as defined by the Proposals Map to the Blackpool Local Plan 2001-2016. The site is within the Town Centre Conservation Area and the Defined Inner Area. The emerging Local Plan Part 2; Site Allocations and Development Management Policies document identifies the properties as being within the Secondary Frontages and once adopted, will replace the Principal Retail Core designation.
- 4.2 The site is bound by Abingdon Street to the east, Church Street to the south, back Church Street to the west and adjacent buildings to the north fronting Abingdon Street and Birley Street. The land levels change across the site and the Abingdon Street frontage is just under half a metre higher than the levels at Back Church Street. The area is predominately commercial in character with retail/leisure uses at ground floor and offices/storage above. In terms of height, the buildings in the immediate area are generally between three and five stories in scale with taller development restricted to St Johns Church and elements of the Winter Gardens.
- 4.3 The existing building at 84-94 Church Street and 1 Abingdon Street is modern with a flat roof and is approximately three stories in scale with a restaurant and betting shop on the ground floor. The restaurant has recently extended onto the first floor and there are storage/office space elsewhere on the upper floors. No. 3 Abingdon Street is a much older, two-storey mid terraced building with a pitched roof and front dormer, currently in use as a retail shop on the ground floor and storage/office space on the upper floors. The betting shop opened in around 2010 under what was then classed as permitted development.
- 4.4 The ground floor is currently set slightly forward of the upper floors and this is repeated on the adjoining block to the north.
- 4.5 This section of Church Street and St Johns Square is pedestrianised but the wider town centre is well served by public transport which means the application site has a high

accessibility level. There are no on street parking facilities in the immediate area but the Town Centre is well served by car parking in the wider area.

- 4.6 The site is within Flood Zone 1 and is therefore at low risk of river or tidal flooding and is also at low risk of surface water or reservoir flooding. The site is within the Blackpool Airport consultation zone. No other designations or constraints have been identified.

5.0 DETAILS OF PROPOSAL

- 5.1 This full planning application seeks approval for the erection of a part three, part four and part five storey building, including commercial and residential basement storage, comprising ground floor retail, restaurant and betting shop (similar to the existing ground floor uses) fronting Church Street and Abingdon Street and 19 self-contained apartments on the upper floors accessed from Abingdon Street with associated refuse storage accessed from Back Church Street, following the demolition of existing buildings.
- 5.2 The previously withdrawn application was for a part six, part seven storey building (with a maximum height of around 22m) with commercial premises on the ground floor and 29 apartments on the upper floors. The scale and massing of the previous scheme was deemed excessive in its historic setting.
- 5.3 The revised scheme is for a part three, part four and part five storey building with flat roofs over. The development would be four stories (13m) on the corner of Church Street and Abingdon Street with a fifth storey to the north of the development with 15.4m maximum height fronting Abingdon Street and 15.9m on Back Church Street. The fifth floor would be set back from the main elevation fronting Abingdon Street by between 1.5m and 2m and would be set back by over 7m from the main Church Street elevation. The three storey element which would front Church Street adjacent Back Church Street and would have a maximum height of 10.5m.
- 5.4 The ground floor would comprise glazed shopfronts providing an active frontage on both Abingdon Street and Church Street. The glazed shopfront would turn the corner onto Back Church Street, providing views into the commercial unit on approach from the west. The upper floors would have a distinctly grid like vertical emphasis given the verticality of the fenestration, interspersed by shallow horizontal voids, all of which would be set within regularly sized and spaced reveals, providing depth and animation to the elevations.
- 5.5 The upper floors would be accessed via a dedicated entrance on Abingdon Street and would be defined by using different materials over the full building height over the entrance.
- 5.6 In terms of materials, the elevations would be a mix of red brick and light/pigmented concrete with glazing in light coloured anodised frames and powder coated metal handrails, cills and flashings.
- 5.7 The ground floor units would be accessed off Abingdon Street and Church Street. Separate and secure commercial and residential refuse areas would be provided off Back Church Street.
- 5.8 No car parking would be provided and none could realistically be incorporated into the development. However, secure cycle storage would be provided in a secure room in the basement for the apartments and there is sufficient room in the remainder of the basement

for staff associated with the ground floor commercial uses, to store bicycles. The cycle store and basement would be serviced by a lift. This Town Centre location has very good public transport links and ample shopping and employment opportunities within walking distance and is also well served by local schools and medical facilities.

- 5.9 All residential floors would be accessible by a passenger lift suitable for use by a wheelchair.
- 5.10 The ground floor would be have 297sqm of floor-space and would be used in a similar fashion to the existing uses, although individual unit sizes have not been provided.
- 5.11 The upper floors would provide 19 apartments comprising eight 1 bedroom apartments (42%) and eleven 2 bedroom apartments (58%). Each apartment would have access to a small inset balcony space.
- 5.12 There are no areas within the development that could accommodate traditional landscaping. However, there are flat roof areas which could be utilised as green roofs.
- 5.13 The application has been supported by:
- Planning Statement
 - Heritage Statement
 - Design and Access Statement

6.0 RELEVANT PLANNING HISTORY

- 6.1 20/0018 Erection of a part six/part seven storey building, including commercial and residential basement storage, comprising ground floor retail, restaurant and betting shop (Use Classes A1, A3 and sui generis) fronting Church Street and Abingdon Street and 29 self-contained (Use Class C3) on the upper floors accessed from Abingdon Street with associated refuse storage accessed from Back Church Street following the demolition of existing buildings. Withdrawn
- 6.2 10/0376 Use of premises as restaurant (Use Class A3) – Granted.
- 6.3 There have been various applications for replacement shopfronts and advertisements.

7.0 MAIN PLANNING ISSUES

- 7.1.1 The main planning issues are considered to be:
- principle of development
 - residential amenity
 - layout and housing mix
 - visual amenity and heritage impact
 - highway impact
 - drainage
 - ecology
 - planning contributions
 - other issues

8.0 CONSULTATION RESPONSES

8.1 Historic England:

- 8.1.1 Historic England identifies a varied architectural character to the town centre with no predominant style or material. There is a mixture of buildings from the mid-19th century up to the present day, providing an eclectic style with mixed finishes. Church Street is a typical town centre commercial street with a range of buildings of varying styles and dates.
- 8.1.2 The Winter Gardens is an immensely distinctive and important building hosting significant developments and examples of architecture. It is significant for being the earliest, most ambitious and most complete surviving winter garden complex in England and which contributed immensely to Blackpool's establishment as a renowned seaside resort. This significance is recognised in its designation as a Grade II* listed building.
- 8.1.3 The scheme has been revised previously, reducing its overall height to sit below the level of the Winter Gardens parapets. Stepping of the levels, drawing it away from the corner reduces its visual dominance and ensures that it does not impact on views of the Winter Gardens.
- 8.1.4 The stepping of the upper floors reduces the buildings mass and dominance in the street scene. The building is now of a scale that it will sit alongside similarly proportioned buildings to both Abingdon and Church Street.
- 8.1.5 The design is unashamedly contemporary with a mixture of brick and white concrete, reflective of the range of predominant materials colours seen across the Conservation Area e.g. the white faience of the Winter Gardens and Old Post Office building on Abingdon Street. Historic England has no objection to the application on heritage grounds and we consider that the application meets the requirements of the National Planning Policy Framework (NPPF), in particular paragraph numbers 193, 194, 196 and 200.

