

Blackpool Council

4 November 2022

To: Councillors Baker, G Coleman, Farrell, Hunter, Kirkland, O'Hara, Robertson BEM and Stansfield

The above members are requested to attend the:

PLANNING COMMITTEE

Tuesday, 15 November 2022 at 6.00 pm
Committee Room A, Town Hall, Blackpool FY1 1GB

A G E N D A

1 DECLARATIONS OF INTEREST

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

(1) the type of interest concerned 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 11 OCTOBER 2022 (Pages 1 - 8)

To agree the minutes of the last meeting held on 11 October 2022 as a true and correct record.

3 PLANNING/ENFORCEMENT APPEALS LODGED AND DETERMINED (Pages 9 - 12)

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

4 PLANNING ENFORCEMENT UPDATE REPORT SEPTEMBER 2022 (Pages 13 - 16)

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

5 PLANNING ENFORCEMENT UPDATE REPORT OCTOBER 2022 (Pages 17 - 20)

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

6 APPLICATION NUMBER: 21/1013 BISPHAM TRAM SHELTER, QUEENS PROMENADE, BLACKPOOL, FY2 9JJ (Pages 21 - 36)

To consider planning application 21/1013 for the erection of external staircase to rear between tram shelter and sub-station buildings (to access previously approved cafe roof terrace) and installation of new windows to west elevation.

7 APPLICATION NUMBER: 22/0496 BLACKPOOL FOOTBALL CLUB, BLOOMFIELD ROAD, BLACKPOOL (Pages 37 - 46)

To consider application number 22/0496 for the provision of three new exits to south-east corner of stadium.

8 DATE OF NEXT MEETING

To note the date of the next meeting as 13 December 2022.

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, 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.

Public Document Pack Agenda Item 2

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 11 OCTOBER 2022

Present:

Councillor Hunter (in the Chair)

Councillors

G Coleman
Critchley

Kirkland
O'Hara

Robertson BEM
R Scott

Stansfield

In Attendance:

Susan Parker, Head of Development Management

Keith Allen, Highways and Traffic Development and Control Officer

Clare Lord, Legal Officer

Jenni Cook, Democratic Governance Senior Adviser

1 DECLARATIONS OF INTEREST

There were no declarations of interest.

2 MINUTES OF THE MEETING HELD ON 6 SEPTEMBER 2022

The Committee considered the minutes of the last meeting held on 6 September 2022.

Resolved:

That the minutes of the last meeting held on 6 September 2022 be approved and signed by the Chairman as a correct record.

3 PLANNING ENFORCEMENT UPDATE REPORT - AUGUST 2022

The Committee considered an update on planning enforcement activity in Blackpool between 1 August 2022 and 31 August 2022.

In total 56 new cases had been registered for investigation in August 2022, as at 31 August 2022, 486 "live" complaints were outstanding and 14 cases had been resolved by negotiation without recourse to formal action. A total of 25 cases had been closed within the period.

Resolved:

To note the update.

4 APPLICATION NUMBER 21/0234: LAND ADJACENT TO CENTRAL PIER, PROMENADE, BLACKPOOL, FY1 5BB

The Planning Committee considered application number 21/0234 for the retention of a single storey building, canopy, decking and boundary treatment and use of premises as a bar and external seating area at land adjacent to Central Pier, Promenade, Blackpool.

Ms Susan Parker, Head of Development Management, presented the report to the

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 11 OCTOBER 2022

Committee and advised that the application had been brought before the Committee because it was in a very prominent position on the Promenade and was of general public interest. The Committee was reminded that the application had been previously brought before them in August 2021 and had been deferred to allow all parties to properly consider legal information and to allow the applicant to submit viability information in support of their proposal. A summary of the application was provided which was to retain use of the land immediately to the north of Central Pier as a drinking establishment with associated structures, terrace and boundary treatments.

The Committee was advised that the applicant's claim that the use as a bar was a tourist attraction in its own right in accordance with Policy CS21 of the Core Strategy was not accepted by Planning Officers, nor was the claim that the bar was an ancillary element of the existing Pier. The applicant had submitted the sequential appraisal however, officers were of the view that justification of why the bar had to be open air had not been provided and sequentially preferable, alternative sites were available. The site lay within Flood Zone 3 and no information to demonstrate compliance with a sequential test relating to flood risk had been provided.

Ms Parker advised the Committee that the site was in close proximity to heritage assets, had an impact on the locally listed Central Pier and the Huntsman Building and the Foxhall Conservation Area and that the bar obstructed views of the pier and undermined its setting. Officers were of the opinion that the bar was a poor quality, piecemeal development and contrary to multiple planning policies.

Work had been undertaken to explore justification of a temporary planning permission as it was recognised that the bar provided income for the Central Pier company. Ms Parker informed the Committee that if a costed programme of works to repair the Piers and bring them to a manageable condition had been agreed then the operations of a bar for a set period of time could have been acceptable to fund the works, however to date insufficient information had been provide to Planning Officers to support any such justification.

Ms Parker noted that no unacceptable impact on residential or visitor amenity from the bar were anticipated and the scheme did not raise any issues in respect of parking, access or impact on the highway network. However the development was not considered to be acceptable on a permanent basis and was in conflict with multiple planning policies. The Committee was recommended to reuse planning permission for the reasons given in the committee report.

Mr Chris Weetman, CW Planning Solutions, spoke on behalf of the applicant. He reminded the Committee of the reasons for deferral in August 2021 and expressed concerns about the length of time taken to bring the application back to the Committee. He clarified the timeline within which the applicant had provided information to Planning Officers, that in his opinion the committee report did not provide sufficient mention of legal opinion and that the conclusion of the legal opinion had not been shared until publication of the committee report. Mr Weetman stated that the gas and electricity was shared with the Pier which, in his opinion, made the bar ancillary to the Pier and asked the Committee to approve the application.

Mr Mark Marshall, the applicant, shared the public speaking time with Mr Weetman and

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 11 OCTOBER 2022

provided the Committee with an update on works to repair the Pier, budget constraints and challenges, costs and estimated a timeline of around 5-7 years.

The Committee discussed the application and in response to questions, it was confirmed that as soon as the applicant had taken over the bar and had become aware of the need for planning permission, the application had been lodged. Ms Parker noted the length of time taken to bring the application back to the Committee but that this was due to seeking legal opinion and attempts to facilitate a temporary planning permission. She also reminded the Committee that planning legislation was a separate entity to licensing legislation and building control legislation.

The Committee noted the objections from Built Heritage and the Civic Trust and the site's proximity to locally listed buildings and the Foxhall Conservation Area. In addition the Committee observed that the children's ride that had been temporarily moved from the Pier to the Promenade was still in situ, further encroaching onto the Promenade.

Resolved:

To refuse planning permission for the reasons in the committee report.

5 APPLICATION NUMBER 21/0974: 580-582 LYTHAM ROAD, BLACKPOOL

The Planning Committee considered application number 21/0974 for external alterations including removal of existing single-storey front and first floor rear extensions, provision of replacement roofs to rear, removal replacement and installation of various windows and doors and use of premises as altered as ten self-contained permanent flats with associated parking, cycle and bin storage and landscaping at 580-582 Lytham Road, Blackpool.

Ms Susan Parker, Head of Development Management, presented the report to the Planning Committee and provided a summary of the application site and planning history. The site was a former long-standing care home but was now vacant and number 580 Lytham Road was locally listed. The application had been received in November 2021, no representations had been received and the scheme was considered to be acceptable. The Council's Legal Team had been instructed to draft the Section 106 agreement to secure the necessary planning obligations to enable determination under delegated powers. However, a representation had been received from new neighbours of an adjoining property which was detailed further in the committee report, along with a response to this objection from the applicant which was detailed within the Update Note.

The Committee was advised that the proposal delivered a residential development that met housing mix and floorspace standards and that the scheme was not considered to result in unacceptable over-looking of neighbours. Ms Parker noted that it was proposed to remove some unsympathetic additions to the property which would enhance its value as a heritage asset.

In relation to parking, twelve parking spaces were proposed which was slightly below standards but Ms Parker advised the Committee that the site was in an accessible location and that it was not possible to increase parking provision. The scheme would bring a vacant site back into use and would significantly improve the appearance of the site and the proposal was considered to be acceptable. The Committee was asked to

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support the application and delegate officer approval subject to the conditions listed in the report and the Section 106 agreement.

The Committee discussed the report and Ms Parker advised the Committee that any permission would be restricted to permanent residential use but that a condition could not make specific reference to AirBnB use as this was a company and not a type of use.

Resolved:

To support the application and delegate approval to the Head of Development Management subject to the signing of a Section 106 legal agreement to secure contributions to Public Open Space and health and the 14 conditions listed in the committee report.