8.2 Theatres Trust:

- 8.2.1 In response to the previous application, we had no objection to the principle of redeveloping this site or to the residential use citing low architectural merit which made no positive contribute towards the character of the conservation area and the setting of the Winter Gardens. We assessed that there was sufficient separation for there to be no conflict with the Winter Gardens' theatres and cultural uses in terms of noise complaints. These matters remain the case.
- 8.2.2 In response to the previous application, we objected on height and design. On this revised proposal the proposed height has been reduced. We now consider this to be appropriate to the surrounding context, and note the comments of Historic England who have also removed their objection.
- 8.2.3 On that basis we similarly raise no objection to this development.

8.3 United Utilities:

8.3.1 United Utilities have requested that the standard condition relating to the management of surface water drainage:

- (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.

8.3.2 Further standard advice to the applicant is given in relation to water supplies, and United Utilities' property and infrastructure.

8.4 Electricity North West:

8.4.1 The development is shown to be adjacent to or affect Electricity North West's operational land or electricity distribution assets. The consultation response directs the developer to a number of safety documents and advice and provides contact details should the development go ahead. Any costs associated with the diversion of apparatus, the costs would usually be borne by the applicant.

8.5 Blackpool International Airport:

8.5.1 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.

8.6 NHS Clinical Commissioning Group

8.6.1 The Clinical Commissioning Group (CCG) have requested £7,720 towards new infrastructure, namely a new build Primary Care Centre at Adelaide Street. Both Adelaide Street and South King Street Surgery cannot be adapted/extended in any way despite an increasing demand and we require new premises on the Adelaide Street site. Detailed proposals have been prepared.

8.7 Blackpool Civic Trust:

8.7.1 We submitted comments regarding a previous application for this location and our objections are all still relevant as the proposed site sits within the conservation area and if developed will impose too greatly on the St Johns Square conservation area by the height and density of building. Planning permission should be once again refused as it is totally out with the permitted developments in this location.

8.8 Built Heritage Manager:

8.8.1 No objections in principle but has made the following comments:

- Traditionally, corner sites have made a 'statement' on the corner itself, whether by increased height and/or decoration, so it should be stepped down on the north east corner rather than the south east corner.
- The materials should be high quality so, for example, natural stone should be used for detailing rather than artificial stone. Metal cladding would not be appropriate

and the palette of materials and colours should be kept simple. The proposed pink-red brick is probably not suitable for the context, so all materials should be conditioned.

8.9 Head of Highways and Traffic Management Services:

- 8.9.1 Having tried to resolve the dimensions of the red edge, the existing footprint and canopy and the proposed footprint (with no canopy) I am still not sure of their relationships with each other or the highway boundary. A dimensioned plan that cleared this up would assist. *(Since provided and found to be acceptable)*. Depending on the outcome there may be areas outside the footprint to be dealt with. The function of the building will be similar to that of the existing from a highway access and servicing point of view. The proposal, from a highways perspective, appears to be broadly compliant with policy and in line with comments in pre-apps.
- 8.9.2 The site is within an area in which major events are staged and is subject to security concerns. The area is also covered by Traffic Regulation Orders limiting vehicular movements at various times and for various purposes. This is not likely to change in the foreseeable future and should be borne in mind in the demolition and construction stages and subsequently in the operation of the building.
- 8.9.3 In view of the increased use of the back street we would expect the development to include making Back Church Street one-way through a s278 agreement.
- 8.9.4 It will be necessary for the developer to negotiate arrangements and permissions for demolition and construction with the highway authority and Building Control at an early stage. At present no permanent works seem to be proposed outside the red edge although there will, no doubt, be associated utility works. If that remains the case there will still be a need for dilapidation survey and subsequent reinstatement in addition to utilities' arrangements. I suggest that early contact is made.
- 8.9.5 Depending on the eventual ground floor occupants it may well be that works to amend/improve some highway paving may be proposed. Again, the sooner this can be identified the better.
- 8.9.6 I note that refuse storage is adjacent to Back Church Street - from which I assume collections will be made. This reflects the existing situation. However, given the significant residential element of the proposal I would be concerned that the residents' refuse store is not accessible from within the building. It would appear that residents would have to leave via a back door into a small rectangular outside space and walk round the outside of the store to gain access. The small rectangular outside space would obviously benefit from being enclosed and secure and access from it, direct to the bin store, would be prudent. Since the small rectangular outside space is enclosed on three sides by the development there is no obvious reason why it should not be enclosed. *The ground floor plans have been amended to include a rear door to the residential refuse store. The area cannot be covered over as it is not within the applicants' ownership and is outside of the red edge. The applicant has confirmed however, that there is an established right of way over the land.*

8.10 Local Lead Flood Authority

8.10.1 The core strategy would require a 30% reduction in surface water run-off. In the absence of any information I would expect the standard drainage conditions to be applied. It would be reasonable to expect at least a description of an acceptable strategy.

8.11 Education

8.11.1 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.

8.12 Environmental Protection (Amenity):

8.12.1 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.

8.13 Contaminated Land Officer:

8.13.1 No comment, land has had no industrial properties.

8.14 Waste:

8.14.1 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: 21/01/2021

9.2 Site notice published: 27/01/2021

9.3 Neighbours notified: 19/01/2021

9.4 A single objection has been received from the occupier of 80-82 Church Street.

The objection states:

- the brutalist design and materials are not in keeping with the Winter Gardens;
- flats may not be the answer to revitalise the town given the significant number of empty retail units with potential accommodation above;
- the area is pedestrianised and so safety, parking and servicing the flats would be difficult;
- the development would have a significant impact on the character of St Johns Square.

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 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 15 – Conserving and enhancing the natural environment
- 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

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

- CS1 Strategic Location of Development
- CS3 Economic Development and Employment
- CS5 Connectivity
- CS6 Green Infrastructure
- CS7 Quality of Design
- CS8 Heritage
- CS9 Water Management
- CS10 Sustainable Design and Renewable and Low Carbon Energy
- CS12 Sustainable Neighbourhoods
- CS13 Housing mix, density and standards
- CS14 Affordable housing
- CS15 Health and Education
- CS17 Blackpool Town Centre
- CS18 Winter Gardens

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
- LQ2 Site Context
- LQ3 Layout of Streets and Spaces
- LQ4 Building Design
- LQ6 - Landscape Design and Biodiversity
- LQ7 Strategic Views
- LQ9 Listed Buildings
- LQ10 Conservation Areas
- BH3 Residential Amenity
- BH4 Public Health and Safety
- BH10 - Open Space in New Housing Developments
- HN4 - Windfall Sites (for housing development)
- AS1 General Development Requirements

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 a formal consultation exercise which ended on the 2nd April 2021 and it is anticipated that Part 2 will be submitted for examination in June 2021. The NPPF confirms that weight can be given to emerging policies according to the stage of preparation of the plan (the more advanced its preparation, the greater weight may be given), the extent to which there are any unresolved objections to relevant policies and the degree of consistency of the relevant policies with the NPPF. Given the advanced stage of preparation of Part 2, the absence of objections to the Plan which cannot be resolved and that the policies have been prepared to be consistent with the NPPF, it is considered that moderate weight can be attached to the following policies in Part 2:

- DM1 Design Requirements for New Build Housing Developments
- DM6 Residential uses in the Town Centre
- DM12 Secondary Frontages
- DM17 Design Principles
- DM21 Landscaping
- DM26 Listed Buildings
- DM27 Conservation Areas
- DM31 Surface Water Management
- DM35 Biodiversity
- DM36 Controlling Pollution and Contamination
- DM41 Transport Requirements for New Development

10.6 **Other Relevant Policy Guidance and declarations:**

10.6.1 Blackpool Council declared a Climate Emergency in June 2019 that requires urgent action. The Council is committed to making its activities net-zero carbon by 2030 and that planning decisions are in line with a shift to zero carbon by 2030.

10.6.2 Supplementary Planning Guidance 11: Open Space: provision for new residential development and the funding system set out the public open space requirements in new housing development.

- 10.6.3 The Blackpool Town Centre Strategy was adopted in 2013 and sets out the importance of Blackpool Town Centre to the successful regeneration of the resort and the economic prosperity of the wider Fylde Coast. This document has a number of objectives, including improving the quality of buildings, streets and spaces in the Town Centre and developing a high quality hotel offer. Objective 4 in the Town Centre Strategy encourages new residential development on upper floors within the Town Centre.
- 10.6.4 The Government has produced the Technical housing standards – nationally described space standards which provide floor space standards for new housing development.

11.0 ASSESSMENT

11.1 Principle of development

- 11.1.1 The site is within the Town Centre and is currently within the Principal Retail Core. Moving forward, Part 2 identifies the site as within the Town Centre's Secondary Frontage. As such, retail uses on the ground floor are considered to be acceptable in principle. Emerging Policy DM12 relates to Secondary Frontages and identifies suitable uses within them. DM12 does not explicitly permit Betting Shops in a Secondary Frontages. However, given the proposed betting shop would replace an existing betting shop, this provision is considered to be acceptable in principle, subject to a condition restricting the amount of floor-space to be used as a Betting Shop. The existing shop floor (excluding ancillary facilities) for the betting shop is approximately 94sqm and so the shop floor for the replacement betting shop should not exceed 94sqm.
- 11.1.2 Providing residential uses in the Town Centre is consistent with Part 7 of the NPPF which confirms that residential development often plays an important role in ensuring the vitality of town centres and encourages residential development on appropriate sites. Saved Policy SR5 permits residential uses on upper floors within the Principal Retail Core as does Saved Policy SR9. Core Strategy Policy CS17 relates to the Town Centre and supports a high quality residential offer as does emerging Policy DM6 which relates to residential uses in the Town Centre. Furthermore, Objective 4 in the Town Centre Strategy encourages new residential development on upper floors within the Town Centre.
- 11.1.3 The scheme proposes 19 units on the 0.05 hectare site which equates to a housing density of 380 dwellings per hectare. This is very high, but higher densities are expected from flat development compared to housing development, especially in the Town Centre. Policy CS13 permits development which makes efficient use of land, with an optimum density appropriate to the characteristics of the site and the surrounding area and supports higher densities in main centres. Subject to other considerations in the planning balance, this density is considered to be appropriate on a brownfield site in a highly accessible location.
- 11.1.4 The proposal would make a notable quantitative contribution towards meeting the borough's housing requirements. This weighs in favour of the proposal but, as the Council can currently demonstrate a five year housing land supply, it is not of over-riding weight in the planning balance.
- 11.1.5 The scheme represents a major investment in the Town Centre and would contribute towards the regeneration objectives set out in the Core Strategy and priority one and two of the Council Plan and would support the wider regeneration efforts in and around the Town Centre.

11.1.5 As such, the development is considered to be acceptable in principle.

11.2 Residential amenity

11.2.1 Paragraph 182 of the NPPF states that decisions should ensure that new development can be integrated effectively with existing businesses and community facilities and without resulting in existing businesses and facilities having unreasonable restrictions placed on them as a result of the development. The site falls within the Town Centre and opposite the Winter Gardens and St Johns Square, which regularly host large cultural events. Therefore the general levels of activity, noise and disturbance are higher than would typically be expected in a more traditional residential setting. It is reasonable to assume that future occupiers of the apartments will be aware of these characteristics and would therefore be choosing to live in a more dynamic living environment. In any case, the Theatres Trust have confirmed that there is sufficient separation between the development and the Winter Gardens for there to be no conflict between the residential use and the ongoing operation of the Winter Gardens in terms of noise complaints and no objections have been received from colleagues in Environmental Protection.

11.2.2 There are no known existing residential uses in the immediate area whose amenities could be affected by the development. In light of the above, no unacceptable impacts on residential or visitor amenity have been identified.

11.3 Layout and housing mix

11.3.1 The upper floors would provide 19 apartments comprising eight 1 bedroom apartments (42%) and eleven 2 bedroom apartments (58%).

11.3.2 Policy CS13 requires that at least 70% of the units should have at least 2 bedrooms so in this respect, there is a conflict with this policy. The scheme has been reduced in scale by 10 units from the previous submission where 29 units were proposed. The agent has verbally confirmed that, considering the demolition and construction costs against the modest potential rental or sales income, reducing the number of units further to increase the provision of 2 bed units would not be viable. Viability information to confirm this position has been requested and is expected to be received prior to the Committee meeting. Any such submission will be discussed in the update note. Nevertheless, even if a reduction in unit numbers is demonstrated to be unviable, the conflict with CS13 weighs against the application.