6 APPLICATION NUMBER 22/0265: LAND BOUNDED BY AMY JOHNSON WAY, COMMON EDGE ROAD, JEPSON WAY, SCHOOL ROAD AND BLACKPOOL AIRPORT. BLACKPOOL, FY4 5DY

The Planning Committee considered application number 22/0265 for outline planning permission with all matters reserved for Phase 3 of the Enterprise Zone development as follows:

- Reconfiguration of Common Edge Road to create a new point of access into the Enterprise Zone and provision of new spine road from this access point to Amy Johnson Way.
- Erection of up to 35,000sqm of business, industrial and storage and warehousing uses (Classes E(g), B2 and B8).
- Erection of up to 130sqm day nursery floorspace (class E(f)).
- Erection of up to 275sqm retail floorspace (class E(a)).
- Erection of up to 275sqm cafe floorspace (class E(b)).
- Highways works including reconfiguration of the junction of Common Edge Road and School Road.
- Associated infrastructure including drainage works, electric vehicle charging hub, substation, car parking and landscaping.
- Demolition of two single storey buildings at Collins Park and no. 2 School Road.

Ms Susan Parker, Head of Development Management, presented the report and provided the Committee with an outline of Phases 1 and 2 and of the Masterplan for its development and its aims to create 5,000 new jobs and attract a large number of new businesses during its 25-year designation. The application site lay mainly in Blackpool with a small area of highways works proposed in Fylde which came under the jurisdiction of the Local Highway Authority, Lancashire County Council.

Ms Parker advised the Committee of the benefits of the scheme in terms of economic investment and employment and that delivery of the Enterprise Zone was a fundamental element of the Council's strategic vision for Blackpool as set out in the Core Strategy and Emerging Local Plan Part 2. Part of the site incorporated an area of Green Belt and for that reason the application must be referred to the Secretary of State if the Committee was minded to grant planning permission and that Planning Officers were confident that the very special circumstances required to justify development on the Green Belt land would be met.

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Ms Parker advised that the development would result in the loss of playing pitch provision, public open space and green infrastructure, however Phases 1 and 2 of the Enterprise Zone development had been designed to mitigate any such loss and to replace with equivalent or better provision. Work had also been undertaken with Sport England who were supportive of the scheme subject to proposed condition 4 as outlined in the committee report. In relation to the Marton Moss Conservation Area and the Marton Moss Neighbourhood Plan process, no unacceptable impacts had been identified.

In relation to highways, the Committee was advised that five phases of highway works were proposed and the relevant highways authorities would continue to work to produce an agreed access and highway improvement plan to be approved at reserved matters stage. A drainage strategy had been developed for the Enterprise Zone and had been agreed in principle and no unacceptable drainage or flood risk issues had been identified or were anticipated. In terms of ecology and concerns raised by Blackpool Airport in relation to lighting and bird strike concerns which were outlined in the Update Note, Ms Parker advised that officers had consulted the Greater Manchester Ecology Unit who considered that water features could be designed to avoid undue risk. No significant risk over and above the existing situation was anticipated. Similarly, lighting could be designed to ensure that it did not affect airport operations.

In summary, Ms Parker informed the Committee that the proposal represented the third phase of the Enterprise Zone development and that any harmful impacts of the development could be mitigated through condition. The development would deliver social and economic benefits for Blackpool and the Committee was requested to support the proposal subject to the conditions listed and refer the application to the Secretary of State for consideration.

Ms Claire Parker, Cassidy Ashton Group Limited, spoke on behalf of the applicant and informed the Committee of the aims of the Enterprise Zone over its 25-year designation in relation to employment and business. She outlined the planning history for Phases 1 and 2 and advised that the new football pitches were now in use. The application supported the Enterprise Zone's Masterplan, was supported by emerging policy DM8 and there was sufficient justification for the removal of Green Belt status as detailed in the proposal. In relation to highways, she advised that work would be undertaken to reduce peak time traffic congestion in the area with more public transport opportunities to be provided on the site. Ms Parker asked the Committee to endorse the recommendations and refer the application to the Secretary of State.

The Committee discussed the application and was assured that work had been undertaken with the Airport and the National Airport Traffic Safety Board (NATS) to ensure the concerns with regards to lighting and bird strikes were appropriately mitigated by condition. In response to concerns regarding the impact of heavy goods vehicles on School Road, Ms Parker advised that 7.5 tonne limit signage was now in place.

Resolved:

To support the proposal and to grant outline planning permission for the site subject to the 38 conditions listed in the committee report and the amended conditions agreed in the Update Note. As the development was a departure from the Development Plan in advance of the formal adoption of Part 2 as the site included Green Belt, playing pitches and public open space, the Committee would refer the application to the Secretary of

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State for consideration as to whether the application would be called in for determination by the Secretary of State whether the application would be referred back to Blackpool Council to issue a decision based upon the resolution of the Planning Committee.

7 APPLICATION NUMBER 22/0440: LAND BOUNDED BY PRINCESS STREET, BLUNDELL STREET, RIGBY ROAD AND TYLDESLEY ROAD, BLACKPOOL

The Planning Committee considered application number 22/0040 for the erection of 64 two and three storey dwelling houses and a three-storey block of 3 self-contained apartments (affordable housing) with associated access, highway works, car parking and landscaping at land bounded by Princess Street, Blundell Street, Rigby Road and Tyldesley Road, Blackpool.

Ms Susan Parker, Head of Development Management, presented the report to the Committee and provided an overview of the proposal and the planning history of the site in which it was noted that permission had been granted in 2019 for 59 houses, a block of 15 apartments and a retail unit. The application was a major affordable housing scheme on the Foxhall Village estate and was subject to public interest. The site was currently vacant as the previous developer had gone into liquidation.

In regards to the proposed block of 3 self-contained apartments, the Committee was advised that these would be affordable homes for rent managed by a registered provider. The principle of residential development was acceptable as the site was allocated for housing in the emerging Local Plan Part 2.

Ms Parker informed the Committee that, subject to condition, no objections had been received from consultees, however several objections had been received from residents regarding parking, loss of privacy, impact on the conservation area and antisocial behaviour. In mitigation to these objections, the apartment block was smaller in scale than the one previously approved and the mix of housing proposed was characteristic of the area. Though the development would cause some harm to the Foxhall Conservation Area, the currently vacant site at present was causing substantial harm to the Conservation Area.

In relation to parking, the scheme proposed a ratio of 1.6 spaces per dwelling which was the same as the previously approved scheme and this was deemed to be acceptable as the site was in an accessible location and the use of public transport and cycling would be promoted as part of the Travel Plan. Ms Parker noted the loss of 6 – 7 on-street car parking spaces but reminded the Committee that a similar loss of provision had been granted in 2019.

The Committee was advised that the application could not support the planning obligations due to the challenging viability of the site and the Public Open Space and health contributions could not be secured, which meant that the NHS Clinical Commissioning Group would object to the scheme. The NHS Foundation Trust had also requested a contribution to cover a 3-year shortfall in budget, however this contribution could not reasonably be required as it did not meet the relevant tests.

In relation to flood risk, ecology or environmental quality, no issues had been identified, however Ms Parker drew the Committee's attention to the Update Note which set out

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 11 OCTOBER 2022

conditions proposed by United Utilities. The recommendation had changed and the Committee was asked to resolve to support the scheme but delegate the authority to the Head of Development Management to issue the decision notice once United Utilities had agreed an acceptable drainage strategy. Condition 5 would then be updated to state that the drainage must be carried out in accordance with the agreed details. If United Utilities did not agree to the information submitted, the original condition would be imposed.

Ms Jordan Balzas, Cassidy Ashton Group Limited, spoke on behalf of the applicant and informed the Committee that the site was currently vacant and an eyesore. The general layout of the proposal was relatively unchanged from that previously granted and that two of the dwellings would be accessible housing. However the number of apartments had reduced and ground floor retail provision had been removed. The site lay within the defined inner area boundary, was supported by policies within the Emerging Local Plan and planning permission had been granted in 2019. The proposed design was appropriate to the area and the benefits of the scheme outweighed any perceived harm to the Foxhall Conservation Area. The conditions proposed by United Utilities were acceptable and the Committee was asked to support the application.

The Committee discussed the application and noted that the site was currently vacant and required development. Ms Parker provided the Committee with clarification with regards to the health contributions and noted that the request from the NHS Clinical Commissioning group was a standard request for all such applications, however this request was not viable as it did not meet the relevant tests.

In response to concerns raised regarding parking at busy periods, with the example of football matches given, Mr Keith Allen, Highways and Traffic Development Control Officer, advised that the Traffic Regulation Orders could be re-examined once highway works were underway.

The Committee was advised that in relation to Green and Blue Infrastructure, a landscaping plan had been submitted, some properties would also have garden terraces above the carport and planting would take place on parts of the site. In addition, 10% of homes would have electric vehicle infrastructure in place.

Resolved:

To support the application and delegate authority to the Head of Development Management to issue the decision notice once United Utilities had agreed an acceptable drainage strategy. Condition 5 would then be updated to state that the drainage must be carried out in accordance with the agreed details. If United Utilities did not agree to the information submitted then the original condition would be imposed instead of the amended condition.

8 DATE OF NEXT MEETING

Resolved:

To note the date of the next meeting as 15 November 2022.