11.3.3 Furthermore, in this Lower Super Output Area 010E (LSOA), flats account for 69.6% of the housing stock compared to a 25% average for Blackpool and 22% nationally. However, this would be a new build development in the heart of the Town Centre rather than poor quality conversion experienced elsewhere in the Inner Area.

11.3.4 All of the flats would meet with the technical housing standards – nationally described space standards despite emerging Policy DM1 only requiring that 20% meet these standards. The apartments would be accessible by people with impaired mobility. Each apartment would have access to private amenity space in the form of an inset balcony of between 3sqm and 6sqm and most of the balconies would have views over Church Street or St Johns Square. Four of the apartments would only have outlook over Back Church Street which is not ideal.

However, overall the scheme is considered to provide good quality living accommodation on what is a very constrained Town Centre site. This weighs in favour of the scheme.

- 11.3.4 Currently, Back Church Street is used to store refuse bins for the existing commercial uses and this is unsightly as the bins are visible from Church Street and the Conservation Area. The proposed development would include two internal refuse stores, one serving the residential uses and the other serving the commercial elements of the scheme and this is considered to be a significant improvement over the current situation.

11.4 Visual amenity and heritage

- 11.4.1 National planning policy relating to the conservation and enhancement of the historic environment is articulated in section 16 of the National Planning Policy Framework. These policies state that assets should be conserved in a manner appropriate to their significance (paragraph 184) and that when considering the impact of a proposed development, great weight should be given to the asset's conservation (paragraph 193). These national policies are supported locally by Core Strategy Policy CS8, saved Policies LQ9 and LQ10 and emerging Policies DM26 and DM27.
- 11.4.2 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and requires them to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 11.4.3 Saved Policy LQ9 confirms that applications will be considered having regard to the setting of a listed building. Saved Policy LQ10 requires all development to preserve and enhance the character and appearance of the Conservation Area. Policy CS8 supports proposals that will enhance the setting and views of heritage assets through appropriate design and requires developers to demonstrate how any development affecting heritage assets (including conservation areas) will conserve and enhance the asset, its significance and its setting. Accordingly, the application is supported by a Design and Access Statement and a Heritage Statement. The thrust of these adopted policies are carried forward in the emerging policies DM26 and DM27.
- 11.4.4 The NPPF confirms that not all elements of a Conservation Area will necessarily contribute to its significance and local planning authorities should support new development in Conservation Areas or within the setting of heritage assets, which enhances or better reveals their significance. The existing buildings on the application site have little architectural merit and whilst most of the ground floor has an active frontage, it is dominated by a heavy looking projecting canopy at fascia level and until recently, the upper floor windows were blanked out, creating a solid block with little articulation or visual interest. The loss of these buildings will not harm the significance of the surrounding historic environment.
- 11.4.5 The proposed development will clearly have an impact on the setting of listed buildings including the Winter Gardens, St Johns Church, the former Post Office building and the Town Centre Conservation Area, but that impact is considered to be positive and conserves and enhances the significance of these heritage assets. The development will maintain an active frontage on Church Street and Abingdon Street and the upper floors are well-designed in a distinctive grid with vertical windows interspersed by the horizontal voids of the inset

balconies, all of which would be set within regularly sized and spaced reveals, providing depth, animation and visual interest to the elevations.

- 11.4.6 Saved Policy LQ4 and emerging policy DM17 confirms that new buildings in the Town Centre should not be less than four storeys in scale unless the character of the site and its surroundings would suggest that this would be inappropriate. Buildings in the immediate area are generally between three and five stories in scale with taller development restricted to St Johns Church and elements of the Winter Gardens. The bulk of the proposed building would be four storeys tall and the majority of the fifth floor would not be visible in the street-scene, other than the fifth storey element which projects over the residential entrance on Abingdon Street, which serves to define the entrance.
- 11.4.7 The Abingdon Street/Church Street corner of the upper floors would have the uniform voids of the inset balconies on both elevations allowing views through and creating visual interest on this prominent corner. The use of light concrete on this corner would also contrast with the main brick elevations, giving the corner further articulation.
- 11.4.8 The proposed building would have a very similar footprint to the existing building, with the exception of the south east corner which is currently a void with a canopy over. To the north of the site is the West Coast Rock Café which has a three storey frontage on Abingdon Street with a fourth floor and modest fifth floor, set back from the Abingdon Street frontage by approximately 5m. The proposed building would be approximately 1m taller than the maximum height of the West Coast Rock Café and therefore the corner of the top two floors would be visible on approach from Abingdon Street. However, windows in this element of the north elevation would provide visual interest and the use of light concrete would lessen the visual impact of the visible part of the north elevation. The visible element of the north elevation would not appear to unduly dominate the Abingdon Street street-scene and is considered to be acceptable.
- 11.4.9 Amended plans have been received, omitting windows on the northern elevation that would be visible on Abingdon Street. The windows have been replaced by 'blind' windows so that the elevation would still be broken up visually, but in a way that would not hamper the future re-development potential of the property to the north. The west elevation faces Back Church Street and the rest of the north elevation would not be visible in the street-scene but both elevations are nonetheless well designed.
- 11.4.10 In terms of the proposed materials, the elevations would be a mix of red brick and light/pigmented concrete with glazing in light coloured anodised frames and powder coated metal handrails, cills and flashings. This material palette is considered to be appropriate given the range of materials used in the immediate vicinity and wider Town Centre Conservation Area. Nonetheless, a condition requiring the submission of further details of the materials to be used on the development is considered necessary given the sensitivity of the site.
- 11.4.11 On balance, the development is considered to be well designed, sensitively scaled and would preserve and enhance the character and appearance of the Conservation Area. It is considered that the development would enhance the setting and views of the listed Winter Gardens, St Johns Church and the former Post Office building and would strengthen the existing townscape character created by these historic buildings.

11.5 Impact on highways

- 11.5.1 The site is within the Town Centre which is well served by various modes of public transport and is within walking distance of ample shopping and employment opportunities, health, education and leisure facilities. Secure cycle storage for the apartments would be provided in the basement which is served by a lift of sufficient size to accommodate a bicycle. Similarly, the basement serving the ground floor commercial uses could be used for the storage of bicycles for staff members. No on-site car parking is proposed and none could realistically be incorporated given the size of the site and the pedestrianised nature of the surrounding streets. Future residents would be aware of the lack of parking before they decided to occupy the apartments and in any case, the car parking standards are maximum rather than minimum standards. Given the high accessibility of the site and the proposed cycle storage provision, the lack of on-site car parking provision does not weigh significantly against the proposal in the planning balance.
- 11.5.2 The ground floor commercial element of the scheme would function in a similar fashion to the existing uses in terms of highway access and servicing and the operators will be aware of events and restrictions limiting vehicular movements at certain times.
- 11.5.3 A Construction Management Plan should be required as a pre-commencement condition and the details agreed with the Head of Highways and Traffic Management to ensure not only that the site can be demolished and redeveloped safely, but also to coordinate those activities to ensure there is no disruption to planned events at the Winter Gardens or in St Johns Square. The developers will need to work with the Winter Gardens and the Council on this matter to understand what events are scheduled and when and that would inform the project management of the demolition and construction phases.
- 11.5.4 A s278 agreement would be required to make Back Church Street one-way and there would be various dilapidation surveys/reinstatement works/additional paving works required. These details would be agreed with the Head of Highways and Traffic Management.
- 11.5.5 Subject to conditions, no unacceptable highway impacts are expected as a result of the development.

11.6 Drainage

- 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. The site area is less than a hectare so a Flood Risk Assessment is not required.
- 11.6.2 The site is almost developed up to its boundaries but there is an expectation that new developments reduce the amount of surface water entering the combined system where 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 No drainage details have been provided and this weighs against the proposal. However there is no reason to suppose that sufficient betterment over the current arrangement cannot be achieved. As such, the standard pre-commencement drainage conditions are necessary to ensure that the site can be safely drained without increasing flood risk elsewhere.

11.7 Ecology

- 11.7.1 The application site is hard surfaced with no habitat features for protected species. A letter from Ecology Solutions Ltd has been submitted which confirms that the existing buildings provide negligible opportunities for roosting bats and further detailed surveys are not considered necessary.
- 11.7.2 New development should provide net gains for biodiversity where possible. There would be no opportunities to provide traditional landscaping as the development would cover the entire site, just as the existing development does. However there are opportunities to provide green roofs and other ecological enhancements, the details of which should be submitted and agreed by condition. Subject to the condition proposed, no unacceptable ecological impacts are anticipated.

11.8 Planning Contributions

- 11.8.1 Policy CS11 states that development will only be permitted where the developer enters into a legal undertaking or agreement to meet the additional needs arising from the development.
- 11.8.2 The site is in the Inner Area and therefore no Affordable Housing contributions are required.
- 11.8.3 Policy CS15 states that contributions will be sought from developers towards the provision of health facilities where their development would impact on the capacity of existing healthcare facilities. The NHS Blackpool Clinical Commissioning Group (CCG) has assessed the implications of the proposal on the delivery of general practice services and have confirmed that neither Adelaide Street nor South King Street surgeries can be adapted/extended in any way despite an increasing demand. As such, the CCG have requested a £7,720 contribution towards a new build Primary Care Centre on Adelaide Street which would fall within the catchment of the application site. The sum of £7,720 should be secured in a Section 106 agreement.
- 11.8.4 Where no open space can be provided within an application site, SPG11 sets out the requirements contributions to create or improve off-site public open space. The off-site open space contribution has been calculated as £11,696 (8x1bed x £516 = £4128, 11x2bed x £688 = £7,568) and this should be secured in a Section 106 agreement).
- 11.8.5 There is no requirement for a financial contribution towards local education provision.

11.9 Other issues

- 11.9.1 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).
- 11.9.2 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.

11.10 Sustainability and planning balance appraisal

11.10.1 Sustainability comprises economic, environmental and social components.

11.10.2 Economically, some jobs may be lost as a result of the closure of the existing commercial units on the ground floor until the uses are replaced. There would be some employment generated through the construction process and future residents would help support local shops and services. The agreement of a Construction Management Plan would limit disruption to local businesses during the construction phase. Overall and on balance, the proposal would deliver economic benefits and this weighs in favour of the proposal.

11.10.3 Environmentally, no adverse impacts on biodiversity have been identified and there are opportunities to provide net gains to biodiversity by requiring ecological enhancements around the site. The scheme is not expected to have unacceptable impacts on drainage or land or water quality. No concerns relating to air quality or land contamination have been raised.

11.10.4 The design of the scheme is acceptable and the development would conserve and enhance the character of the Town Centre Conservation Area and improve the significance and setting of listed buildings in the area.

11.10.5 Socially, the development would deliver regeneration. The housing mix would not meet standards but it is understood that a reduction in unit numbers would not be financially viable. The scheme would deliver good quality homes in an attractive building and in an accessible location, making a significant contribution towards Blackpool's housing requirements. No unacceptable amenity impacts are anticipated and no undue impacts on highway safety are expected.

11.10.6 Whilst the housing mix weighs against the application, this is considered to be balanced by the regeneration benefits that the scheme would deliver in this key town centre location. As such, and subject to the applicant providing viability information to demonstrate that a reduction in unit numbers to improve housing mix would not be financially viable, the proposal is judged to constitute sustainable development. No other material planning considerations have been identified that would outweigh this view.

12.0 FINANCIAL CONSIDERATIONS

12.1 The scheme could generate additional council tax income but this is not a planning consideration and carries no weight in the planning balance.

13.0 CONCLUSION

13.1 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 subject conditions and a S106 agreement for health and public open space contributions.

14.0 RECOMMENDATION

14.1 Resolve to support the proposal and grant planning permission subject to the following conditions and a S106 agreement:

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 ref. A2019-PL-001A
Proposed ground floor plan ref. A2019-PL-201/B
Proposed first floor plan ref. A2019-PL/202A
Proposed second floor plan ref. A2019-PL-203A
Proposed third floor plan ref. A2019-PL-204D
Proposed fourth floor plan ref. A2019-PL-205D
Proposed east elevation plan ref. A2019-PL-401A
Proposed south elevation plan ref. A2019-PL-402B
Proposed west elevation plan ref. A2019-PL-403A
Proposed north elevation plan ref. A2019-PL-404C

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 No development shall take place until a Demolition/Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Demolition/Construction Management Plan shall include and specify the provision to be made for the following:

- dust mitigation measures during the demolition/construction period
- control of noise emanating from the site during the demolition/construction period
- hours and days of demolition/construction work for the development
- contractors' compounds and other storage arrangements
- provision for all site operatives, visitors and construction loading, off-loading, parking and turning within the site during the demolition/construction period
- arrangements during the demolition/construction period to minimise the deposit of mud and other similar debris on the adjacent highways
- measures to prevent contamination of surface and sub-surface water bodies during the demolition/construction period
- routing of construction traffic

The demolition and construction of the development shall then proceed in full accordance with the approved Demolition and Construction Management Plan.