MINUTES OF PLANNING COMMITTEE MEETING - TUESDAY, 11 OCTOBER 2022

Chairman

(The meeting ended 7.04 pm)

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

Report to:	PLANNING COMMITTEE
Relevant Officer:	Susan Parker, Head of Development Management
Date of Meeting:	15 November 2022

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

3.3 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/Enforcement Appeals Determined

6.1 **21/0872 -266 Whitegate Drive, Blackpool, FY3 9JW: Installation of a glazed veranda canopy to the front elevation.**

6.2 Appeal Allowed

- 6.3 The Inspector considered the main issues where the effect of the proposed development on the character and appearance of the host property and the area, and on the living conditions of the first-floor occupiers with regard to noise and smoke.

They set out that the appeal property lies in the middle of a terrace which has a variety of commercial uses on the ground floor and some residential uses above. The terrace, along with others in the vicinity of the site are set back at varying distances from the road behind forecourt areas, some of which are used for parking and others that contain a variety of seating and structures. There is variation in the design of the shopfronts and in the appearance of fascia signs. The variety of uses and the diversity in the townscape, including through the use of outdoor spaces gives the area a mixed character.

The Inspector considered that although it would project forward from the front of the building, it would only occupy around half the depth of the appeal site's forecourt. They note that the council had referenced the visibility of shopfronts from the wide-open pavement and forecourts, but they were able to see structures on forecourt areas of this and other nearby terraces as well as a bus shelter that interrupts views of shopfronts. Whilst these structures are not directly comparable to the appeal proposal, they state that the design of the scheme, with two slender posts and a shallow pitched glazed roof, would largely maintain views to the ground floor façade of the property. Its open front and sides would not give the development an undue sense of enclosure or give rise to a cluttered appearance, even if there was to be an enclosure of up to 1m high that could be added without planning permission and views of this sign or those on neighbouring properties would be largely unobstructed.

With regard to living conditions, the Inspector states that the set back of the canopy from the edge of the footway and the area underneath, which is contained by planters, provides a physical demarcation with the public domain. This reduces the likelihood of people congregating close to the entrance of the residential flat and as such, I do not therefore consider that noise from waiting passengers, some of whom may be smoking, would give rise to any such unacceptable impacts.

The Inspector also considered the cumulative impact and precedent however states that the appeal proposal would not constitute poor quality design. They also dismissed the Council's suggestion of a retractable awning but again emphasise that the scheme has been determined on its own merits.

- 6.4 For the reasons above the Inspector has allowed the appeal.

- 6.5 The Planning Inspectorate decisions can be viewed online at <https://idoxpa.blackpool.gov.uk/online-applications/> using the relevant application reference for the decision.

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 Sustainability, climate change and environmental considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 None

13.0 Background papers:

13.1 None

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Report to:	Planning Committee
Relevant Officer:	Nicola Rigby, Planning Enforcement Manager
Date of Meeting:	15 November 2022

PLANNING ENFORCEMENT UPDATE - SEPTEMBER 2022

1.0 Purpose of the report:

1.1 The Committee is requested to consider the summary of planning enforcement activity within Blackpool, between 1 September 2022 and 30 September 2022.

2.0 Recommendation(s):

2.1 To note the outcomes of the cases set out below and to support the actions of the Head of Public Protection 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 September 2022.

As at 30 September 2022, there were 463 "live" complaints outstanding.

Resolved cases

In total, 18 cases were resolved by negotiation without recourse to formal action.

Closed cases

In total, 40 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 September 2022;
- Five s215 notices were authorised in September 2022;
- No Enforcement Notices were issued in September 2022;
- No s215 notices were issued in September 2022.

Notices authorised

Ref	Address	Case	Dates
22/8274	122 CHURCH STREET (FY1 3PP)	Unauthorised installation of an Automatic Teller Machine ("ATM") with associated external alterations, in the Town Centre Conservation Area	Enforcement Notice authorised 13/09/2022
21/8351	MARTON MENS SOCIAL CLUB, 75 DAGGERS HALL LANE (FY4 4AX)	Poor external condition	s215 Notice authorised 26/09/2022
21/8370	9 LYNN GROVE (FY1 2HZ)	Poor external condition	s215 Notice authorised 29/09/2022
22/8146	9 WOODFIELD ROAD (FY1 6AX)	Poor external condition	s215 Notice authorised 28/09/2022
22/8147	11 WOODFIELD ROAD (FY1 6AX)	Poor external condition	s215 Notice authorised 28/09/2022
22/8148	13 WOODFIELD ROAD (FY1 6AX)	Poor external condition	s215 Notice authorised 23/09/2022

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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Report to:	Planning Committee
Relevant Officer:	Nicola Rigby, Planning Enforcement Manager
Date of Meeting:	15 November 2022

PLANNING ENFORCEMENT UPDATE – OCTOBER 2022

1.0 Purpose of the report:

1.1 The Committee is requested to consider the summary of planning enforcement activity within Blackpool between 1 October 2022 and 31 October 2022.

2.0 Recommendation(s):

2.1 To note the outcomes of the cases set out below and to support the actions of the Head of Public Protection 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, 31 new cases were registered for investigation in October 2022.

As at 31 October 2022, there were 424 "live" complaints outstanding.

Resolved cases

In total, 19 cases were resolved by negotiation without recourse to formal action.

Closed cases

In total, 48 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 October 2022;
- One s215 notice was authorised in October 2022;
- One Enforcement Notice was issued in October 2022;
- Two s215s notice were issued in October 2022.

Notices authorised

Ref	Address	Case	Dates
20/8175	29 Hurstmere Road (FY4 3EJ)	Unauthorised erection of a rear extension not in accordance with 'Prior Approval' 19/0412	Enforcement Notice authorised 28/10/2022
22/8125	27 Newcastle Avenue (FY3 9DP)	Poor external condition	S215 Notice authorised 10/10/2022

Notices issued

Ref	Address	Case	Dates
21/8172	58 Dean Street (FY4 1BP)	Unauthorised material change of use from a single private dwelling-house to a self-contained holiday let	Enforcement Notice issued 04/10/2022. Appeal lodged, awaiting start date from PINS
22/8034	26 Cheltenham Road (FY1 2PR)	Poor external condition	S215 Notice issued 12/10/2022. Compliance due by 16/01/2023 unless an appeal is lodged at court by 16/11/2022

22/8148	13 Woodfield Road (FY1 6AX)	Poor external condition	S215 Notice issued 12/10/2022. Compliance due by 21/03/2023 unless an appeal is lodged at court by 21/11/2022
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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:	21/1013
Ward:	Bispham
Application type:	Full
Location:	
	Bispham Tram Shelter, Queens Promenade, Blackpool, FY2 9JJ
Proposal:	Erection of external staircase to rear between tram shelter and sub-station buildings (to access previously approved cafe roof terrace) and installation of new windows to west elevation.
Recommendation:	Grant planning permission
Recommendation Summary:	The application relates to the construction of a rear external staircase to provide access to a previously approved café roof terrace. The application proposal has been amended significantly since it was first submitted and it is considered the scheme would now have minimal impact on the locally listed building and is therefore considered acceptable subject to conditions.
Meeting date:	
	15 November 2022
Reason for bringing to Committee:	This application is before members as, following consultation with the Chairman of the Planning Committee, it is considered a scheme of public interest.
Case officer:	Caron Taylor
Case officer contact:	01253 476221

1.0 SITE DESCRIPTION

- 1.1 The application relates to Bispham Tram Station which is situated in a prominent location on the Promenade at its junction with Red Bank Road.
- 1.2 The building is locally listed.

2.0 PROPOSAL

- 2.1 The application is for the erection of an external staircase to the rear, in a recess between the tram shelter and attached sub-station buildings (to access a previously approved cafe roof terrace) and also for the installation of new windows to the west (rear) elevation. The new windows have already been inserted.
- 2.1.2 In 2017 planning permission was granted (ref: 17/0305) for external alterations including window alterations to the rear elevation and use of the premises as a cafe with associated roof terrace. The proposed staircase would give access to the roof terrace (rather than use

an internal staircase approved under the 2017 permission in the northeast corner of the building that would have given access to the roof, but be open to the elements when in use).

- 2.1.3 Initially the application was for a glazed atrium roof on the top of the building to provide shelter from the weather above the internal staircase that emerged onto the roof. However, this was not considered acceptable as even though a glass structure was proposed it would have read in the streetscene as a solid addition to the roof. It would also have been sited to one side removing the symmetry of the building, which is considered central to its character.
- 2.1.4 As a result amended plans have been received altering the proposal so that an atrium to the roof is no longer proposed. Instead a staircase is now proposed at the rear of the building in a recess between the tram shelter building and the attached sub-station.
- 2.1.5 The proposal would also allow for some internal alterations to enlarge the dining area at ground floor.

3.0 RELEVANT PLANNING HISTORY

- 3.1 17/0305 – External alterations including window alterations to rear elevation and use of premises as a cafe with associated roof terrace – approved.
- 3.2 21/1014 – Discharge of conditions 3 (Servicing), 6 (Materials) and 9 (Building Recording) attached to planning permission 17/0305 – approved.