Reason: In order to limit disruption to local businesses during the demolition and construction phase, in the interests of highway and site safety and to safeguard the character and appearance of the Town Centre Conservation Area in accordance with Policies LQ1, BH4, AS1 and LQ10 of the Blackpool Local Plan 2001-2016 and Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027.

- 4
- (a) 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 the equivalent greenfield rate **OR** 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.

5 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.

- 6 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.
- 7 Prior to the commencement of development a scheme of off-site highway works shall be submitted to and agreed in writing by the Local Planning Authority, and this agreed scheme shall be implemented in full and in full accordance with the approved details before any of the development hereby approved is first occupied.

For the purpose of this condition, this scheme shall include:

- the promotion of a Traffic Regulation Order making Back Church Street a one way street
- a highway dilapidation survey

Reason: In the interests of highway safety in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

- 8 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 the Town Centre Conservation Area and the setting of various listed buildings in accordance with Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, LQ4, LQ9 and LQ10 of the Blackpool Local Plan 2001-2016.

- 9 Prior to the commencement of any above ground construction, the profile details of the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority and the development shall thereafter proceed in full accordance with these agreed details. For the purpose of this condition, the profile details shall show to the extent of recession or projection of windows, doors and other architectural features of the 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 LQ4 of the Blackpool Local Plan 2001-2016.

- 10 The surfacing materials to be used in the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority prior to the laying down of any final surfacing and the development shall thereafter proceed in full accordance with these approved details.

Reason: In the interests of the appearance of the site and the Town Centre Conservation Area and the setting of various listed buildings in accordance with Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1, LQ4, LQ9 and LQ10 of the Blackpool Local Plan 2001-2016.

- 11 Prior to the development hereby approved is first brought into use the cycle storage shown on plan ref. A2019-PL-200A shall be provided and shall thereafter be retained and maintained as such.

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

- 12 Before the development hereby approved is first brought into use the refuse storage shown on plan ref. A2019-PL-201/B shall be provided and shall thereafter be retained and maintained as such.

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.

- 13 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 may include:

- Provision of green roofs
- 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.

- 14 The shop floor for the replacement betting shop shall not exceed 94 square meters.

Reason: The betting shop is only permitted as a replacement facility and any increase in shop floor would be contrary to Policy CS4 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policy SR5 of the Blackpool Local Plan 2001-2016 which seek to safeguard the retail role and function of the Town Centre.

- 15 Details of security lighting and CCTV shall be submitted to and agreed in writing with the Local Planning Authority. No apartment shall be occupied in advance of the installation of the agreed security lighting and CCTV system.

Reason: In the interests of secured by design principles and to safeguard the amenities of the future residents in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies LQ1 and BH3 of the Blackpool Local Plan 2001-2016.

- 16 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, to safeguard the character of the area and to ensure new holiday accommodation is provided in accordance with the Council's Holiday Accommodation Strategy in accordance with Policies CS7, CS12 and CS23 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Saved Policies BH3 of the Blackpool Local Plan 2001-2016.

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

Reason: In the interests of the appearance of the site and the Town Centre Conservation Area and the setting of various listed buildings in accordance with Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies BH3, LQ1, LQ4, LQ9 and LQ10 of the Blackpool Local Plan 2001-2016.

- 18 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 saved Policy BH3 of the Blackpool Local Plan 2001-2016.

ADVICE NOTES TO DEVELOPERS

1. In order to inform the content of the Demolition/Construction Management Plan and in the interests of project management, the developer is advised to contact the management of the Winter Gardens and the Council to coordinate access to and activities on the site in relation to planned events which may make access to the site difficult and to confirm what dates certain activities on site would be less desirable.
2. The grant of planning permission will require the developer to enter into an appropriate Legal Agreement with Blackpool Borough Council acting as Highway Authority. The Highway Authority may also wish to implement their right to design all works within the highway relating to this proposal. The applicant is advised to contact the Council's Highways and Traffic team via email to highwaysandtraffic@blackpool.gov.uk or by telephone on 01253 477477 in the first instance to ascertain the details of such an agreement and the information provided.
3. Please note that any address changes or new addresses needed as a result of this development must be agreed by the Council. Please contact the Council on 01253 477477 for further information.

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20/0794 –Church Street/Abingdon Street plans



Artists' impression from St Johns Square looking east



South/Church Street elevation



East/Abingdon Street elevation



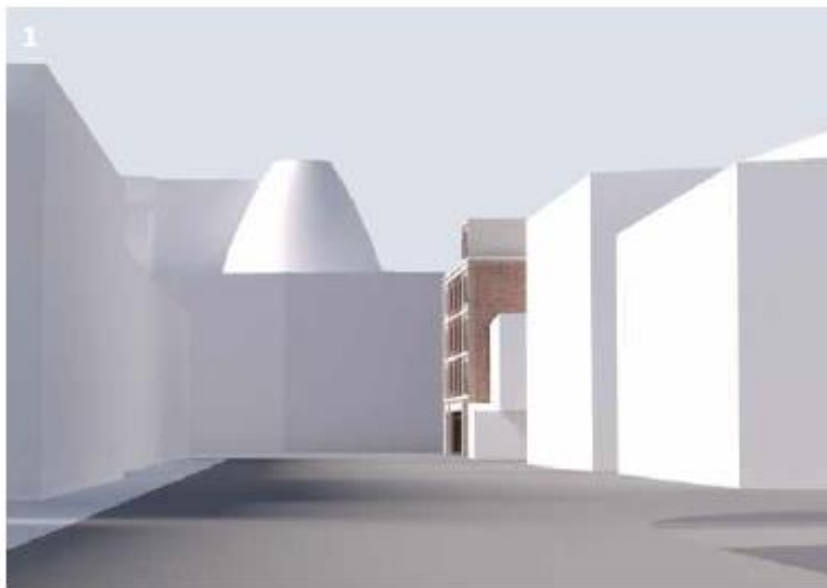
West/Back Church Street elevation



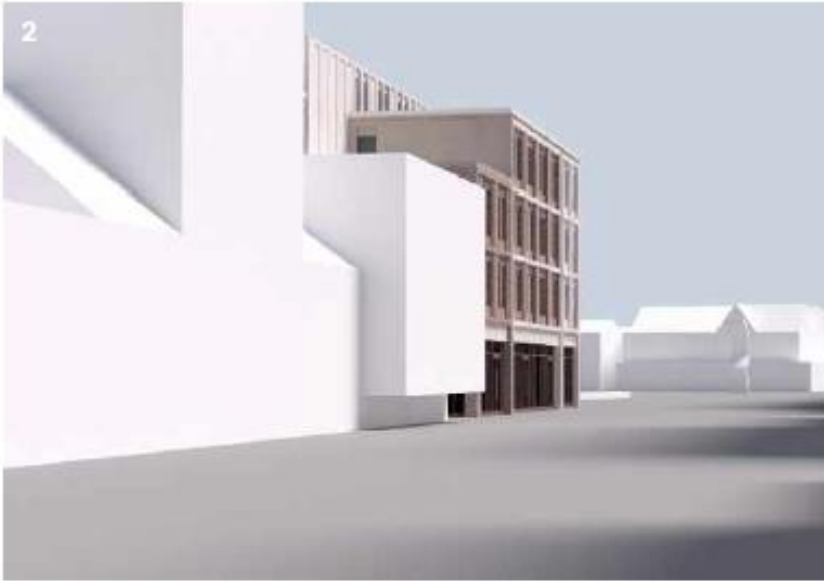
North elevation



Isometric illustration



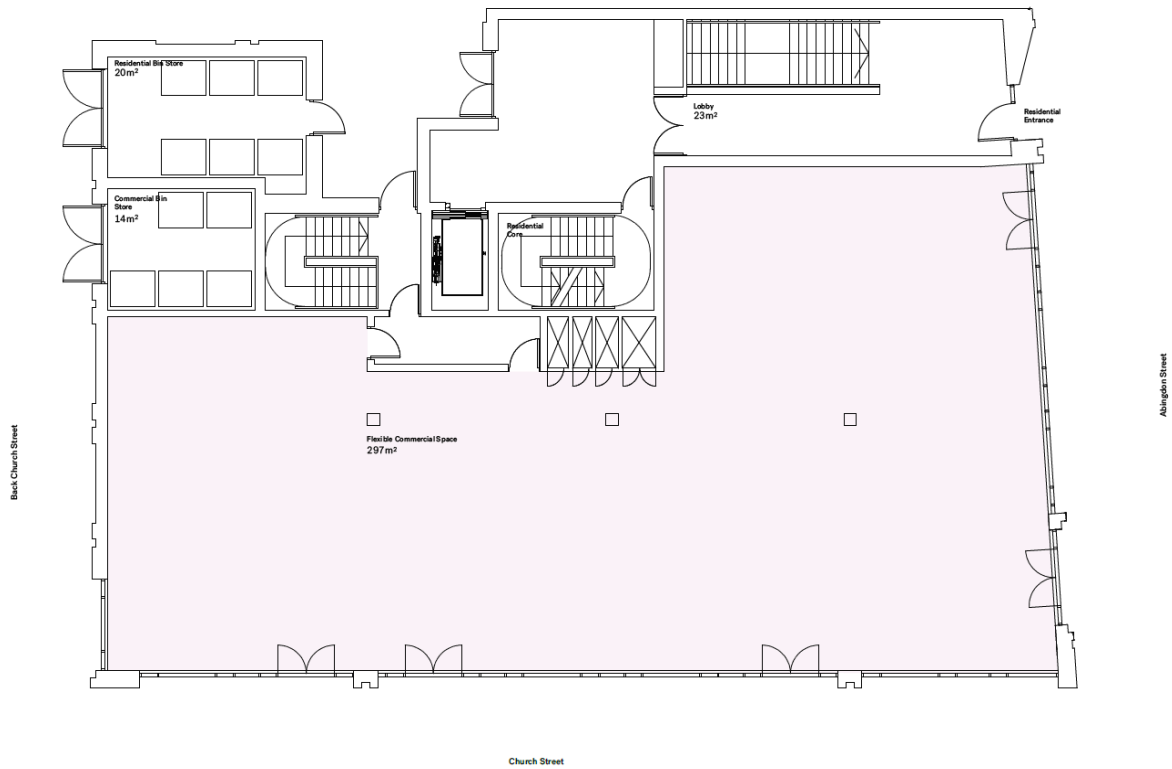
View from Abingdon Street with the Winter Gardens and Opera House in the background



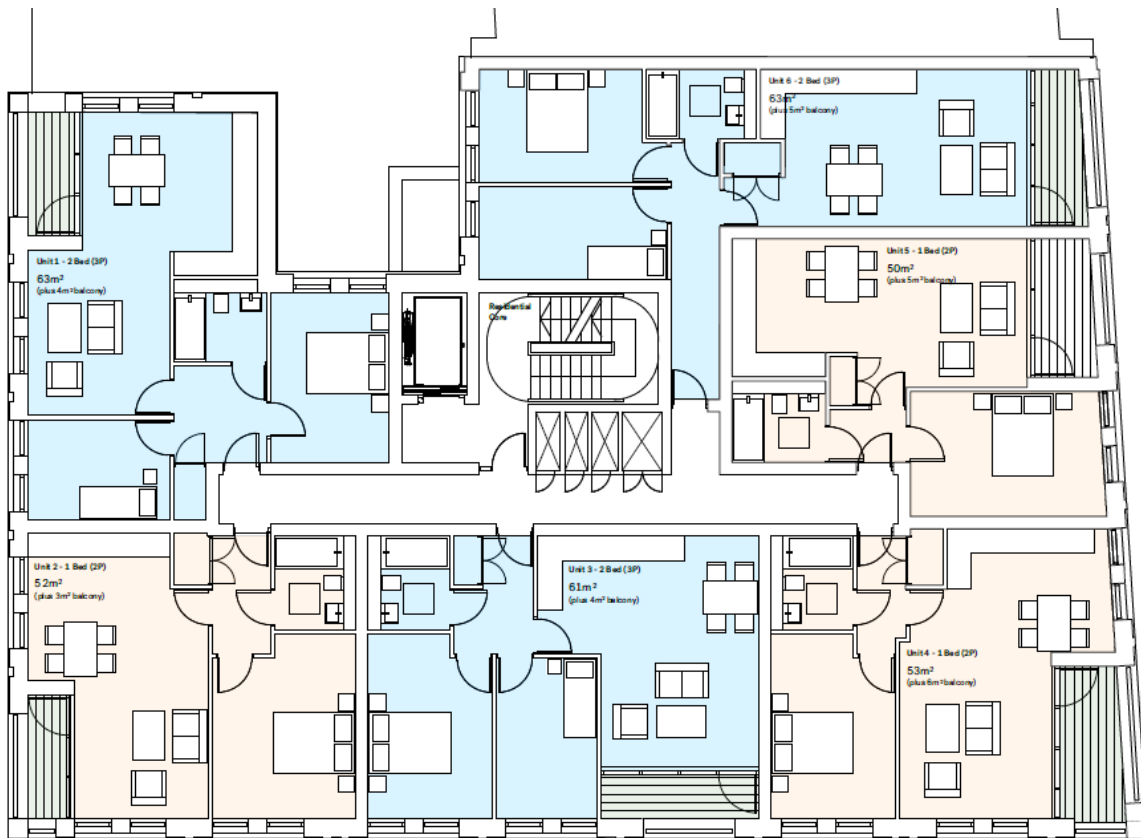
View looking east up Church Street towards St Johns Square.