4.0 RELEVANT PLANNING POLICY/GUIDANCE/LEGISLATION

4.1 National Planning Policy Framework

- 4.1.1 The National Planning Policy Framework was adopted in July 2021. 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 12 - Achieving well-designed places
- Section 16 – Conserving and Enhancing the Historic Environment

4.2 National Planning Practice Guidance

- 4.2.1 The National Planning Practice Guidance expands upon and offers clarity on the points of policy set out in the National Planning Policy Framework.

4.3 Blackpool Local Plan Part 1: Core Strategy 2012-2027 (Core Strategy)

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

- CS3 Economic Development and Employment
- CS7 Quality of Design
- CS8 Heritage

4.4 Blackpool Local Plan 2011-2016 (Local Plan)

4.4.1 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 adopted. The following saved policies are most relevant to this application:

- RR1 Visitor Attractions
- RR12 Other Promenade Areas
- LQ1 Lifting the Quality of Design
- LQ2 Site Context
- LQ4 Building Design
- LQ14 Extensions and Alterations
- BH4 Public Health and Safety

4.5 Blackpool Local Plan Part 2: Site Allocations & Development Management Policies (Part 2)

4.5.1 The Blackpool Local Plan Part 2 (Part 2) was the subject of independent Examination in Public in December 2021. The Inspector has now issued his comments and the Council has now consulted on minor modifications. It is anticipated that Part 2 will be adopted in spring 2023. As such, significant weight can be attached to the emerging policies in accordance with the provisions of paragraph 48 of the National Planning Policy Framework. The following emerging policies in Part 2 are most relevant to this application:

- DM10 Promenade and Seafront
- DM20 Extensions and Alterations
- DM28 Non-Designated Heritage Assets

4.6 Other Relevant documents, guidance and legislation

4.6.1 Blackpool Council declared a Climate Change Emergency in June 2019 and are committed to ensuring that approaches to planning decision are in line with a shift to zero carbon by 2030.

4.6.2 National Model Design Code (July 2021) provides guidance to promote successful design and expands on the ten characteristics of good design set out in the National Design Guide.

4.6.3 National Design Guide (January 2021) recognises the importance of good design and identifies the ten characteristics that make up good design to achieve high quality places and buildings. The guide articulates that a well-designed place is made up of its character, its contribution to a sense of community and its ability to address the environmental issues affecting climate.

4.6.4 The Environment Act 2021 makes provision for all planning permissions to be conditional on the provision of biodiversity net gain. Whilst there is, as yet, not requirement set out in statute, the Government's clear intention is a material planning consideration. The Council will therefore seek to secure biodiversity net gains where practicable in advance of this becoming a statutory requirement.

5.0 CONSULTEE RESPONSES

5.1 **Conservation Officer** – is now happy with the rear staircase as it will be positioned in a recess at the rear of the building.

5.1.2 With regard to the windows on the west elevation, they state this elevation has relatively low significance and, although the main windows have aluminium frames and ideally, the materials should be the same throughout the building, they have no particular objections if the windows have already been installed.

5.2 **Blackpool Civic Trust** – Objected to the application as originally proposed stating the proposed glass box addition on the roof of the tram shelter is not in character with the art nouveau design of the original structure. They feel a more sympathetic design is required to retain this important part of tram infrastructure. They support the application for going on the roof but a more substantial and sympathetic structure is needed to complement the design of properties on the east side of the tram track.

5.2.1 No further comments have been received from them following notification of the amended plans.

6.0 **REPRESENTATIONS**

6.1 1 letter of objection has been received to the amended plans from the following address:

- Bispham and Cleveleys Kitchens Ltd. 14-22 Red Bank Road

6.1.1 This representation raises the following objections:

- The land between the tram station and sub-station is owned by the Council and does not form part of the applicant's lease;
- In order to satisfy building regulations the staircase would have to start on Council land (and is shown to do on the proposed plan). Therefore the permission of the Council would be needed to carry out the proposed works even if planning permission were granted;
- Members of the public descending the staircase would do so into the cycle path at a blind corner and a serious accident could occur;
- If the Council did not allow the staircase to be on their land then it would have to be started further back and therefore be steeper so it would not comply with the building regulations;
- The staircase would be too close to the door into the café which staff would use to take food and drink up to the roof terrace so therefore would be a danger of collision between staff and customers;
- If the door from the ground floor of the café to the staircase opened outwards it would block the means of escape through the gate at the bottom of the stairs;
- The gate would open outwards into the cycle path causing a danger.

6.1.2 The following representations were submitted to the original plans (proposing the atrium roof):

6.1.3 A petition signed by 142 people in favour of the application (as it was originally applied for with the atrium roof) has been submitted.

6.1.4 1 letter of support have been received from the following address to the original scheme:

- 87 Poulton Road

6.1.5 This support is on the following grounds:

- The building will be improved by the proposal;
- It will improve and preserve a previously derelict building which has been used by drug users and a detriment to the Promenade;
- It has provided a service throughout the pandemic for those who used the Promenade without having to cross the tram tracks.

6.1.6 2 objections have been received from the following addresses to the original scheme:

- 214-222 Queens Promenade
- Bispham and Cleveleys Kitchens Ltd. 14-22 Red Bank Road

6.1.7 These representations raise the following issues:

- The building is locally listed and the proposed structure would be highly visible and constructed of unsympathetic materials and out of character with the style of the building;
- With it being off-set to one side it is not in keeping with the architectural design of such a prominent symmetrical building;
- The proposal is contrary to Policy CS8;
- The material of the atrium would be of low-quality at odds with the existing building and contrary to Policy CS7 of the Core Strategy;
- The parking restrictions of the 2017 permission are being ignored.

7.0 ASSESSMENT

7.1 Principle

7.1.1 There are no constraints that would prevent alterations to the building in principle, the acceptability of the scheme hinges on whether it is appropriate in design terms or not, which is assessed below.

7.2 Amenity

7.2.1 The proposal would not have any impact on the amenity of residents or visitors. The staircase would be positioned to the rear of the building which stands on the sea side of the tram tracks away from any other buildings, other than a toilet block.

7.3 Visual Impact Including Impact on a Non-Designated Heritage Asset

7.3.1 The staircase will not have a detrimental impact on the streetscene given its location in a recess at the rear of the building. The windows that have already been fitted are grey aluminium with flush fitting casements and are considered acceptable in design terms in relation to the building.

7.3.2 In relation to the building as a non-designated heritage asset (a locally listed building) Core Strategy Policy CS8 states:

Proposals will be supported that:

- a. Retain, reuse or convert, whilst conserving and enhancing the significance of designated and non-designated heritage assets and their setting.
- b. Enhance the setting and views of heritage assets through appropriate design and layout of new development and design of public realm.
- c. Strengthen the existing townscape character created by historic buildings.

- 7.3.3 The above is also reflected in emerging Local Plan Part 2 Policy DM 28 which now carries some weight in decision making.
- 7.3.4 It is considered that the alterations to the building as shown on the amended plans are acceptable. Following extensive negotiations it is considered a solution has been found that gives an appropriate access to the previously approved roof top café while also respecting the character of the tram station building. The position of the staircase would be discrete at the rear of the building and would not be readily visible due to its position in a recess. The impact of the stair case and windows on the non-designated heritage asset are considered acceptable and help to ensure that the building is retained in use. It is therefore considered that the proposal will conserve and enhance the building by allowing the café business to successfully access the roof terrace and therefore ensuring the building remains in constructive use, whilst also adding to the local economy in terms of employment and supporting the tourism industry.
- 7.4 Access, Highway Safety and Parking**
- 7.4.1 Following re-notification on amended plans an objection was received regarding possible safety issues with the scheme.
- 7.4.2 At the bottom of the proposed staircase to the rear of the building a gate is shown on the plans. This is so that customers on the roof terrace can exit onto the Promenade without having to go through the café at ground floor in an emergency. The gate would only be used by customers in an emergency, as normally customers would enter and exit through the café from the front and then go through it to gain access to the staircase up on to the roof. The gate would also prevent access to the roof terrace when the café is closed.
- 7.4.3 Concerns were raised about pedestrians emerging onto the Promenade through the gate into the path of cyclists and/or vehicles (council service vehicles travel along it) at what is a 'pinch point' in the Promenade. It is accepted that there is a realistic possibility of this happening as customers exiting through the gate in an emergency would be unlikely to realise that the Promenade is a cycle route and used by limited vehicles as they emerge from the recess, and cyclists particularly could be travelling at some speed.
- 7.4.4 The gate is also proposed to open outwards and this could be into the path of a cyclist or service vehicle.
- 7.4.5 Discussions have taken place with the Council's Highway Engineer, Engineering Manager (responsible for the Promenade to the rear of the tram shelter) and Building Control (in relation to what is necessary in terms of emergency escape).
- 7.4.6 Building Control advises that it is not possible to have the gate opening inwards due to the number of people that could occupy the café. Therefore the gate has to open outwards for use in an emergency. However, a new guard rail would be placed on the Promenade, perpendicular to the building behind the swing of the gate, so that cyclists, vehicles and other pedestrians have to go around it, taking them away from the building and preventing the gate opening outwards into their path. Engineering Services is satisfied with this proposal.
- 7.4.7 The erection of the guard rail prior to the stair case being brought in to use, which has been shown on the plans will be the subject of a condition. Originally it was considered that the use of the gate should be for emergencies only, however after a further site visit and

discussions with occupier it is considered that the use of the rear access via the gate for deliveries too is acceptable. This will reduce deliveries to the front of the building close to the tram tracks and also deliveries via another door on side/north elevation (which may encourage delivery vehicles to drive along the Promenade to the rear of the building). Using the gate for deliveries would allow vehicles to park on the safer south side of the building with a short carry distance to the gate and then a door into the serving area of the cafe. A condition is therefore proposed that the gate at the bottom of the staircase should only be used for deliveries and in an emergency.

7.5 Other Issues

- 7.5.1 It is not considered the proposal will have any impact on drainage, biodiversity or environmental quality.
- 7.5.2 The application has been considered in the context of the Council's general duty in all its functions to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998 (as amended).
- 7.5.3 Under Article 8 and Article 1 of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. This application does not raise any specific human rights issues.
- 7.5.4 Through the assessment of this application, Blackpool Council as a public authority has had due regard to the Public Sector Equality Duty ("PSED") under s.149 of the Equality Act and the need to eliminate unlawful discrimination, advance equality of opportunity between people who share a protected characteristic and those who do not, and to foster or encourage good relations between people who share a protected characteristic and those who do not. The application is not considered to raise any inequality issues.
- 7.5.5 To respond to other matters raised in representations: the applicant has served notice on the Council. The Estates Department advises that the area between the tram station and sub-station buildings where the staircase would be positioned is in the red edge of the application but is not within the area covered by their lease, they will therefore need to update their lease to implement the permission. This is not a planning matter but an informative note will be placed on any permission granted advising the applicant of this.
- 7.5.6 A Building Control Officer has reviewed the plans and given advice to the case officer. If permission is granted the developer will also need to comply with the Building Regulations. If it emerges that as a result of the Building Regulations changes are needed to the plans then the applicant will need to seek any necessary amendments to the plans.
- 7.5.7 The need to serve notice on Electricity North West was also raised with the agent, but they advise that the new staircase will not to be attached to Electricity North West property at any point.

7.6 Sustainability and planning balance appraisal

- 7.6.1 Sustainability comprises economic, environmental and social components.

- 7.6.2 Economically the staircase will help expand the buildings use as a café, create a limited amount of employment and support the tourist economy.
- 7.6.3 Environmentally the proposal will have very little impact. Visually the staircase will be largely concealed from wider views due its position in a recess.
- 7.6.4 Socially it will not impact on the amenity of any properties and it will result in minimal impact on a non-designated heritage asset while helping to ensure that the building is retained in use contributing to the council's regeneration objectives.
- 7.6.5 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.

8.0 FINANCIAL CONSIDERATIONS

- 8.1 Not applicable.

9.0 BLACKPOOL COUNCIL PLAN 2019-2024

- 9.1 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.
- 9.2 This application accords with the first priority by supporting a local business.

10.0 CONCLUSION

- 10.1 As set out above, the scheme is considered 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 approved.

11.0 RECOMMENDATION

- 11.1 Approve subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority including the following plans and information:
Location plan recorded as received by the Council on 10th June 2022
Plans and elevations ref. 21-89-1 Rev B
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 guard rail shown on approved plan ref: 21-89-1 Rev B shall be erected prior to the staircase hereby approved being brought into use.

Reason: To ensure the swing of the gate does not result in collision with a pedestrian, cyclist or vehicle and therefore to ensure safety of the general public in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016.

- 4 The gate shown on approved plan ref: 21-89-1 Rev B at the bottom of the staircase hereby approved, shall only be used as an emergency exit and for deliveries only and shall not be used for day-to-day access and/or egress from the building and/or roof terrace.

Reason: To reduce the number of pedestrians using the gate and therefore to minimise the risk of collision with a pedestrian, cyclist or vehicle to ensure safety of the general public in accordance with Policy BH4 of the Blackpool Local Plan 2001-2016.

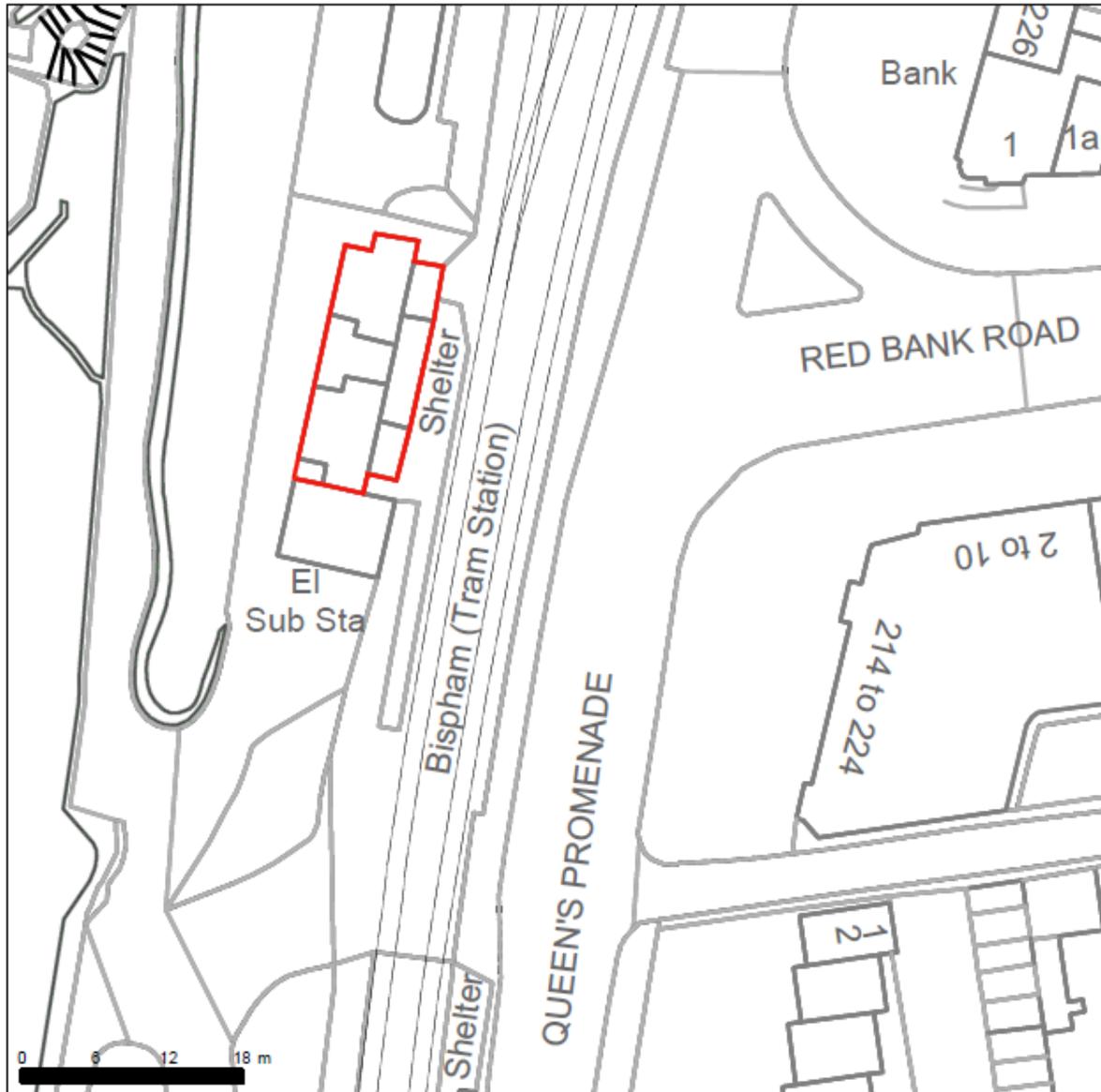
ADVICE NOTES TO DEVELOPERS

1. This planning permission does not grant or imply the permission of Blackpool Council to place structures or do works on their land. Their separate permission as landowner will be required. The developer must contact Blackpool Council Estates Department at estates.enquiries@blackpool.gov.uk before any works approved by this permission are started, to ensure they have the correct permissions/lease in place.
2. The erection of the guard rail will need to be discussed and agreed with Blackpool Council's Engineering Services. The developer is advised to contact the Engineering Services Manager at mark.anderson@blackpool.gov.uk or by telephone on 01253 476145 prior to installation of the guard rail.