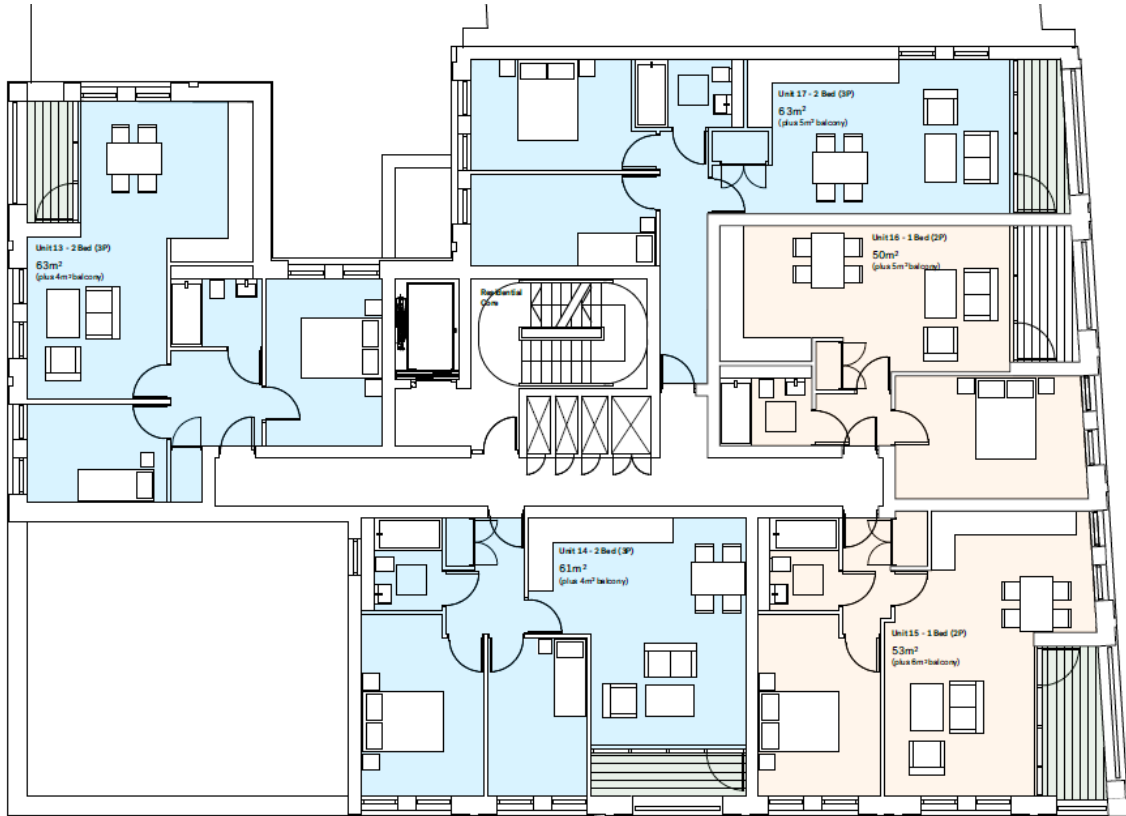
View from St Johns Square looking west.



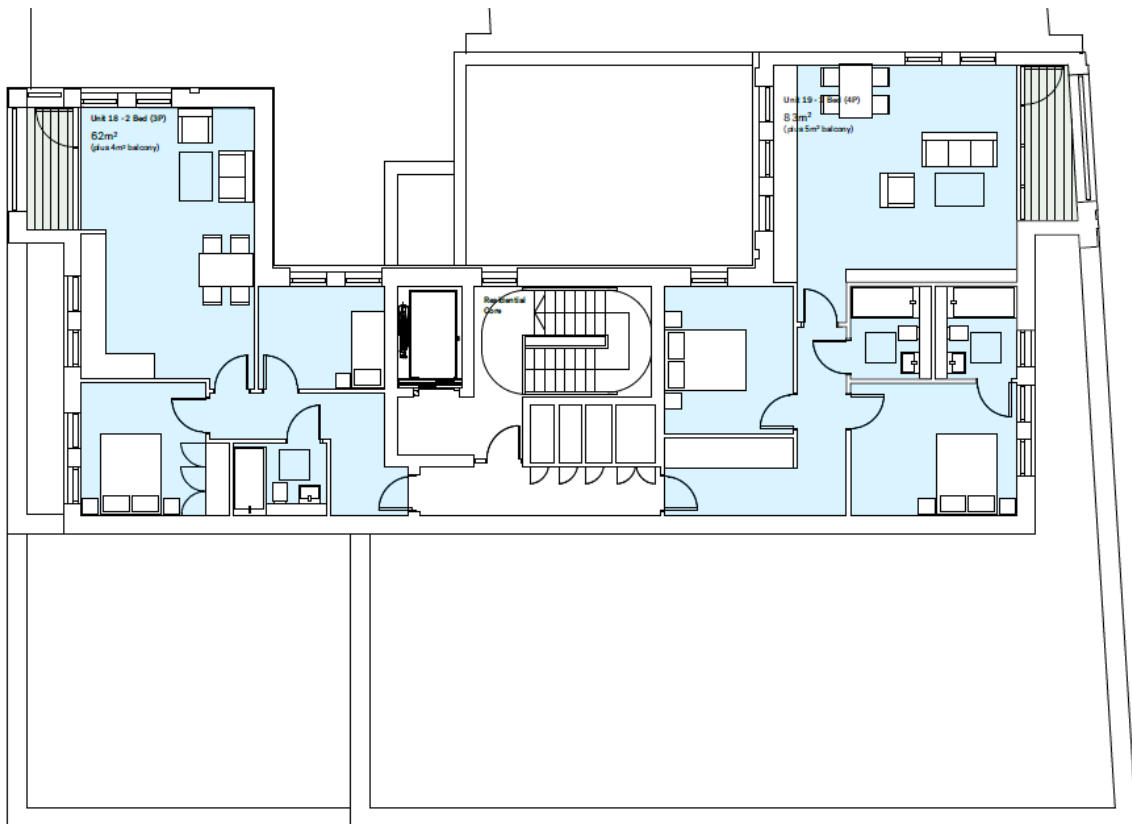
Proposed ground floor



Proposed first and second floor



Proposed third floor



Proposed fourth floor

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