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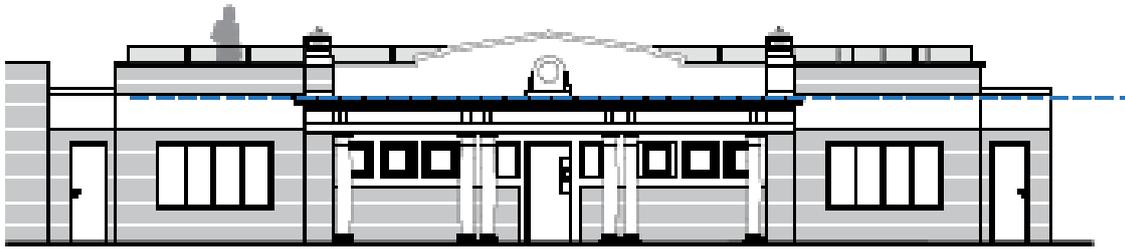
21/1013 - Plans

Location Plan

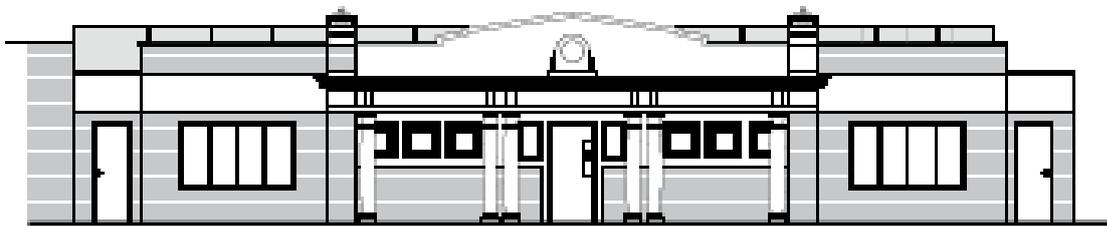


Previously Approved Plans Compared to Proposed Plans

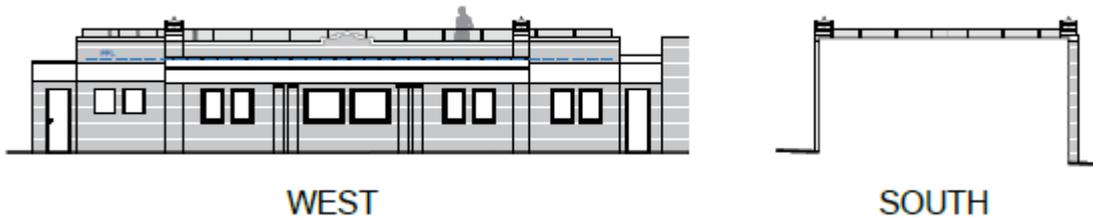
Previously Approved East (Front) Elevation:



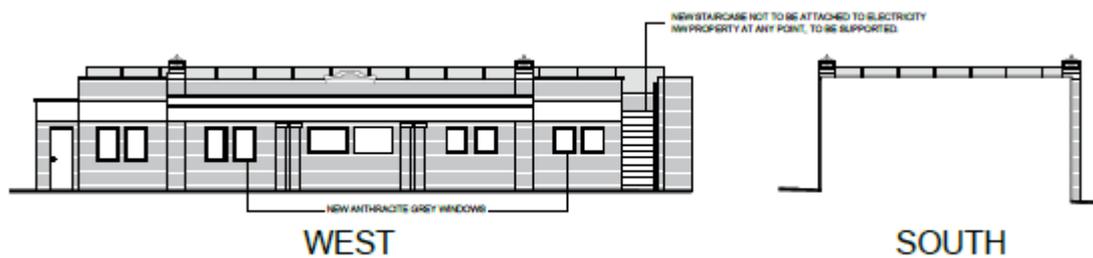
Proposed East (Front) Elevation:



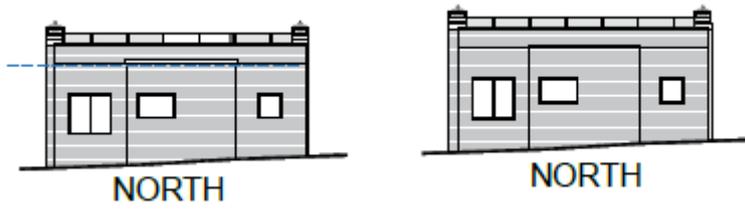
Previously Approved West (Rear) and South Elevations:



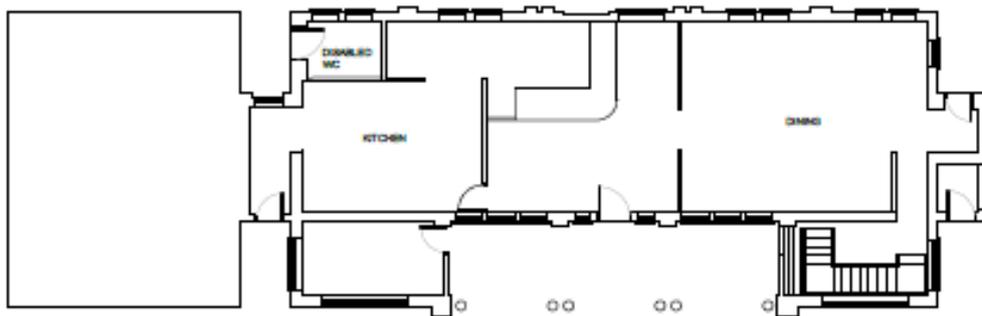
Proposed West (Rear) and South Elevations:



Previously Approved and Proposed North Elevation:



Previously Approved Ground Floor Plan:



APPROVED GROUND FLOOR PLAN

1:100

Proposed Ground Floor Plan:



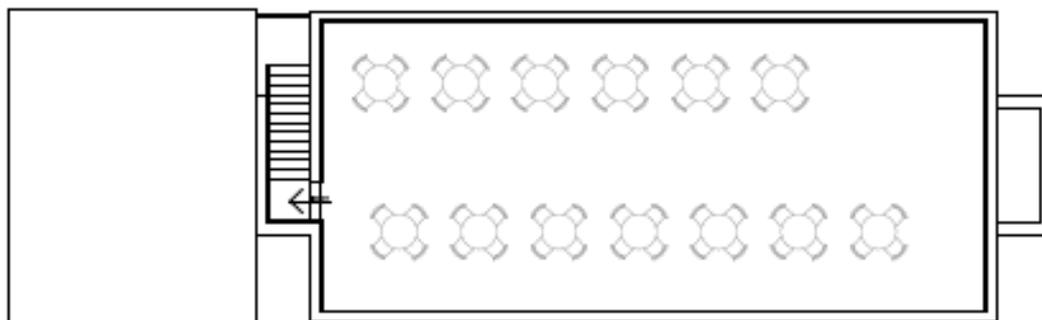
PROPOSED GROUND FLOOR PLAN

Previously Approved First Floor Plan:



APPROVED FIRST FLOOR PLAN

Proposed Floor Plan:



PROPOSED FIRST FLOOR PLAN

Photographs of Site



Front

Front elevation viewed from Red Bank Road



Rear

Rear (west) elevation of building



Recess between tram station building and substation building where staircase will be positioned

**Blackpool Council
Development Management**

Officer Report to Committee

Application ref:	22/0496
Ward:	Bloomfield
Application type:	Full
Location: Blackpool Football Club, Bloomfield Road	
Proposal:	Provision of three new exits to south-east corner of stadium
Recommendation:	Approve
Recommendation Summary:	The proposed egress points would enable home and away fans to leave the ground separately, thereby facilitating better crowd management and reducing anti-social behaviour.
Meeting date: 15 November 2022	
Reason for bringing to Committee:	General public interest.
Case officer:	Susan Parker
Case officer contact:	01253 476228

1.0 SITE DESCRIPTION

- 1.1 The application relates to the Blackpool Football Club ground on Bloomfield Road. In particular it relates to the south-eastern corner of the stadium where the back Henry Street alleyway running north-south meets the alleyway running east-west and linking the alleyway into Henry Street. The alleyway is currently gated and there is no access from it directly onto Bloomfield Road.
- 1.2 Henry Street is characterised by terraced residential properties with industrial uses at the northern end and the football club car park and public car parks beyond to the northeast. There is a club building at the southern end of Henry Street adjacent to the stadium with a commercial unit on the opposite side of the road.
- 1.2 The site falls within the defined Inner Area and the airport safeguarding zone. Otherwise no specific designations or constraints apply.

2.0 PROPOSAL

- 2.1 The application seeks permission for the creation of three egress points in the eastern elevation of the building towards the southeast corner of the stadium. These egress points would give access from an internal spectator concourse onto the public alleyway. It is proposed that 'away' fans would then be directed along the east-west alleyway onto Henry Street and then north to the public car parks. The additional exits will enable fans to leave the ground more quickly and will enable 'home' and 'away' fans to be kept separate from one another after a match.
- 2.2 The application has been supported by:
- Planning Statement

- Design and Access Statement
- Management Plan

3.0 RELEVANT PLANNING HISTORY

3.1 The stadium has an extensive planning history but no previous applications are considered to be directly relevant to this proposal.

4.0 RELEVANT PLANNING POLICY/GUIDANCE/LEGISLATION

4.1 National Planning Policy Framework

4.1.1 The National Planning Policy Framework was adopted in July 2021. It sets out a presumption in favour of sustainable development. The following sections are most relevant to this application:

- Section 8 - Promoting healthy and safe communities.
- Section 9 – Promoting Sustainable Transport.
- Section 12 - Achieving well-designed places.

4.2 National Planning Practice Guidance

4.2.1 The National Planning Practice Guidance expands upon and offers clarity on the points of policy set out in the National Planning Policy Framework.

4.3 Blackpool Local Plan Part 1: Core Strategy 2012-2027 (Core Strategy)

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

- CS5 Connectivity
- CS7 Quality of Design
- CS12 Sustainable Neighbourhoods

4.4 Blackpool Local Plan 2011-2016 (Local Plan)

4.4.1 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 adopted. The following saved policies are most relevant to this application:

- LQ1 Lifting the Quality of Design
- LQ5 Public Realm Design
- LQ14 Extensions and Alterations
- BH3 Residential and Visitor Amenity
- BH4 Public Health and Safety
- AS1 General Development Requirements (Access and Transport)
- AS7 Aerodrome Safeguarding

4.5 Blackpool Local Plan Part 2: Site Allocations & Development Management Policies (Part 2)

4.5.1 The Blackpool Local Plan Part 2 (Part 2) was the subject of independent Examination in Public in December 2021. The Inspector has now issued his comments and the Council has recently consulted on minor modifications. It is anticipated that Part 2 will be adopted in Spring 2023. As such, significant weight can be attached to the emerging policies in accordance with the provisions of paragraph 48 of the National Planning Policy Framework. The following emerging policies in Part 2 are most relevant to this application:

- DM17 Design Principles
- DM20 Extensions and Alterations
- DM41 Transport Requirements for New Development
- DM42 Aerodrome Safeguarding

4.6 Other Relevant documents, guidance and legislation

4.6.1 National Model Design Code (July 2021) provides guidance to promote successful design and expands on the ten characteristics of good design set out in the National Design Guide.

4.6.3 National Design Guide (January 2021) recognises the importance of good design and identifies the ten characteristics that make up good design to achieve high-quality places and buildings. The guide articulates that a well-designed place is made up of its character, its contribution to a sense of community, and its ability to address the environmental issues affecting climate.

5.0 CONSULTEE RESPONSES

5.1 **Health and Safety Executive – Fire:** the building in question does not appear to fall under the remit of the relevant fire safety legislation and therefore no comments are offered.

5.2 **Blackpool International Airport:** no response received in time for inclusion in this report. Any response that is received in advance of the meeting will be reported through the update note.

5.3 **Community Safety Manager:** no response received in time for inclusion in this report. Any response that is received in advance of the meeting will be reported through the update note.

5.4 **Environmental Protection (Amenity):** no response received in time for inclusion in this report. Any response that is received in advance of the meeting will be reported through the update note.

5.5 **Police Architectural Liaison Officer:** this proposal has been discussed with the football club. The fencing to the alleyway should be as high as the neighbouring fence or 1.8m. A paladin weld-mesh would be appropriate with a framed gate employing galvanised adjustable hinges and fixings mounted behind the attack face. Fixings should be galvanised coach bolt design where the gates open out and the hinges and brace are mounted on the attack face. Locks to gold sold secure standard should be fitted. The existing low wall should be removed to make it harder for the fence to be scaled. CCTV and lighting to appropriate standards should be provided and landscaping should not hinder their operation. All alleyways surrounding should be cleared of debris and maintained as such during the season to prevent items being thrown.

5.6 **Head of Highways and Traffic Management Services:** The back street to the north of the proposed gates is adopted and no fans should be able to access this area. The back street running south from the gates is not adopted and ends at a wooden fence. It is unclear who is responsible for this section of un-adopted alleyway. The back street running east from the gates to Henry Street is adopted. It is usually blocked by the vans and customers of a tyre company operating to the rear (2a) of 2 Henry Street. The areas in question seem to be adequately lit and have football club CCTV. Clarification is required as to the fencing that will be in situ around the gates and which areas the football club would have responsibility for. If the alleyway leading to Henry Street is to be used by significant numbers of pedestrians then the surface will need to be upgraded and road markings refreshed.
Officer response – fencing details have since been provided and the extent of the highway is known.

5.7 **Head of Estates and Asset Management:** no response received in time for inclusion in this report. Any response that is received in advance of the meeting will be reported through the update note.

6.0 **REPRESENTATIONS**

6.1 Press notice published: N/A.

6.2 Site notice displayed: 19 August 2022.

6.3 Neighbours notified: 18 August 2022.

6.4 A representation has been received from the occupant of the building to the rear of 1 Henry Street. This notes the former existence of a walkway between the ground and the arcade building. Football fans have been a source of anti-social behaviour on match days. The proposal is considered to be unsafe and concern is raised over the potential for intimidation and fear amongst residents who include families with children, older people and those with disabilities.

7.0 **ASSESSMENT**

7.1 **Principle**

7.1.1 There are no planning policies that would preclude this proposal in principle.

7.2 **Amenity**

7.2.1 The information submitted states that 23 English Football League Championship games would be played at Bloomfield Road each season. Up to 4 Football Association Cup fixtures could also be held at the ground along with up to 6 English Football League Cup games. This gives a maximum total of 33 matches in a season. Games traditionally commence at 15:00 on a Saturday on a fortnightly basis, with some potential for games to start at 12:30 or 17:30 if televised. Mid-week games typically kick-off at 19:45 and would generally finish a few minutes after 21:30. Extra time or penalties could extend this for cup games but this would be a relatively rare occurrence.

7.2.2 The south-east corner already provides a point of entry for fans with four turnstiles accessed directly from Bloomfield Road. This arrangement would not change.

- 7.2.3 A Management Plan has been submitted with the application which explains that the concourse areas and access/egress points are staffed by stewards. Staff will ensure that the existing alley gates are closed before fans are permitted to egress. The area is covered by CCTV and the egress will be supervised by stadium stewards and, where necessary, by the police. Emergency phones are available for use by staff or supporters and there is usually a police presence within the stadium on match days.
- 7.2.4 A letter from the local Police Superintendent has been submitted in support of the application. This states that the ingress and egress of fans is a critical feature of safe event management. It notes that the crossover of 'home' and 'away' fans has and can be problematic. The new exit points proposed would allow faster egress and dispersal of fans whilst maintaining separation, and this is supported by the Police.
- 7.2.5 Appropriate equipment and procedures are in place in the event of a fire and the egress points would also serve as an additional emergency exit.
- 7.2.6 A condition could be imposed on any permission granted to require that the existing alley gates are closed prior to first egress and to ensure that the area is covered by CCTV. Subject to this condition, it is considered that the proposal would improve safety at the ground and reduce instances of anti-social behaviour to public benefit.
- 7.2.7 It is appreciated that the egress of a significant number of fans along Henry Street could be a source of noise and disturbance for residents. However, given the proximity of the street to the stadium, it is highly likely that residents are already subject to significant noise levels on match days. The exit points are proposed to allow for faster egress and dispersal of fans meaning that any increased disturbance would be relatively short lived. It is not considered that any additional measures could be taken to reduce noise levels. Nevertheless, given the nature of the site and location, no unacceptable impacts on residential amenity over and above the existing situation are anticipated.
- 7.2.8 In terms of local resident security, the supervision of the egress points by staff and the police as appropriate, along with the condition to require alley gate closure and CCTV coverage, should ensure adequate security.

7.3 Visual Impact

- 7.3.1 The new egress points would be very functional in appearance and, given their size in relation to the overall scale of the stadium, would have negligible visual impact. A condition could be imposed on any permission granted to ensure that the doors are grey steel, as specified in the application form, to tie-in suitably with the wider elevation.

7.4 Access, highway safety and parking

- 7.4.1 Since first submission, additional information has been provided to detail the boundary treatments in place around the stadium and the alleyway off Henry Street. Fans would leave the stadium using the two new doors in the eastern elevation. It has been clarified that the entrance door in the southern elevation would only be used for egress in emergency situations.
- 7.4.2 The two egress doors to the east would release fans onto the alleyway running east to west between the stadium and Henry Street. An existing bin store to the south of these doors

would prevent fans from accessing Bloomfield Road. Equally an existing alley-gate would prevent fans from travelling north along back Henry Street. Fans would therefore be channelled east out onto Henry Street. The existing boundary treatments to the north of this alleyway are adequate to ensure security and prevent access to property. To the south a 1.8 metre high weld-mesh fence has recently been erected around the site of the former casino. This fence has been erected without planning permission but is nevertheless considered to be acceptable. The Council's Planning Enforcement team has confirmed that no action will be pursued against the installation of this fence. As such, the property to the south would be equally protected against unauthorised access.

- 7.4.3 The submitted management plan notes that fans would be directed by stewards and the Police as required northwards along Henry Street to the main car parking areas. The alleyway leading to Henry Street would need to have its surface upgraded and its line-markings renewed. A condition is proposed to require a minimum standard of surface works to be carried out prior to first use with full resurfacing required within 2 years. This would avoid any undue delay to the club making use of the new egress arrangements whilst protecting pedestrian safety in both the short and long term. CCTV and lighting provision are considered to be acceptable. The works would not affect traffic generation or parking demand.
- 7.4.4 In light of the above and subject to the imposition of an appropriate condition to secure the highway works, the scheme is considered to be acceptable in highway terms.

7.5 Other Issues

- 7.5.1 The proposal would not impact upon drainage or flood risk. Biodiversity would not be affected and no ecological enhancement is considered necessary. The scheme would not impact upon air, land or water quality and would not be at undue risk from contamination or pollution.
- 7.5.2 The application has been considered in the context of the Council's general duty in all its functions to have regard to community safety issues as required by section 17 of the Crime and Disorder Act 1998 (as amended).
- 7.5.3 Under Article 8 and Article 1 of the first protocol to the Convention on Human Rights, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of his/her property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedoms of others. This application does not raise any specific human rights issues.
- 7.5.4 Through the assessment of this application, Blackpool Council as a public authority has had due regard to the Public Sector Equality Duty ("PSED") under s.149 of the Equality Act and the need to eliminate unlawful discrimination, advance equality of opportunity between people who share a protected characteristic and those who do not, and to foster or encourage good relations between people who share a protected characteristic and those who do not. The application is not considered to raise any inequality issues.

7.6 Sustainability and planning balance appraisal

- 7.6.1 Sustainability comprises economic, environmental and social components.
- 7.6.2 Economically the scheme would have negligible impact.

- 7.6.3 Environmentally the scheme would have negligible impact.
- 7.6.4 Socially, the potential impact of the scheme on residential amenity could be satisfactorily managed. No loss of light or privacy would result. Management of the use of the egress points should ensure adequate security although fear of crime is recognised as being a concern for residents. No impacts on highway safety are anticipated.
- 7.6.5 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.

8.0 FINANCIAL CONSIDERATIONS

- 8.1 Not applicable.

9.0 BLACKPOOL COUNCIL PLAN 2019-2024

- 9.1 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.
- 9.2 This application is considered to be broadly in accordance with the second priority as it would improve safety and crowd management at the stadium to general public benefit.

10.0 CONCLUSION

- 10.1 On balance, the scheme is considered to be acceptable. The management arrangements proposed would sufficiently safeguard residential amenity and the additional egress points would enable the segregation of fans generating wider public benefit through an overall reduction in anti-social behaviour.

11.0 RECOMMENDATION

- 11.1 Approve subject to the following conditions:

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

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

- 2 The development shall be carried out, except where modified by the conditions attached to this permission, in accordance with the planning application received by the Local Planning Authority including the following plans and information:

Location plan recorded as received by the Council on 19 Oct 2022
Proposed site layout plan ref. BPM-AFL-00-00-DR-A-20193 Rev P04
Proposed spectator flows plan ref. BPM-AFL-00-00-DR-A-01192 Rev P04
Proposed elevations drawing ref. BPM-AFL-00-00-DR-A-01191 Rev P06

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 Before the development hereby approved is first brought into use, the alleyway between the stadium and Henry Street shall be resurfaced and any line-markings repainted between the existing alley-gates to the north on Back Henry Street, the extent of the private curtilage to the south and Henry Street to the east.

Reason: In the interests of highway safety 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.

- 4 (a) Before the egress points hereby approved are first brought into use the surface of the alleyway between the stadium, the carriageway of Henry Street, the existing alley-gates to the north on Back Henry Street and the extent of the private curtilage to the south shall be made safe and good for pedestrian use and the road markings refreshed; and
- (b) Within 2 years of the date of this permission either the alleyway between the stadium, the carriageway of Henry Street, the existing alley-gates to the north on Back Henry Street and the extent of the private curtilage to the south shall be resurfaced and any line-markings repainted or the use of the egress points hereby permitted shall cease.

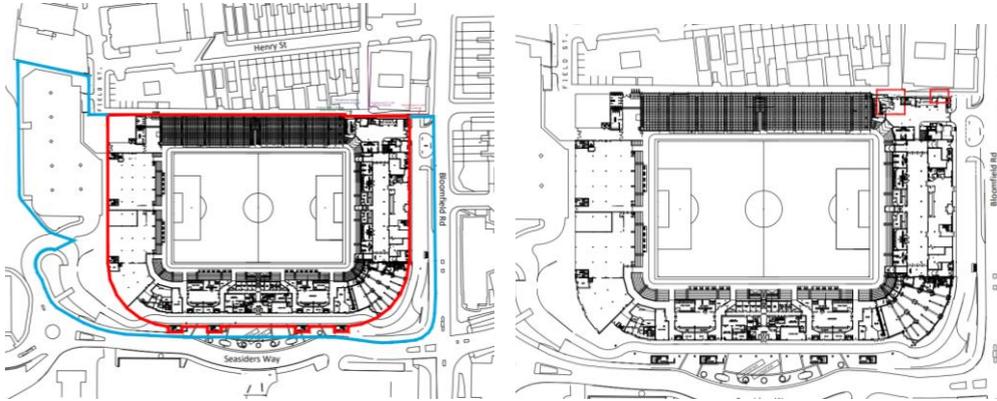
Reason: In the interests of highway safety in accordance with Policy AS1 of the Blackpool Local Plan 2001-2016.

- 5 The external materials to be used on the external alterations hereby approved shall be as specified on the application form recorded as received by the Council on 10 Aug 2022 unless otherwise first submitted to and agreed in writing by the Local Planning Authority prior to the commencement of any above ground construction.

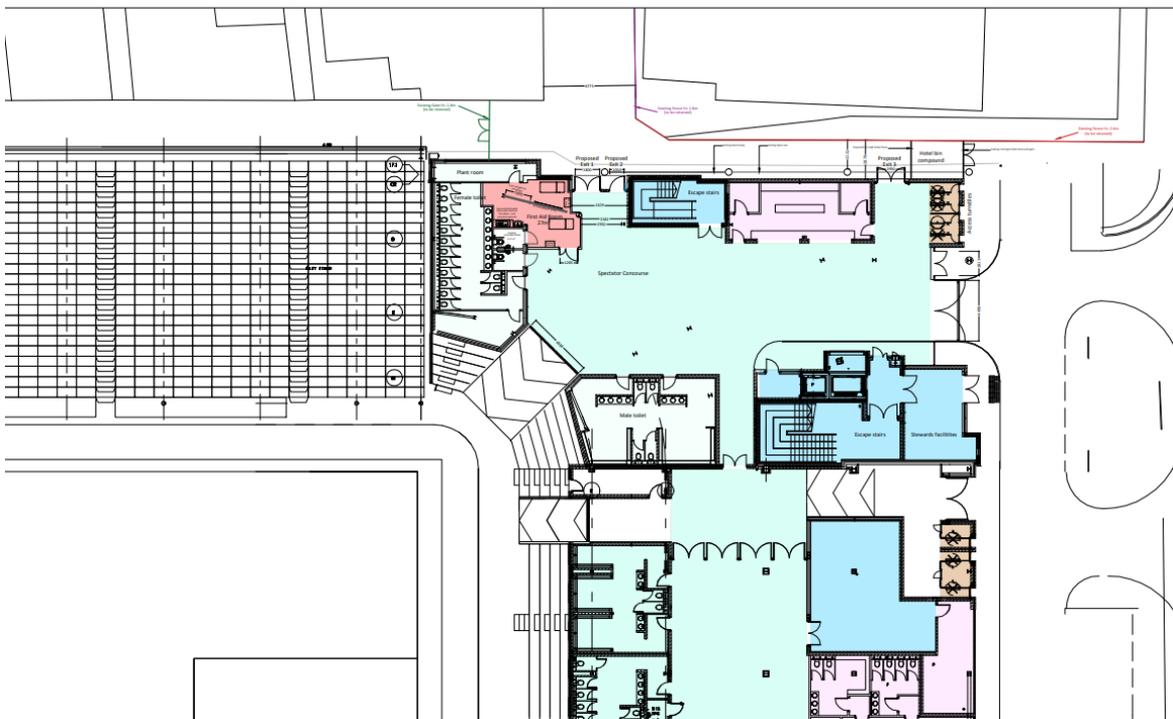
Reason: In the interests of the appearance of the site and streetscene in accordance with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy 2012-2027 and Policies LQ1 and LQ4 of the Blackpool Local Plan 2001-2016.

22/0496 – Blackpool Football Club – plans

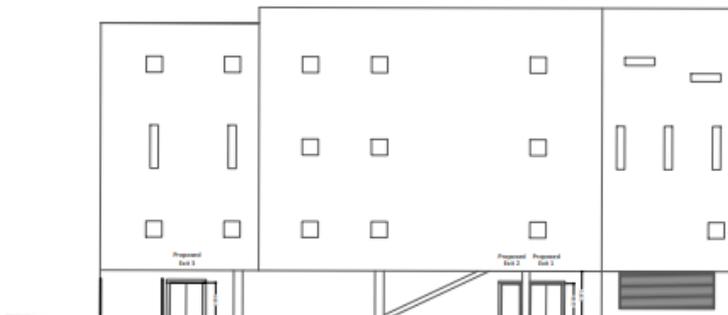
Location plan and affected areas:



Proposed layout plan:



Proposed elevation plan:



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